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AND BEFORE THE REMOND HEARING EXAMINER

IN THE MATTER OF THE) NO. LAND 2016-01036
CONDITIONAL USE PERMIT)
APPLICATION OF EVANGELICAL) APPLICANTS' RESPONSE TO THE
CHINESE CHURCH.) HEARING BRIEF IN OPPOSITION
) TO THE CUP APPLICATION
)
)

I have been assisting the following APPLICANTS ("the Religious Institutions"):

EVANGELICAL CHINESE CHURCH ("ECC"), who has a church in Redmond, a church in Seattle and owns the at-issue property that is located at 2321 173rd Ave. NE, Redmond, WA 98052.

CREEKSIDE COVENANT CHURCH ("CCC"), owns the property located at 2315 173rd Ave., NE, Redmond, WA 98052. The Creekside Covenant Church property abuts the at-issue property.

WESTMINSTER CHAPEL ("WC"), owns the property located at 13646 NE, 24th Street, Bellevue, WA 98005.

SEATTLE'S UNION GOSPEL MISSION ("SUGM"), has its administrative headquarters at 3800 South Othello Street, Seattle, WA 98118.

1 **BACKGROUND FACTS**

2 A number of years ago the City of Redmond came to the leaders of ECC and asked
3 for their assistance with the homeless issues they were facing in the City of Redmond.
4 ECC indicated that they were willing to help and happy to allow their house to be used for
5 a women’s and children’s shelter. Later on, CCC and WC joined ECC in their efforts to
6 set up a women’s and children’s shelter in the City of Redmond. The three churches
7 decided that the best organization to run the women’s and children’s shelter was SUGM
8 and that they would call this shelter the BelRed Family Resource Center (“BRFRC”).

9 Each of these churches and SUGM are passionate about the proposed shelter and
10 helping homeless women and children. This women’s and children’s shelter is important
11 and central to these Religious Institutions’ mission to help homeless women and children.
12 Attached as **Exhibit A**, please find a Declaration from ECC and CCC. The Bible is very
13 clear as to the importance of helping the homeless.

14 The actions of the Applicants show a real resolve and commitment to the BRFRC.
15 ECC has committed a house worth about one (1) million dollars for the BRFRC and have
16 paid out of pocket about sixty (60) thousand dollars to hire professionals to assist in
17 navigating the City of Redmond Conditional Use Permit (“CUP”) process. CCC, WC and
18 SUGM have spent countless hours over the last two years assisting me in the CUP process.
19 If I charged for my time, a conservative estimate of my fees would be approximately one
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1 hundred thousand (100,000) dollars. To state that there is a lack of commitment by ECC,
2 CCC, WC and SUGM is without merit and is not based on facts.

3 **COMPREHENSIVE ALLOWED USES CHART**

4 The Redmond Zoning Code (“RZC”) Section 21.04.030 sets forth the
5 Comprehensive Allowed Uses Chart for the City of Redmond. Attached as **Exhibit B**,
6 please find a copy of RZC 21.04.030. Under this RZC, Religious Institutions are either
7 permitted or may be allowed under a conditional use permit in R-3 zoned properties. RZC
8 21.78 states that Religious Institutions are “[c]hurches, temples, synagogues, monasteries,
9 and similar establishments operated by religious organizations.” Attached as **Exhibit C**,
10 please find a copy of the relevant part of RZC 21.78. There is no question that ECC, CCC,
11 WC and SUGM are all churches and would be Religious Institutions per the City of
12 Redmond Zoning Code. Even the Resident Opponents Hearing Brief refers to ECC and
13 CCC as religious organizations.

14 Nothing in the City of Redmond’s definition of Religious Institutions sets forth
15 what a Religious Institution can do or not do and still qualify as a Religious Institution.
16 There is no requirement in City of Redmond’s definition of a Religious Institution that
17 requires a Religious Institution to own property, rent property or even have an ownership
18 interest in personal or real property to be a Religious Institution. If the City of Redmond
19 wanted to narrowly define what a Religious Institution is, they could have drafted a
20 definition that was narrow in scope. The fact that the City of Redmond has drafted the
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1 definition of Religious Institutions in such a broad manner, shows that they intended a
2 broad definition of who could be a Religious Institution. It should be noted that nothing in
3 the definition for Religious Institutions indicates that three or four churches working
4 together, in line with their church mission to better obey the written words of the Bible,
5 would somehow cause them to cease being Religious Institutions. The BRFRFC is exactly
6 that, a joint effort between multiple churches to help the homeless women and children in
7 the community.

8 If a church opens a church school, is it not still part of the church? If a church
9 opens a food bank to feed the poor, is it not still part of the church? If a church opens a
10 day care center, is it not still part of the church? If a church opens a women's and
11 children's shelter, is it not still part of the church? The facts of this situation support the
12 contention that we have four Religious Institutions doing the type of work that Religious
13 Institutions usually do.

14 The definition of Religious Institutions also states that Religious Institutions may
15 also be "similar establishments operated by religious organizations". While the Applicant
16 contends that the BRFRFC is simply three churches doing what churches usually do, in the
17 alternative we contend that the BRFRFC is a similar establishment operated by four
18 religious organizations.

1 The Resident Opponents ignore the most important and relevant facts that relate to
2 this situation and focus on other facts to make their argument. The facts are the facts and
3 any effort to misconstrue the facts do not change the facts.

4 The important and relevant facts for this situation can't be set aside for other facts
5 to make an argument that allows one to go through the back door, when they would not be
6 allowed to go through the front door. All of the facts have to be viewed together to
7 determine the correct result in this situation. The fact of the matter is that we have four
8 Religious Institutions working together to open a women's and children's shelter, which is
9 important and central to their exercise of their religious beliefs.

10 If the facts were such that these four Religious Institutions wanted to start a
11 business to sell used cars that would be a very different fact pattern and a fact pattern that
12 would lead to a very different result. While this fact pattern would be favorable to the
13 Resident Opponents, this is not the fact pattern in our situation.

14 In this situation, the Applicants contend that they clearly fall under the category of
15 Religious Institutions and the fact that this may fall under another category found in the
16 City of Redmond Comprehensive Allowed Uses Chart, doesn't change the fact that the
17 Applicants are Religious Institutions and fall under that category. Showing or proving that
18 this use may fall under another category, doesn't prove or negate the fact that the
19 Applicants fall under the Religious Institutions category.

1 RZC 21.08.050 states that a Religious Institution is a *permitted use* in an R-3
2 Single-Family Constrained Residential zone, so long as the *permitted use* is for less than
3 two hundred and fifty (250) seats and a traffic mitigation plan is accepted by the City of
4 Redmond. A copy of RZC 21.08.050 is attached as **Exhibit D**.

5 This facility is limited to forty (40) people (shelter guests, staff & volunteers), so it
6 is well below the two hundred and fifty (250) seat limit. In addition, we have submitted a
7 traffic study and a traffic mitigation plan has been accepted by the City of Redmond.

8 Based on the fact that the Applicants are Religious Institutions and a traffic mitigation plan
9 has been accepted by the City of Redmond, we would request that the Hearing Examiner
10 rule that this use is a *permitted use* under the City of Redmond Zoning Codes and allow us
11 to proceed with the BRFRFC with no conditions attached, except for the traffic mitigation
12 plan.

13 The Hearing Brief for the Resident Opponents states on page 10, starting on line
14 10, that “[s]urely the RZC must stand for something. ‘All land uses, activities ... shall
15 comply with the RZC ...’ RZC 21.76.100.B.1. ‘All permits and approval shall comply
16 with the RZC. No permit or approval shall be issued for any parcel of land developed in
17 violation of the RZC.’ RZC 21.76.100.B.2.” The Applicants could not agree more with
18 the Resident Opponents on this point. We have a situation in which four Religious
19 Institutions are working together to exercise their religious freedom to do what Religious
20 Institutions usually do in helping the poor and oppressed, so the RZC should stand for
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1 something and allow the Religious Institutions to engage in this activity without having to
2 go through the CUP process.

3 **CONDITIONAL USE PERMIT**

4 **I. The Past CUP's On This At-Issue Property Have Been Abandoned.**

5 The Applicants agree with the Resident Opponents that there has not been a CUP in
6 place for a few years now and that any past CUP has been abandoned. According to the
7 Resident Opponents, the first CUP was granted in 1968 for the property to be used as a
8 church. According to the Resident Opponents brief, the at-issue property had no church
9 activities taking place on it for approximately four (4) years, so according to the City of
10 Redmond Ordinance 310, this CUP has been abandoned.

11 According to the Resident Opponents, the last CUP granted for this at-issue
12 property was back in July 17, 1985 for use as additional classroom and office space for the
13 Redmond Christian School. No evidence has been presented that the Redmond Christian
14 School ever used this at-issue property for additional classroom and office space. ECC
15 purchased this property in 2004 and it has never used this house as a Christian school for
16 additional classroom or office space. Therefore, this CUP has been abandoned under the
17 City of Redmond Ordinance 310.

18 The City makes the argument that CCC continues to operate under a CUP and that
19 is why a CUP is required for this proposed homeless shelter, even though the proposed
20 homeless shelter is owned by ECC and the proposed homeless shelter is a *permitted use*
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1 under the Redmond City Code. It should be noted that the attorney for the City fails to cite
2 a City of Redmond code, ordinance or regulation that supports this claim. Applicants'
3 contend that there is no legal support for this claim and even logic would dictate that this is
4 not correct. If the new proposed use is allowed as a *permitted use* under the Redmond City
5 Code, why would the fact that there is a CUP in place on another legal parcel for another
6 use dictate otherwise?

7 **II. The Proposed Shelter Is Not An “Accessory Use”.**

8 The term “accessory use” was a term used by the City of Redmond in the Technical
9 Committee Report to the Hearing Examiner and was never a term used by the Applicants.
10 The BRFRRC has always been an important and central part of the Applicants exercise of
11 their religious faith and beliefs. The Applicants do not agree with the City of Redmond’s
12 Technical Committee that this is an “accessory use” by the Applicants.

13 **III. The Proposed Shelter Is Consistent With The City’s Comprehensive Plan.**

14 The Resident Opponents make a number of arguments that this propose shelter
15 violates the City’s Comprehensive Plan. It should be pointed out that the Resident
16 Opponents do not present any facts, data or even analysis to show how this proposed
17 shelter violates the City’s Comprehensive Plan. Simply stating that something is true, does
18 not make it true.

19 The Applicants agree with the City’s arguments that the proposed shelter is
20 consistent with the City’s Comprehensive Plan. In addition, the Applicant agrees with all
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1 of the data that the proposed shelter is consistent with the City's Comprehensive Plan that
2 was submitted in the City's TECHNICAL COMMITTEE REPORT TO THE HEARING
3 EXAMINER.

4 **IV. The Proposed Shelter Does Not Change The Character Of The**
5 **Neighborhood.**

6 It is important to note that CCC literally abuts this property and one only has to
7 walk about 50' feet south from this proposed shelter to find the Holy Trinity Anglican
8 Church, which is located at 17371 NE 24th Street. The character of this neighborhood is a
9 neighborhood that contains two churches.

10 The Applicant would argue that the character and use for this at-issue house is not
11 changing by the proposed shelter. It should be noted that the at-issue house is not going to
12 be altered on the outside (other than a fence), so the character of the neighborhood will not
13 change from that point of view. The use for the at-issue house will remain the same due
14 to the fact that churches will continue to use this at-issue house for church use.

15 **V. The Proposed Shelter Does Not Create A Traffic Issue Or Public Safety**
16 **Issue For The Neighborhood.**

17 As to the Resident Opponents arguments regarding vehicle traffic, please see the
18 traffic study submitted by the Applicants and the traffic mitigation plan submitted by the
19 City.
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1 It should be noted that back in 1985 the City of Redmond granted a CUP that
2 allowed the Redmond Christian School to use the at-issue property and adjacent property
3 for classroom or office space for up to two hundred and twenty-five (225) people, even
4 though the Redmond Christian School was not associated with the adjacent church. While
5 the use is different, the impact on traffic was much greater in that CUP than this CUP with
6 a maximum number of forty (40) people.

7 The Resident Opponents through their opinion and emotionally laden statements
8 have expressed a belief that this proposed shelter will create a public safety issue for them,
9 but have failed to present any substantive facts or data to support their opinions.

10 **VI. The Proposed Shelter Is A Solution To A Real Problem.**

11 The Resident Opponents argue in their Hearing Brief, that homelessness has never
12 been a problem or evident in the community. Once again, to simply say something is true,
13 does not make it true.

14 The Applicants have already submitted substantial evidence and facts to the
15 contrary. In addition, the City of Redmond recognizes and asserts that homelessness is a
16 significant problem in the area. Through the City of Redmond's Human Services program
17 funding, it provides financial support to agencies that provide housing for homeless
18 people, support and training for the homeless, economic counseling for the homeless and
19 physical and mental health programs serving the homeless, but yet the need persists.

1 In addition to direct monetary funding of programs benefitting the homeless, the
2 City of Redmond is a contributing member to A Regional Coalition for Housing (ARCH).
3 ARCH recognizes that homelessness is an eastside community issue, and develops low
4 cost housing in fifteen (15) eastside cities and unincorporated King County, but yet the
5 need persists.

6 The City of Redmond has and does permit permanent and temporary homeless
7 shelters, and most are at religious facilities. These shelters include the Landing at the
8 Together Center, St. Jude Catholic Church, Redwood Family Church, Overlake Christian
9 Church and Redmond United Methodist Church, but yet the need persists.

10 In the last four years, the City of Redmond has leased unoccupied city land at token
11 payments for the headquarters and service center of Hopelink, the area's largest nonprofit
12 serving the homeless, and for the John Gabriel low income Senior Housing project
13 operated by the Sisters of Providence, a religious organization. Even before opening, all
14 units in the John Gabriel House were spoken for and there is a waiting list, but yet the need
15 persists.

16 **VII. The Proposed Shelter Is Not Simply A Six Bedroom House.**

17 It should be noted that the at-issue house contains a half-court basketball gym
18 inside of this house that can easily sleep forty (40) people per night. This area is actually
19 larger than the area used by SUGM, in which they used to sleep more than forty (40)
20 people per night. To state that this house has only six bedrooms is simply not correct.
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1 If the Hearing Examiner determines that the BRFC may be allowed, but under a
2 CUP, the Applicant concurs with the City of Redmond's recommendation that this CUP
3 should be granted with the conditions as set forth by the City of Redmond.

4 FREEDOM OF RELIGION

5 In the United States, religious civil liberties are guaranteed by the First Amendment
6 to the United States Constitution. The First Amendment of the United States Constitution
7 states, [c]ongress shall make no law respecting an establishment of religion, or prohibiting
8 the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of
9 the people peaceably to assemble, and to petition the Government for a redress of
10 grievances. It should be noted that the Washington State Constitution extends broader
11 protection for the freedom of religious sentiment, belief and worship. "... [N]umerous
12 cases in this court have already decided that the article I, section 11 freedom of religious
13 sentiment, belief and worship 'absolutely protects the free exercise of religion, [and]
14 extends broader protection than the first amendment to the federal constitution ...'". *City*
15 *of Woodinville v. Northshore United Church of Christ*, 166 Wash.2d 633, 642 (2009).

16 It is well documented that our founding fathers felt that the freedom of religion was
17 of utmost importance and that is duly noted by the fact that it is the First Amendment set
18 forth in the United States Constitution. This is the highest law of the land and no city
19 code, ordinance, regulation or law can in any way contradict the rights given to every
20 United States citizen under the United State Constitution.
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1 The BRFR is an exercise of religion by ECC, CCC and WC. All three of these
2 churches are Christian churches that strongly believe that the Bible instructs them to help
3 the homeless women and children as part of their religious belief. If the Hearing Examiner
4 determines that the City of Redmond code, ordinance, regulation or laws prohibit these
5 churches from opening the BRFR, the Applicants contend that the City of Redmond code,
6 ordinance, regulation or laws are in violation of the First Amendment of the United States
7 Constitution.

8 CONCLUSION

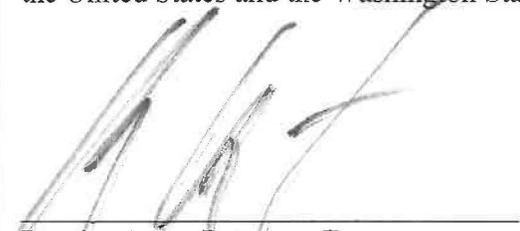
9 The Applicants contend that the proposed shelter is a *permitted use* under RZC
10 21.08.050, so long as a traffic mitigation plan has been accepted by the City of Redmond.
11 The City of Redmond has accepted the Applicants' traffic mitigation plan, so this proposed
12 shelter should be allowed as a *permitted use* under RZC 21.08.050.

13 In the alternative, if the Hearing Examiner determines that the proposed shelter
14 must be subjected to the City of Redmond CUP process, the Applicants agrees with the
15 City of Redmond's TECHNICAL COMMITTEE REPORT TO THE HEARING
16 EXAMINER, and contend that this proposed shelter should be allowed.

17 If the Hearing Examiner determines that this proposed shelter should not be
18 allowed due to the City of Redmond codes, ordinances, regulations or laws, the Applicants
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contend that the City of Redmond codes, ordinances, regulations or laws are in violation of the United States and the Washington States Constitutions.



Brynjar Aaron Peterson, Esq.
WSBA Bar No. 30261

EXHIBIT A

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AND BEFORE THE REMOND HEARING EXAMINER

IN THE MATTER OF THE) NO. LAND 2016-01036
CONDITIONAL USE PERMIT)
APPLICATION OF EVANGELICAL) DECLARATION BY:
CHINESE CHURCH.)
Creekside Covenant Church)

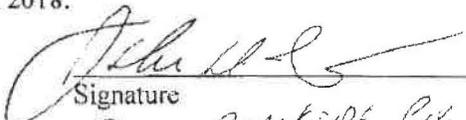
I declare that the following facts are within my personal knowledge, unless otherwise stated, and that they are true and correct to the best of my knowledge and ability.

Creekside Covenant Church strongly believes that helping the down, the downtrodden and the homeless is important, central and critical to our exercise of our religious beliefs as clearly set forth in the Bible.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at Sammamish, Washington, March 2, 2018.

JOHN COSTER
Printed Name


Signature
CHAIR Creekside Ch. Church

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AND BEFORE THE REMOND HEARING EXAMINER

IN THE MATTER OF THE) NO. LAND 2016-01036
CONDITIONAL USE PERMIT)
APPLICATION OF EVANGELICAL) DECLARATION BY:
CHINESE CHURCH.)
)
) Evangelical Chinese Church of Seattle

I declare that the following facts are within my personal knowledge, unless otherwise stated, and that they are true and correct to the best of my knowledge and ability.

The Evangelical Chinese Church of Seattle (ECC) strongly believes that helping the down, the downtrodden and the homeless is important, central and critical to our exercise of our religious beliefs as clearly set forth in the Bible.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at Seattle (City) Washington (State)
3/2/2018 (Date).

Willy Chen (ECC Church Board Chair)
Printed Name


Signature

EXHIBIT B

ARTICLE I ZONE BASED REGULATIONS

RZC 21.04 GENERAL PROVISIONS

21.04.030 Comprehensive Allowed Uses Chart

- A. **Generally.** This chart is meant to serve as a compilation of permitted uses within each of the individual zone summaries. It does not include all the specific use limitations or requirements that may apply. Please refer to the individual zone summaries for special use requirements or limitations.
- B. **Residential Zones.**

Table 21.04.030A Comprehensive Allowed Uses Chart: Residential Zones											
	UR	RA5	R1	R3	R4, R5	R6	R8	R1N	R12, R18, R20, R30	MDD3	NDD1
Residential											
Detached dwelling unit	P	P	P	P	P	P	P	P	P	P	P
Size-limited dwelling		P	P	P	P	P	P	P	P	P	P
Cottage					P	P	P	P		P	P
Accessory dwelling unit	P	P	P	P	P	P	P	P	P	P	P
Attached dwelling unit					P/C	P/C	P/C	P/C	P/C	P	P
Manufactured home		P	P	P	P	P	P	P	P	P	P
Multifamily structure									P	P	P
Dormitory										P	
Residential suite										P	
Mixed-use residential structure											
Housing services for the elderly									P/C	P	P
Adult family home		P	P	P	P	P	P	P	P	P	P
Long-term care facility									C	P	P
Residential care facility		C	C	C	C	C	C	C	C	P	P
Retirement residence					P/C	P/C	P/C	C	P/C	P	P
General Sales or Service											
General Sales or Service											
Automobile sales, rental, or service establishment											
Heavy consumer goods sales, rental, or service											
Durable consumer goods sales, rental, and service											
Consumer goods, other											
Membership wholesale / retail warehouse											
Grocery, food, beverage, or dairy sales											
Marijuana retail sales											



Table 21.04.030A Comprehensive Allowed Uses Chart: Residential Zones												
Health and personal care												
Convenience store												
Finance and insurance												
Real estate services												
Professional services												
Administrative services												
Services to buildings or dwellings												
Travel arrangement and reservation services												
Investigation and security services												
Full-service restaurant												
Cafeteria or limited-service restaurant												
Bar or drinking place												
Caterer												
Food service contractor												
Animal kennel/shelter		C										
Personal services												
Pet and animal sales or service (except veterinary)												
Hotels, motels and other accommodation services												
Bed and breakfast inn	P/C	P	P/C	P	P	P	P	P	P			
Hotel or motel												
Manufacturing and Wholesale Trade												
Manufacturing and Wholesale trade												
Marijuana processing												
Transportation, Communication, Information, and Utilities												
Rail transportation												
Road, ground passenger, and transit transportation					P							
Truck and freight transportation services												
Postal services												
Courier and messenger services												
Heliport		C	C	C	C	C	C	C	C			
Float plane facility		C	C	C	C	C	C	C	C			
Rapid charging station												
Battery exchange station												
Communications and Information												
Large Satellite Dish	P	P	P	P	P	P	P	P	P	P	P	P
Amateur radio tower	P	P	P	P	P	P	P	P	P	P	P	P
Antenna array	P/C											
Base station	P/C											
Antenna support structures	C	C	C	C	C	C	C	C	C	C	C	C
Local utilities	P	P	P	P	P	P	P	P	P	P	P	P
Regional utilities	C	C	C	C	C	C	C	C	C	C	C	C
Solid waste transfer and recycling												
Hazardous waste treatment and storage, incidental												
Hazardous waste treatment and storage, primary												



**Table 21.04.030A
Comprehensive Allowed Uses Chart: Residential Zones**

Water extraction well												
Arts, Entertainment and Recreation												
Arts, entertainment and recreation												
Performing arts or supporting establishment												
Sports team or club venue												
Museums and other special purpose recreational institutions												
Zoos, Botanical Gardens, Arboreta, Etc.												
Amusement, sports, or recreation establishment												
Golf course	C	C	C	C	C	C	C	C	C			
Natural and other recreational parks												
Adult entertainment facilities												
Community indoor recreation		C	P	P	P	P	P	P	P			P
Parks, open space, trails and gardens	P	P/C	P		P							
Athletic, sports, and play fields	C	C	C	C	C	C	C	C	C			
Marine recreation	C	C	C	C	C	C	C	C	C			
Commercial swimming pool	C	C	C	C	C	C	C	C	C			
Education, Public Administration, Health Care, and other Institutions												
Education, Public Administration, Health Care, and other Institutions												
Educational services												
Grade schools			C	C	C	C	C	C	C			
Colleges and universities												
Technical, trade, specialty schools												
Public administration												
Government functions, other												
Public safety		C	C	C	C	C	C	C	C			
Health and human services												
Ambulatory or outpatient services												
Nursing, supervision, and other rehabilitative services												
Day care center			C	C	C	C	C	C	C			
Family day care provider	P	P	P	P	P	P	P	P	P	P	P	P
Social assistance, welfare, and charitable service												
Religious institutions			P/C									
Funeral homes and services												
Cremation services and cemeteries												
Associations, nonprofit organizations, etc.												
Secure community transition facility												
Construction related business												
Construction related business												
Mining and Extraction Establishments												
Mining and extraction establishment												
Agriculture												
Crop production	P	P	P	P	P	P			P			
Marijuana production	P											

Table 21.04.030A Comprehensive Allowed Uses Chart: Residential Zones												
Animal production	P	P	P									
Equestrian facility	P	P	C	C	C	C	C	C				
Other												
Drive-up stand												
Roadside produce stand	P	P	P	P	P	P	P	P	P	P	P	P
Home business	P	P	P	P	P	P	P	P	P	P	P	P
Automobile parking facilities												
Kiosk												
Vending cart												
Water-enjoyment use												
Wetland mitigation banking												
Piers, docks, and floats		P	P	P	P	P	P	P	P			
Water-oriented accessory structure		P	P	P	P	P	P	P	P			

C. Nonresidential Zones.

Table 21.04.030B Comprehensive Allowed Uses Chart: Nonresidential Zones												
Online Users: Click on District Abbreviation to View Map →	NC-	NC-									ND2	
	1	2	GC	BP	MP	I	RR	BCDD1	BCDD2	ND3	MDD4	
Residential												
Detached dwelling unit	P	P							P			
Size-limited dwelling	P	P										
Cottage	P	P										
Accessory dwelling unit	P	P										
Attached dwelling unit	P	P										
Manufactured home	P	P										
Multifamily structure	P	P	P						P			
Dormitory												
Residential suite												
Mixed-use residential structure	P	P	P	P								
Housing services for the elderly									P			
Adult family home												
Long-term care facility									P			
Residential care facility									P			
Retirement residence									P			
General Sales or Service												
General Sales or Service											P	
Automobile sales, rental, or service establishment		P	P	C	P	P					P	
Heavy consumer goods sales, rental, or service			P	P	P			P			P	P
Durable consumer goods sales, rental, and service			P	P	P			P			P	P
Consumer goods, other	P	P	P		P			P			P	P
Membership wholesale / retail warehouse					P							
Grocery, food, beverage, or dairy sales	P	P	P					P			P	



Redmond Zoning Code

**Table 21.04.030B
Comprehensive Allowed Uses Chart: Nonresidential Zones**

<i>Online Users: Click on District Abbreviation to View Map</i>	NC-1	NC-2	GC	BP	MP	I	RR	BCDD1	BCDD2	NDD2, NDD3	MDD4
Marijuana retail sales			P				P				
Health and personal care		P	P		P					P	
Convenience store			P	P						P	
Finance and insurance		P	P	P	P		P	P		P	
Real estate services	P	P	P		P		P			P	
Professional services	P	P	P	P	P	P	P			P	P
Administrative services			P	P	P		P			P	P
Services to buildings or dwellings				P	P		P			P	P
Travel arrangement and reservation services							P			P	
Investigation and security services							P			P	
Full-service restaurant	P	P	P	P	P	C	P			P	P
Cafeteria or limited-service restaurant	P	P	P	P	P	C	P			P	P
Bar or drinking place			P	P	P					P	P
Caterer					P	P				P	P
Food service contractor					P	P				P	P
Animal kennel/shelter			P		P					P	P
Personal services	P	P	P	P	P					P	P
Pet and animal sales or service (except veterinary)			P		P					P	P
Hotels, motels and other accommodation services											
Bed and breakfast inn											
Hotel or motel			P				P				
Manufacturing and Wholesale Trade											
Manufacturing and Wholesale trade				P	P	P	P			P	P
Marijuana processing				P	P	P	P				
Transportation, Communication, Information, and Utilities											
Rail transportation				P	P	P				P	P
Road, ground passenger, and transit transportation			P	P	P	P				P	P
Truck and freight transportation services					P	P				P	P
Towing operators and auto impoundment yards											P
Postal services					P					P	P
Courier and messenger services				P						P	
Heliport				C	C	C					C
Float plane facility											
Rapid charging station	P	P	P	P	P	P	P			P	P
Battery exchange station	P	P	P	P	P	P	P			P	P
Communications and Information	P	P	P	P	P	P	P			P	P
Large Satellite Dish	P	P	P	P	P	P	P			P	P
Amateur radio tower	P	P	P	P	P	P	P	P	P	P	P
Antenna array	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C		P/C	P/C
Base station	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C		P/C	P/C
Antenna support structures	C	C	C	C	P/C	P/C	C	C		P/C	C
Local utilities	P	P	P	P	P	P				P	P/C



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Table 21.04.030B Comprehensive Allowed Uses Chart: Nonresidential Zones												
Online Users: Click on District Abbreviation to View Map -->	NC-1	NC-2	GC	BP	MP	I	RR	BCDD1	BCDD2	NDD2, NDD3	MDD4	
Regional utilities	C	C	C	P	P	P				P	P/C	
Solid waste transfer and recycling					P	P				P		
Hazardous waste treatment and storage, incidental			P	P	P	P				P		
Hazardous waste treatment and storage, primary					C	P				C		
Water extraction well												
Arts, Entertainment, and Recreation												
Arts, entertainment, and recreation										P	P	
Performing arts or supporting establishment			P							P		
Sports team or club venue										P		
Museums and other special purpose recreational institutions	P	P	P							P		
Zoos, Botanical Gardens, Arboreta, Etc.			P							P		
Amusement, sports, or recreation establishment	P	P	P	P	P					P		
Golf course										P		
Natural and other recreational park	P	P	P	P	P	P		P	P	P	P	
Adult entertainment facilities				C	C	C	C					
Community indoor recreation												
Parks, open space, trails and gardens												
Athletic, sports, and play fields												
Marine recreation												
Commercial swimming pool												
Education, Public Administration, Health Care, and other Institutions												
Education, Public Administration, Health Care, and other Institutions										P	P	
Educational services										P	P	
Grade schools				P						P	P	
Colleges and universities				P				P		P	P	
Technical, trade, specialty schools				P	P		P			P	P	
Public administration		P	P				P			P	P	
Government functions, other	P	P	P							P	P	
Public safety			P							P	P	
Health and human services										P	P	
Ambulatory or outpatient services		P	P	P	P			P		P	P	
Nursing, supervision, and other rehabilitative services								P		P	P	
Day care center		P	P	P	P		P			P	P	
Family day care provider										P	P	
Social assistance, welfare, and charitable service		P						P		P	P	
Religious institutions			P		P/C					P/C	P	
Funeral homes and services			P							P	P	
Cremation services and cemeteries			P							P	P	
Associations, nonprofit organizations, etc.				P						P	P	
Secure community transition facility				C	C	C						
Construction related business												



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Table 21.04.030B Comprehensive Allowed Uses Chart: Nonresidential Zones											
<i>Online Users: Click on District Abbreviation to View Map --></i>	NC-1	NC-2	GC	BP	MP	I	RR	BCDD1	BCDD2	NDD2, NDD3	MDD4
Construction related business				P	P	P				P	P
Mining and Extraction Establishments											
Mining and extraction establishment						C					
Agriculture											
Crop production								P	P	P	
Marijuana production								P			
Animal production											
Equestrian facility											
Other											
Drive-up stand	P	P	P	P	P					P	P
Roadside produce stand										P	
Home business											
Automobile parking facilities				P						P	
Kiosk	P	P	P	P	P					P	P
Vending cart	P	P	P	P	P					P	P
Water-enjoyment use	P	P	P	P	P						
Wetland mitigation banking								P	P		
Piers, docks, and floats											
Water-oriented accessory structure											

D. Mixed Use Zones.

Table 21.04.030C Comprehensive Allowed Uses Chart: Mixed Use Zones											
<i>Online Users: Click on District Abbreviation to View Map --></i>	OT, AP, TWNC, BC, VV, TR, SMT, TSQ, RVBD	RVT, CTR, EH	OV1, OV2, OV3	OV4	OV5	OBAT	MDD1	MDD2	MDD5		
Residential											
Detached dwelling unit											
Size-limited dwelling											
Cottage											
Accessory dwelling unit											
Attached dwelling unit										P	
Manufactured home											
Multifamily structure	P	P	P	P	P	P	P	P	P	P	
Dormitory	P	P	P	P	P	P	P	P	P	P	
Residential suite	P	P	P	P	P	P	P	P	P		
Mixed-use residential structure	P	P	P	P	P	P	P	P	P	P	
Housing services for the elderly	P	P	P	P	P		P	P	P	P	
Adult family home											
Long-term care facility	P	P	P	P	P		P	P	P	P	
Residential care facility	P	P	P	P	P		P	P	P	P	



Redmond Zoning Code

**Table 21.04.030C
Comprehensive Allowed Uses Chart: Mixed Use Zones**

<i>Online Users: Click on District Abbreviation to View Map --></i>	OT, AP, TWNC, BC, VV, TR, SMT, TSQ, RVBD	RVT, CTR, EH	OV1, OV2, OV3	OV4	OV5	OBAT	MDD1	MDD2	MDD5
Retirement residence	P	P	P	P	P		P	P	P
General Sales or Service									
General Sales or Service	P	P	P/C	P	P	P/C	P	P	P
Automobile sales, rental, or service establishment	P	P	P/C	P	P		P	P	P
Heavy consumer goods sales, rental, or service	P	P	P/C	P	P		P	P	P
Durable consumer goods sales, rental, and service	P	P	P/C	P	P		P	P	P
Consumer goods, other	P	P	P/C	P	P		P	P	P
Membership wholesale / retail warehouse									
Grocery, food, beverage, or dairy sales	P	P	P/C	P	P		P	P	P
Marijuana retail sales	P		P	P	P				
Health and personal care	P	P	P/C	P	P		P	P	P
Convenience store	P	P	P/C	P	P		P	P	P
Finance and insurance	P	P	P/C	P	P		P	P	P
Real estate services	P	P	P/C	P	P	P	P	P	P
Professional services	P	P	P/C	P	P		P	P	P
Administrative services	P	P	P/C	P	P		P	P	P
Services to buildings or dwellings	P	P	P/C	P	P		P	P	P
Travel arrangement and reservation services	P	P	P/C	P	P		P	P	P
Investigation and security services	P	P	P/C	P	P		P	P	P
Full-service restaurant	P	P	P/C	P	P		P	P	P
Cafeteria or limited-service restaurant	P	P	P/C	P	P		P	P	P
Bar or drinking place	P	P	P/C	P	P		P	P	P
Caterer	P	P	P/C	P	P		P	P	P
Food service contractor	P	P	P/C	P	P		P	P	P
Animal kennel/shelter	P	P	P/C	P	P		P	P	P
Personal services	P	P	P/C	P	P		P	P	P
Pet and animal sales or service (except veterinary)	P	P	P/C	P	P		P	P	P
Hotels, motels and other accommodation services	P		P	P	P		P	P	P
Bed and breakfast inn	P		P	P	P		P	P	P
Hotel or motel	P		P	P	P		P	P	P
Manufacturing and Wholesale Trade									
Manufacturing and Wholesale trade			P	P	P	P	P	P	P
Marijuana processing			P	P	P	P			
Transportation, Communication, Information, and Utilities									
Rail transportation									
Road, ground passenger, and transit transportation	P	P	P	P	P	P	P	P	P



**Table 21.04.030C
Comprehensive Allowed Uses Chart: Mixed Use Zones**

<i>Online Users: Click on District Abbreviation to View Map →</i>	OT, AP, TWNC, BC, VV, TR, SMT, TSQ, RVBD	RVT, CTR, EH	OV1, OV2, OV3	OV4	OVS	OBAT	MDD1	MDD2	MDD5
Truck and freight transportation services									
Towing operators and auto impoundment yards							P	P	P
Postal services									
Courier and messenger services									
Heliport									
Float plane facility									
Rapid charging station	P		P	P	P	P	P	P	P
Battery exchange station	P		P	P	P	P	P	P	P
Communications and Information	P	P	P	P	P	P	P	P	P
Large Satellite Dish	P	P	P	P	P	P	P	P	P
Amateur radio tower	P	P	P	P	P	P	P	P	P
Antenna array	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C
Base station	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C
Antenna support structures	C	C	C	C	C	C	C	C	C
Local utilities	P	P	P/C	P/C	P/C	P/C	P/C	P/C	P/C
Regional utilities			P/C	P/C	P/C	C	P/C	P/C	P/C
Solid waste transfer and recycling									
Hazardous waste treatment and storage, incidental									
Hazardous waste treatment and storage, primary									
Water extraction well									
Arts, Entertainment and Recreation									
Arts, entertainment and recreation	P	P	P	P	P	P	P	P	P
Performing arts or supporting establishment	P		P	P	P	P	P	P	P
Sports team or club venue	P		P	P	P	P	P	P	P
Museums and other special purpose recreational institutions	P		P	P	P	P	P	P	P
Zoos, Botanical Gardens, Arboreta, Etc.	P		P	P	P	P	P	P	P
Amusement, sports, or recreation establishment	P	P	P	P	P	P	P	P	P
Golf course									
Natural and other recreational park	P	P	P	P	P	P	P	P	P
Adult entertainment facilities									
Community indoor recreation									
Parks, open space, trails and gardens									
Athletic, sports, and play fields									
Marine recreation									
Commercial swimming pool									
Education, Public Administration, Health Care, and other Institutions									
Education, Public Administration, Health	P	P	P	P	P	P	P	P	P



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**Table 21.04.030C
Comprehensive Allowed Uses Chart: Mixed Use Zones**

<i>Online Users: Click on District Abbreviation to View Map --></i>	OT, AP, TWNC, BC, VV, TR, SMT, TSQ, RVBD	.RVT, CTR, EH	OV1, OV2, OV3	OV4	OV5	OBAT	MDD1	MDD2	MDD5
Care, and other Institutions									
Educational services	P	P	P	P	P	P	P	P	P
Grade schools	P	P	P	P	P	P	P	P	P
Colleges and universities	P	P	P	P	P	P	P	P	P
Technical, trade, specialty schools	P	P	P	P	P	P	P	P	P
Public administration	P	P	P	P	P	P	P	P	P
Government functions, other	P	P	P	P	P	P	P	P	P
Public safety	P	P	P	P	P	P	P	P	P
Health and human services	P	P	P	P	P	P	P	P	P
Ambulatory or outpatient services	P	P	P	P	P	P	P	P	P
Nursing, supervision, and other rehabilitative services	P	P	P	P	P	P	P	P	P
Day care center	P	P	P	P	P	P	P	P	P
Family day care provider	P	P	P	P	P	P	P	P	P
Social assistance, welfare, and charitable service	P	P	P	P	P	P	P	P	P
Religious institutions	P	P	P/C			P/C		P	P
Funeral homes and services	P	P	P	P	P	P	P	P	P
Cremation services and cemeteries	P	P	P	P	P	P			
Associations, nonprofit organizations, etc.	P	P	P	P	P		P	P	P
Secure community transition facility									
Construction related business									
Construction related business			P	P	P	P	P	P	P
Mining and Extraction Establishments									
Mining and extraction establishment									
Agriculture									
Crop production									
Marijuana production									
Animal production									
Equestrian facility									
Other									
Drive-up stand								P	P
Roadside produce stand									
Home business									
Automobile parking facilities	P						P	P	
Kiosk	P		P	P	P		P	P	P
Vending cart	P		P	P	P		P	P	P
Water-enjoyment use									
Wetland mitigation banking									
Piers, docks, and floats									
Water-oriented accessory structure									

(Ord. 2652, Ord. 2744, Ord. 2753, Ord. 2803; Ord.2836, Ord. 2883)

Effective on: 6/17/2017

EXHIBIT C

ARTICLE VII DEFINITIONS

RZC 21.78 DEFINITIONS

A DEFINITIONS

Religious Institutions. Churches, temples, synagogues, monasteries, and similar establishments operated by religious organizations.

Effective on: 4/16/2011

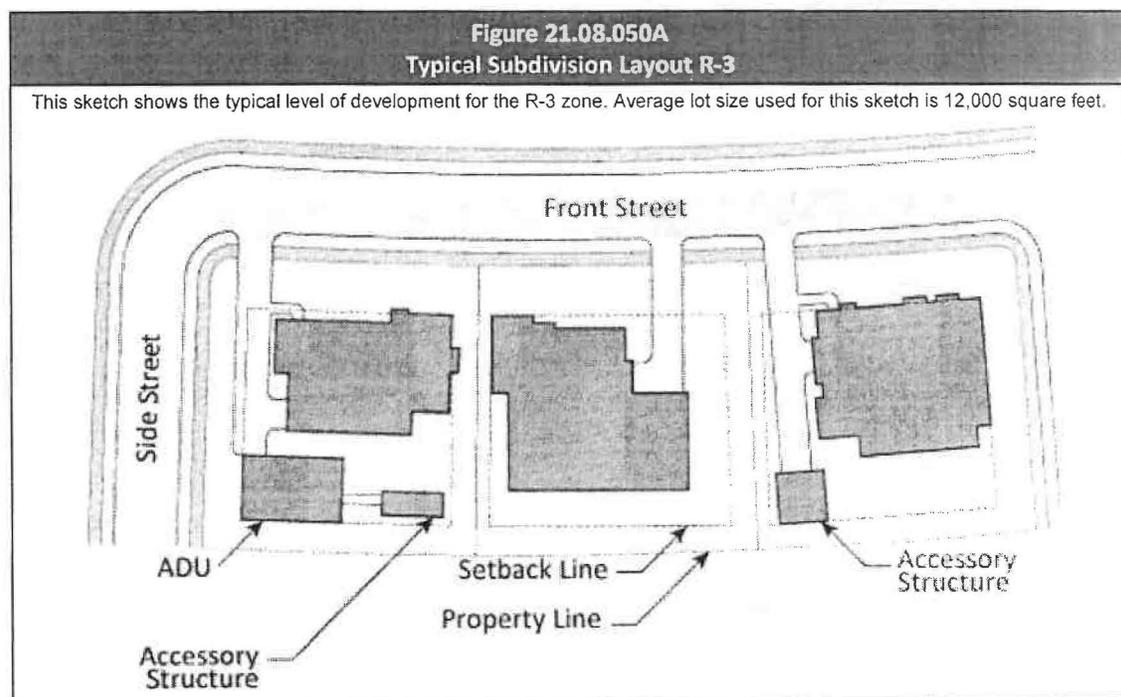
EXHIBIT D

ARTICLE I ZONE BASED REGULATIONS

RZC 21.08 RESIDENTIAL REGULATIONS

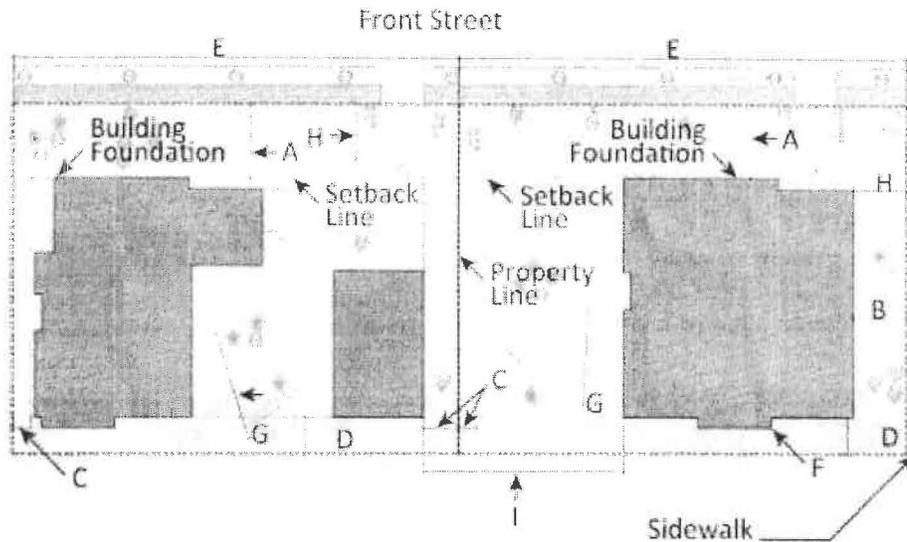
21.08.050 R-3 Single-Family Constrained Residential

- A. **Purpose.** The R-3 Single-Family Constrained Residential zone provides for low-density residential at a base density of three dwellings per acre on lands inappropriate for more intense urban development due to significant environmentally critical areas, extreme cost, or difficulty in extending public facilities or the presence of natural features Redmond is seeking to retain.



**Figure 21.08.050B
Typical Site Layout R-3**

This sketch represents maximum allowance for structures, impervious surface & setbacks



LEGEND	
A	FRONT SETBACK MINIMUM 20'-0"
B	SIDE STREET SETBACK MINIMUM 15'-0"
C	SIDE INTERIOR SETBACK 5'-0"/10'-0"
D	REAR SETBACK MINIMUM 10'-0"
E	LOT FRONTAGE MINIMUM 20'-0"
F	ALLOWED PROJECTION OF BUILDING EXTREMITIES INTO SETBACK
G	LOT WIDTH CIRCLE MINIMUM 60'-0" (DIAMETER)
H	LOT-BY-LOT OPEN SPACE MINIMUM 15'-0"
I	BUILDING SEPARATION MINIMUM 10'-0"

B. Maximum Development Yield. The following calculation provides a potential maximum development yield for a development utilizing the density bonuses available for the R-3 zone. The calculation is based on a development occurring on a one-acre lot. Please note that accessory dwelling units do not count toward maximum development yield.

Table 21.08.050A Maximum Development Yield		
Base Density	Available Density Bonuses	Maximum Density
3 dwelling units per gross acre	Green Building/Green Infrastructure Development: Up to 10 percent of base density	0.40 dwelling units allowed
	Affordable Housing: Up to 15 percent of base density	0.60 dwelling units allowed

		Total = 4 dwelling units per gross acre
--	--	---

C. Regulations Common to All Uses.

Table 21.08.050B Regulations Common to All Uses				
	Regulation	Standard	Exceptions	
Minimum	Average Lot Size	12,000 square feet		
	Required Density	80 percent of net acres		
	Lot Width Circle	60 feet		
	Lot Frontage	20 feet		
	Setbacks			
	Front	20 feet	For zero lot line development, a dwelling unit may be placed on one interior side property line, giving it one zero side/interior setback. If it is an interior lot line, the setback from the other side property line shall be 10 feet. See RZC 21.08.390, <i>Zero Lot Line Development</i> , for additional requirements.	
	Side / Interior (each side)	5 feet / 10 feet		
	Side Street	15 feet		
	Rear	10 feet		
	Alley	4 feet		
Lake Sammamish	35 feet			
Building Separation	10 feet	Minimum building separation shall be 15 feet in the following neighborhoods: Education Hill, North Redmond, and Willows/Rose Hill. In all neighborhoods, minimum building separation shall be 10 feet for size-limited dwellings, accessory dwelling units, and locations where these structures adjoin larger dwelling units.		
Open Space	20 percent of total lot area			
Maximum	Lot Coverage for Structures	30 percent of total lot area		
	Impervious Surface Area	60 percent of total lot area		
	Building Height	35 feet	30 feet within the Shoreline Jurisdiction	
	Drive-through	n/a	Drive-through facilities are prohibited except where expressly permitted in the Allowed Uses and Special Regulations table below.	

D. Allowed Uses and Special Regulations. The following table contains special zoning regulations that apply to uses in the R-3 zone. To use the chart, first read down the left-hand column titled "Use." When you have located the use that interests you, read across to find regulations that apply to that use. Uses are permitted unless otherwise specified in the Special Regulations column. Permitted uses may require land use permit approval. See RZC 21.76.020, *Overview of the Development Process*, for more information. Uses not listed are not permitted.

Table 21.08.050C Allowed Uses and Special Regulations			
Section	Use	Parking Ratio: Unit of measure (Minimum required; Maximum allowed)	Special Regulations
Residential			



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1	Detached dwelling unit	Dwelling unit (2.0)	
2	Size-limited dwelling		
3	Accessory dwelling unit (ADU)	ADU (1.0)	See RZC 21.08.220, <i>Accessory Dwelling Units</i> , for specific regulations which may apply.
4	Manufactured home	Dwelling unit (2.0)	See RZC 21.08.320, <i>Designated Manufactured Homes, Manufactured Homes, and Mobile Homes</i> , for specific regulations which may apply.
5	Residential care facility	See Special Regulations	A. A Conditional Use Permit is required. B. Parking requirements are as follows: 1. Multifamily housing for senior citizens: Unit (0.5, 2.0)
6	Adult family home	Dwelling unit (2.0)	
General Sales or Service			
7	Bed and Breakfast Inn	Rental room (1.0)	No more than two rental rooms permitted.
Transportation, Communication, Information, and Utilities			
8	Local utilities	Adequate to accommodate peak use.	
9	Regional utilities		A Conditional Use Permit is required.
10	Heliport	N/A	A Conditional Use Permit is required. Does not include medical airlift. Permitted only abutting Lake Sammamish.
11	Float plane facility	N/A	A. A Conditional Use Permit is required. Permitted only abutting Lake Sammamish. B. Piers, docks, and floats associated with the operation of float planes shall meet, as a minimum, the location criteria contained in RZC 21.68.070, <i>In-Water Structures</i> . Piers and docks are also subject to standards for residential piers and docks contained in RZC 21.68.070.E, <i>Piers, Docks, and Floats</i> . (SMP) C. Only one float plane per lot is permitted. (SMP). D. Float planes shall observe speed regulations for watercraft and vessels contained in RMC 14.16.030, <i>Speed Regulations</i> , except that these speeds may be exceeded for a short duration of time during landing and takeoff of planes. (SMP) E. Float plane facilities or operation of float planes is prohibited on the Sammamish River, Bear Creek and Evans Creek. (SMP) F. Float plane facilities and operation shall comply with FAA standards, including standards for fueling, oil spill cleanup, firefighting equipment, and vehicle and pedestrian separation. (SMP)
12	Antenna support structures		A. A Conditional Use Permit is required. See RZC 21.76.070.K, <i>Conditional Use Permit</i> . B. See RZC 21.56, <i>Wireless Communication Facilities</i> , for specific regulations that may apply.
13	Large satellite dish/amateur radio tower		See RZC 21.56, <i>Wireless Communication Facilities</i> , for specific regulations that may apply.
14	Antenna array and base station		A Conditional Use Permit may be required; see RZC 21.56, <i>Wireless Communication Facilities</i> , for specific development requirements.
Arts, Entertainment, and Recreation			
15	Community indoor recreation	Adequate to accommodate peak use.	Includes noncommercial indoor recreation uses, such as community clubhouses, indoor swimming pools, and other similar facilities.
16	Parks, open space, trails and gardens	1,000 sq ft gfa (0, adequate to accommodate peak use.)	Permitted if public or noncommercial. A Conditional Use Permit is required for commercial facilities.
17	Athletic, sports, and play fields	Adequate to accommodate peak use.	A Conditional Use Permit is required.
18	Golf course		
19	Marine recreation		



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20	Commercial swimming pool		
Education, Public Administration, Health Care, and Other Institutions			
21	Day care center	Employee (1.0)	A Conditional Use Permit is required. Day care uses are only permitted in a building or building complex used for other uses, such as a school, church, meeting hall, or some other building used for more than one purpose. See RZC 21.08.310, <i>Day Care Centers</i> , for specific regulations which may apply.
22	Family day care provider		Family day care providers are permitted as home businesses. See RZC 21.08.340, <i>Home Business</i> , for specific regulations which may apply.
23	Public safety	Adequate to accommodate peak use.	A Conditional Use Permit is required.
24	Grade schools (K-12)		
25	Religious Institution	1,000 sq ft gfa for assembly (1.0) or 5 fixed seats (1.0); 3 seats (1.0).	<p>A. Permitted use if less than 250 seats. A Conditional Use Permit is required for religious institutions with between 250 and 750 seats. See RZC 21.08.280, <i>Churches, Temples, Synagogues and Other Places of Worship</i>, for specific regulations which may apply.</p> <p>B. A traffic mitigation plan is required. See RZC 21.08.280.C.5.</p>
Agriculture			
26	Crop production	N/A	
27	Equestrian facility		A Conditional Use Permit is required.
Other			
28	Home Business	Vehicle used by the business (1.0).	See RZC 21.08.340, <i>Home Business</i> , for specific regulations which may apply.
29	Roadside produce stand	N/A	
30	Pier, dock, float		See RZC 21.68.070, <i>In-Water Structures</i> , for special height, setback and area requirements. (SMP)
31	Water-oriented accessory structure		See RZC 21.68.070.G, <i>Water-Oriented Accessory Structures</i> , for special height, setback and area requirements. (SMP)

(Ord. 2652; Ord. 2709; Ord. 2803)

Effective on: 10/17/2015

