Exhibit I: Consultant’s Review and Recommendations to the City of Redmond Comprehensive Plan and Zoning Code for Cultural Resources Management (2016)

Per the Memorandum of Agreement (MOA) Among the U.S. Army Corps of Engineers, the Federal Highway Administration, the Washington State Department of Archaeology & Historic Preservation, the City of Redmond, and the Washington State Department of Transportation Regarding Treatment of Adverse Effects to the Bear Creek Site (effective September 29, 2014), the City’s consultant (City Council approval, May 17, 2016) developed the following recommendations. These recommendations are based on review of the City’s Comprehensive Plan, Zoning Code, and standard operating procedures as well as in-person interviews with respective staff from the Parks, Planning, and Public Works departments.

Recommendations listed below are specific to the preservation, protection and management of archaeological resources within the City’s jurisdiction.

Comprehensive Plan (Redmond 2030)

The COR’s Comprehensive Plan Redmond 2030 (Plan) provides a broad statement of the community’s vision for the future and contains policies that are intended to guide the built environment as well as aspects of Redmond’s social and economic character. Specifically, the Plan reflects the long-term values and aspiration of the community and addresses how aspects such as land use, housing, transportation, capital facilities and services, and historic preservation work together to achieve the desired vision. Ultimately, the Plan anticipates how development should be guided over the next 20 years. The Plan is implemented through zoning regulations, functional plans, capital facility improvements, and other implemental measures such as this CRMP.

The plan includes goals relating to Community Character and Historic Preservation Element 5, Community Character and Historic Preservation, supports historic preservation and provides a series of policies that specifically address: Preservation, Survey and Evaluation, Landmark Nomination, Implementation Measures, and Regional and Community Involvement. Several policies directly support and encourage flexibility within the zoning code.

The Natural Environment elements of the Plan also addresses issues related to sustainability, low-impact development, and conservation of natural resources that are beneficial in maintaining the setting and character of cultural resources in the area. In addition to protecting the existing character of the shoreline, where many cultural resources are located, the Shoreline Master Program provides specific requirements to identify and protect archaeological and historic sites. The protections include requirements for developers and property owners working in shorelines to stop work if archaeological resources are uncovered during excavation. The program also requires a site inspection or evaluation by a professional archaeologist for permits issued in areas documented to contain archaeological resources.
Redmond Zoning Code

Throughout the United States, there are varying methods through which communities address historic preservation and the tools for this often include one or more of the following: tax incentives, flexible zoning codes, design criteria, overlay districts and special districts, review boards and commissions, and grant and loan programs. In general, these programs target protection of historic buildings and structures and provide fewer protections for archaeological resources.

In comparison to other similarly-sized cities within King County, Redmond is on par in addressing management of historic and archaeological resources. Several cities within King County, such as Bellevue and Mercer Island, do not have specific zoning codes addressing historic preservation. Others, like Kirkland, Sammamish, Issaquah, and Snohomish, have zoning codes that address historic landmarks, with protections that are similar to Redmond’s, as well as design criteria.

The Redmond Zoning Code (RZC) (Redmond Municipal Code [RMC] - Title 21) provides standards and regulations for development including allowed uses, setback requirements and lot coverage, design standards, parking, landscaping, and other like standards. Historic Preservation is addressed in section 21.30, Historic and Archaeological Resources which provides direction on what sections of RMC – Title 21 are applicable to designated historic landmarks, properties that are eligible for historic landmark designation, and archeological sites.

Strengths

- The City has the authority with the respective owner’s consent to nominate historic properties, resources eligible for designation, and archaeological sites for landmark designation.
- The Code requires Certificate of Appropriateness (COA) for alterations to CORLs.
- Through 21.30.060.C the COR extends the protections provided in the code for CORL to NRHP, KCL, and WHR listed resources.
- RMC 21.30 Historic and Archaeological Resources provides significant protection for cultural resources and provide the COR the authority to require surveys and other procedures to protect archaeological sites. The language also includes procedures for projects in areas with a high probability of containing archaeological sites.
- Under RZC 21.30.040.H CORL are eligible for the transfer of development rights program.
- Appendix 4 of the RZC establishes standards for maintenance and guidelines for restoration and care that are based on the Secretary of the Interior Standards and other best management practices in historic preservation/cultural resources management.
- RZC 21.30.040, Historic Landmark Designation Waiver or Modification of Codes allows flexibility or special provisions for modifying historic and
cultural sites. This provision reduces requirements to meet the current building code for historic or cultural sites and promotes adaptive reuse (placing new uses in a building once intended for another use) or allows for modification of a building to make it more functional or economically competitive.

**Weaknesses**

- Most entitlement permits require assessment of the probability of a site to contain historic and/or archaeological resources. However, there is no clear definition of a high probability site in RZC 21.30.070.
- The level of detail related to the site studies potentially required and the personnel needed is very specific and limited to archaeologists. Putting the requirements into the CRMP and using the DAHP requirements may reduce confusion for developers working in multiple municipalities.
- RZC 21.30.060 does not address resources that are determined eligible for NRHP, WHR, and KCL though not formally listed on those registers. This section could be rewritten to clarify that it does not include resources determined eligible through Section 106 of the National Historic Preservation Act (NHPA) or other review.
- The Shoreline Master Program uses different terminology from the RZC in the requirements to stop work and perform a site inspection (SL_87).

**Recommendations**

**Comprehensive Plan**

- Adopt a policy that calls for maintaining a CRMP and providing regular review of the plan with appropriate input from COR staff, affected Indian tribes, partner agencies, in response to changes in citywide conditions and federal and state laws and standards.
- Adopt consistent terminology for when surveys are required. Suggest revising SL_97 to read “in areas with known archaeological sites, medium to high probability for archaeological sites, and potentially NRHP eligible Historic Resources.”

**Zoning Code**

- RZC 21.30.070. Protections for archaeological sites in this section of the RZC appear to be limited to known archaeological sites. Although portions of the code (Section C) address procedures for High Probability Sites, these requirements are difficult to enforce because the language in Section A is limited to known archaeological sites. Additionally, this language does not provide any provisions for surveying or safeguarding historic structures.
- Language is needed to provide a clearer definition of high probability area. The language should include who defines this and when. Recommend adding language similar to the following:
“The Administrator will follow the protocols described in the Cultural Resources Management Plan relating to determining Known Archaeological Sites, High Probability Archaeological Sites and potentially NRHP Eligible Historic Resources.”

**General**

- Streamline COR Planning website so that all information regarding land use entitlement and permitting can be located easily by private developers and members of the public. Ensure all available information is consistent and current. Currently, the information is in several locations with information related to development that would be useful to private developers available under Zoning Code, Plans and Projects, and Development.
- Update checklists and permit applications to indicate reviews by the COR will be completed using procedures in the CRMP. If the review will reference a standard enforced by DAHP and/or the NPS that may evolve, reference that standard directly. For example, reference the Secretary of the Interior Professional Qualification Standard directly with a link on how to access the information so that if the requirements from the NPS change the developer would be directed to the most current language.