

Homeless Encampment Ordinance Peer City Documents

City of Redmond



**CITY OF REDMOND
HEARING EXAMINER
MINUTES**

August 7, 2013

Redmond City Council Chambers
15670 NE 85th Street, Redmond
1 p.m.

Hearing Examiner

Sharon Rice, Offices of Sharon Rice,
Hearing Examiner, PLLC

Staff

Steven Fischer, Principal Planner
David Sowers, Redmond Police Officer
Angela Belbeck, City Attorney's Office
Elizabeth M. Smoot, CMC, Deputy City Clerk

Convened: 1 p.m.

Adjourned: 4:20 p.m.

I. CALL TO ORDER

Hearing Examiner Sharon Rice convened the hearing at 1 p.m.

II. DESCRIPTION OF HEARING SEQUENCE AND PROCEDURES

Ms. Rice introduced the matter under consideration, reviewed the sequence of the hearing for the afternoon, and explained the proceedings. Ms. Rice noted that she will issue a decision on Tent City Appeal within 10 business days of the closing of the record.

Ms. Rice administered the swearing in of all those in attendance testifying on these matters, reminded the attendees that the proceedings were being recorded, and asked them to identify themselves for the record. The following parties to the Appeal were in attendance:

Steven Fischer, Principal Planner, City of Redmond
David Sowers, Police Officer, City of Redmond
Angela Belbeck, City Attorney's Office, City of Redmond
Todd Puckett, Redwood Family Church, Applicant/Property Owner
Scott Morrow, Share/Wheel, Applicant
Gavin West, Attorney Representative, Share/Wheel, Applicant
John Baumann, Appellant

III. APPEAL HEARING

A. TENT CITY APPEAL

File No. LAND-2013-01289
Request: Appeal of a Type I Departmental Director Decision regarding: Tent City Temporary Use Permit, LAND-2013-00929
Location: 11500 Red-Wood Road NE, Redmond

Ms. Rice introduced the matter and addressed pre-hearing motions; providing a brief background of the matter to date:

- Appeal Hearing Notice issued 07/24/13; no pre-hearing conference was set;
- Pre-Hearing Order issued 07/24/13;
- Motion to Seeking Clarification on Issues submitted 07/27/13, by the Applicant's Representative;
- second Pre-Hearing Order issued 07/29/13;
- third Pre-Hearing Order issued 08/02/13;
- Motion for Dismissal submitted 08/02/13, by the Applicant's Representative; and
- Motion in Limine to Exclude Evidence submitted on 08/06/13, by the Applicant's Representative.

Ms. Rice heard testimony from all parties regarding the Motion for Dismissal; and denied the motion. Ms. Rice heard testimony regarding the Motion in Limine to Exclude Evidence; and, after a review of the documents submitted by the Appellant, ruled to allow certain items into the record, identified as follows:

- Exhibit A-1:** Appellant's Prehearing Statement (John Baumann);
- Exhibit A-2:** 09/30/2004 City of Bothell Memorandum, Police Department, re: Tent City Final Police Report;
- Exhibit A-3:** Kirkland Reporter Article (world-wide web);
- Exhibit A-4:** Seattle Times Newspaper Article (world-wide web);
- Exhibit A-5:** Tent City – Related Incidents, Mercer Island Police Department, 06/16/2008; and
- Exhibit A-6:** City of Redmond Ordinance No. 2599(AM); Pages from Chablis PRD/PPL Hearing Examiner Decision.

Ms. Rice entered the City's Staff Report into the record as **Exhibit C-1**; noting the following report **Attachments (1-9)**:

1. Application
2. Vicinity Map
3. Notice of Application and Public Meeting
4. Public Meeting
5. Public Comment
6. Notice of Decision
7. Notice of Appeal Hearing
8. Appeal
9. PowerPoint Presentation

Mr. Steven Fischer, Principal Planner provided a brief overview of the matter and decision being appealed: Application for Temporary Use Permit submitted – 05/28/13; Notice of Application issued; Neighborhood Meeting held; Application approved, Notice of Decision issued – 06/27/13; Appeal filed – 07/11/13; Appeal Hearing Notice issued – 07/24/13; and Appeal issues identified – negative impacts to surrounding properties, and project/site drawings incomplete.

APPELLANT TESTIMONY:

Mr. John Baumann, Appellant, presented testimony regarding: inaccuracies of the project site drawings (size; depiction on information distributed to neighbors; undefined area on-site on encampment move-in day); zoning of the Church where the encampment is located (R-4), and the requirement for a Conditional Use Permit for specific uses; construction in the area leaving unsafe pedestrian access along Red-Wood Road; impact of the encampment on the Church site/neighborhood; and impact on the safety of neighborhood residents.

The City questioned Mr. Baumann, and provided rebuttal testimony, addressing neighborhood safety; there is no evidence supporting an increase in crime in Tent City encampment areas.

The Applicant questioned Mr. Baumann, and provided rebuttal testimony, addressing neighborhood safety; noticing to the community/concern of neighbors; whether any property damage has been reported; the drawings provided to the residents; evidence regarding safety on Red-Wood Road; and use of neighbor utilities.

Ms. Sharmin Dominke, witness for the Appellant, provided testimony regarding the Tent City encampment (as resident on the neighboring property) on the following topics: safety, confusion of encampment residents' move-in, infringement on her property, pets in the encampment, use of water on her property by encampment residents, and dumping of beer cans in her garbage by encampment residents. Ms. Dominke responded to questions from the City and Applicant.

CITY TESTIMONY:

Ms. Angela Belbeck, City Attorney's Office, provided the following item, entered into the record as: **Exhibit C-2:** City of Redmond Pre-Hearing Memorandum of Law.

Mr. Fischer provided the following items, entered into the record as: **Exhibit C-3:** City Staff PowerPoint Presentation (Appeal Hearing, 08/07/2013); and **Exhibit C-4:** Redmond Police Calls 2013 to Tent City (Redwood Family Church and St. Jude's Catholic Church locations).

Mr. Fischer reported on the Short Term Temporary Use Permit for SAHRE/WHEEL Tent City at Redwood Family Church:

- Vicinity Map (located at the corner of NE 116th Street and Red-Wood Road);
- Vicinity Map (outlining the Church property, and Appellant's Properties);
- Procedural Summary:
 - Completeness: 05/28/13 – letter of completeness issued; vested date;
 - Notice of Application: 06/03/13 – comment period begins; and 06/21/13 – comment period ends;
 - Neighborhood Meeting: 06/24/13;

- Notice of Decision: 06/27/13;
- Appeal Deadline: 07/11/13; and
- Notice of Appeal Hearing: 07/24/13.
- Appeal Issue No. 1:
 - It has a negative impact on the adjacent properties that belong to me and my family.
 - Expanded on 08/05/13 to include:
 - increased crime;
 - no oversight by SHARE/WHEEL, trespass, fence installed in wrong location;
 - Church should be required to have a conditional use permit to be allowed in a residential neighborhood, Tent City is an additional use;
 - Plans submitted do not accurately show the area of the encampment; and
 - NE 116th Street and Red-Wood Road not safe to walk on.
- Appeal Issue No. 2:
 - The plans and drawings are incomplete and do not show the true size and location of the tent city; they are very deceptive.
- Appellant's Requests:
 - If the plans were to scale and complete it would be clear to the City that the tent city should not be allowed. It also would have allowed the neighbors to see true impact.
- City's Response:
 - Redmond has not experienced an increase in criminal activity associated with Tent City.
 - Placement of the perimeter fence caused no harm to the adjoining property. Fence was relocated according to approved site plan.
 - The Redmond Zoning Code regulates churches by the size of the congregations (seats). A temporary use associated with a church does not change its classification.
 - In 1977 the City of Redmond approved a Conditional Use Permit for the Church of the Nazarene (today, Redwood Family Church).
 - The Notice of Application and Public Meeting contained two maps: a Vicinity Map; and a Site Map.
 - The intent of the Vicinity Map is to give a general location and provide the viewer context to adjacent properties and streets. The map uses an oval shape to denote the general area.
 - Public Meeting presentation contained additional maps of the proposal.
 - The appellant makes reference to "safe walking routes" as required by RCW 58.17.110. This is a requirement of plats, not temporary use permits.
- Recommendation: Staff recommends the appeal be denied:
 - Project complies with City's code requirements for Temporary Use and Encampments.
 - The appellant has failed to show that the City erred in applying the decision criteria for the approval of the short term temporary use permit.
 - No evidence of increase in crime in Redmond related with Tent City.
 - No harm was caused by the placement of the perimeter fence.
 - A temporary use does not change the RZC classification for a church.
 - Notice and maps gave clear information to the public.
 - RCW "safe walking street" requirements are not applicable to temporary use permits.
 - Appellant has failed to state a specific requested relief.

Mr. Fischer offered the following documents into the record, and provided supporting testimony:
Exhibit C-5: Aerial view (GIS photo) of general project location (with measurement);
Exhibit C-6: Redmond Zoning Code (RZC) Table 21.08.060C; RZC 21.08.280 with comments added by S. Fischer;
Exhibit C-7: Temporary Use Permit Application, Share/Wheel/Redwood Family Church; and
Exhibit C-8: Resolution No. 428; re Conditional Use Permit.

Mr. Fischer provided responses to Appellant queries regarding: conditional use permit uses, safe walking requirements, and tent city policies.

Police Officer David Sowers, witness for the City, provided testimony regarding Exhibit C-4, responses to neighborhood calls, and crime in the area of the encampment. Officer Sowers responded to questions from the Appellant.

APPLICANT TESTIMONY:

Mr. Gavin West, Applicant Representative, presented the Applicant's case, providing the following witnesses:

Mr. Robert Bowen, witness for the Applicant, provided testimony regarding living at the Tent City encampment (including security, litter, rapport with Police, fencing, application requirements, outreach to homeless).

Pastor Todd Puckett, Applicant/Property Owner, provide testimony regarding the encampment, and impacts on the Church congregation and community.

Ms. Scott Morrow, Applicant, provided testimony regarding the encampment, the application process, and SHARE/WHEEL. Mr. Morrow responded to questions from the Appellant.

CONCLUSION:

The City, Applicant, and Appellant offered closing statements.

Ms. Rice called for any further comments. Hearing none, Ms. Rice stated that the record would be closed August 30, 2013, per the terms of a Post-Hearing Order, issued August 8, 2013; and a written decision would be issued in no later than 10 business days. Post-Hearing Order terms are as follows:

1. By Wednesday August 14, 2013, the Applicant may submit a legal brief in response to the City's pre-hearing brief.
2. By Wednesday August 21, 2013, the Applicant may submit additional evidence responding to those of Appellant's exhibits that were admitted in the record identified as Exhibits A1 through A5. The Applicant's submittal may be in the form of written memoranda and/or documents generated by credible sources that support Applicant's position in response to the Appellant's assertions based on the admitted exhibits.

3. The Appellant argued at hearing, in part, that a conditional use permit should have been required to expand the church use to include a temporary encampment. At hearing the City submitted evidence that a conditional use permit was issued in 1977 for the church that is hosting the temporary encampment. This evidence was not known to any party at the time the appeal was filed. The Appellant requested the opportunity to review and respond to the City's evidence.
4. The Appellant and the City shall have until Friday August 30, 2013, to reply to Applicant's post-hearing submittals. On the same date, the Appellant may also submit a written response to the City's evidence that a conditional use permit was previously issued for the church.
5. All submittals in response to this order and the order itself will be included in the record of this matter. No other submittals will be admitted in the record.
6. All submittals pursuant to this order shall be distributed via email to the other parties and to the Office of the Hearing Examiner, Attention Ms. Liz. Smoot, Deputy City Clerk, at emsmoot@redmond.gov.
7. Clarifying questions about this Order or other procedural questions may be forwarded by email to the Hearing Examiner via the Office of the Hearing Examiner. Please carbon copy contact persons for all other parties.

IV. ADJOURNMENT

The appeal hearing closed at 4:20 p.m., and the meeting adjourned.

AM No. 10-026 (C6)

MEMO TO: City Council
FROM: John Marchione, Mayor
DATE: February 16, 2010
SUBJECT: APPROVAL OF 2010 ARCH WORK PROGRAM AND BUDGET

I. RECOMMENDED ACTION

Approve the attached 2010 ARCH (A Regional Coalition for Housing) work program and administrative budget.

II. DEPARTMENT CONTACT PERSONS

Rob Odle, Director, Planning and Community Development, 425-556-2417
Lori Peckol, Policy Planning Manager, 425-556-2411
Sarah Stiteler, Senior Planner, 425-556-2469

III. DESCRIPTION/BACKGROUND

ARCH Work Program for 2010

At its December 2009 meeting, the ARCH Executive Board reviewed and approved the 2010 work program and administrative budget. ARCH is an agency formed by interlocal agreement and joint funding by member cities. Pursuant to the ARCH Interlocal Agreement, the work program and budget are being forwarded to each of the member councils for review and approval. (See work program in Attachment A.)

The 2010 work program for ARCH includes work carried over from 2009, as well as several new activities. For 2010, the ARCH Executive Board has maintained its objective of allocating \$1,000,000 or more annually for the creation or preservation of at least 75 affordable dwellings, consisting of a variety of housing types. This would include a special emphasis on family, transitional/homeless, special needs, and preservation housing. ARCH will continue to provide its annual update on the "Parity Program" for member jurisdictions to use to evaluate how well they are achieving their goals for direct housing funding assistance. Further review and evaluation of ARCH's administrative structure will occur in 2010, to determine what system changes would improve overall administration of programs, especially related to administering the Trust Fund. A complete list of all of the projects for the 2010 ARCH work program is provided in Attachment A.

In addition to providing ongoing assistance to the City in promoting affordable housing, administering the Housing Trust Fund, and making recommendations to King County in allocating regional funds toward Eastside projects, a list of more specific activities in ARCH's work program of particular interest to Redmond include:

- Continue to assist with negotiating and administering affordable housing contracts, including monitoring resales and annual rents of affordable units created through the City of Redmond's affordable housing requirements. Presently there are 188 such dwellings in the city with the completion of several residential projects in Downtown Redmond. ARCH also maintains a mailing list to notify families of the availability of both ownership and rental affordable housing created through ARCH efforts.
- Assist with the update of housing regulations related to the update of the City's overall development regulations.
- Assist City staff and Council with evaluating and, if appropriate, implementing a property tax incentive program for multi-family housing development, as allowed under RCW 84.14.
- Continue to implement the Eastside Homebuyer Assistance Program, which was launched in 2005 with funding from many Eastside cities, including Redmond. The program has successfully completed two rounds of loans. In 2010 the goal is to seek a subsequent round of funding for the program and to implement updates to the program suggested by the review completed in 2008.
- Work with the Eastside cities, King County, and the King County Housing Authority to preserve existing HUD-financed (Section 8) affordable housing whenever possible.
- Continue to provide regional support to the city and Eastside communities by helping to track the development and preservation of housing that is affordable to low- and moderate-income households and by participating in regional discussions that affect housing, including the Growth Management Planning Council and the Low Income Housing Congress. In addition, ARCH provides technical expertise in reviewing countywide funding programs for affordable housing. ARCH also continues to play an active role in working on King County's Ten-year Plan to End Homelessness, as well as statewide legislation in support of affordable housing efforts.
- Continue to implement elements of the ARCH Housing Strategy Program, including outreach and education ("Housing 101" Workshops) regarding housing issues. This information will be particularly useful for staff and new local officials, as well as the broader community, including local employers. Through the Housing Strategy Program, several other Priority Strategies have been identified. ARCH will assist

individual cities that incorporate any of the priority strategies into their local work program. In addition, ARCH will review Priority Strategies that have been identified as being more appropriate to approach in a more collective manner by members.

- ARCH has and will continue to provide assistance on housing issues and implementation as part of neighborhood plan updates, including the updates for Viewpoint and for the single-family portion of Overlake which will be completed in 2010. In addition, The Bear Creek Neighborhood Plan update will continue during 2010.

ARCH Administrative Budget for 2010

The ARCH administrative budget for 2010 is \$498,231. This represents an increase of \$38.00 (0.01 percent) over the 2009 budget. The essentially “hold the line” budget is due to the ARCH Executive Board’s request to request no increase to the budget for 2010.

The proposed ARCH budget anticipates Redmond’s annual cash contribution would be \$59,768, which represents no increase over last year’s budget, which is the case for all ARCH member jurisdictions. The Planning Department’s 2010 budget includes funds for the ARCH administrative budget. The ARCH 2010 administrative budget provided in Attachment B includes a line-item breakdown of operating expenses, along with a comparison to 2009 figures, and a summary of cash and in-kind contributions by each ARCH member jurisdiction.

Since the establishment of ARCH in 1993, over 2,436 dwellings have been created or preserved through local contributions from member jurisdictions. Redmond has participated financially in the creation or preservation of over half of the total ARCH dwellings (1,312 dwellings) and approximately 30 percent of these are located within Redmond. ARCH cities have contributed a total of approximately \$29 million in funding toward housing, of which just over \$5 million (17 percent of the total) has come from City of Redmond contributions.

IV. IMPACT

- Service Delivery:** The 2010 ARCH work program is consistent with the City’s goals and policies for promoting affordable housing as described in the Comprehensive Plan. ARCH will help Redmond achieve its housing goals. By working together with other jurisdictions, Redmond’s housing efforts are more cost-effective and better coordinated. As shown in Attachment C, ARCH has been very effective in helping the City create housing within Redmond.
- Fiscal:** Approval of the ARCH budget for 2010 would implement the City’s 2010 budget commitment from the City’s General Fund to continue Redmond’s

participation in ARCH. No other fiscal impacts are anticipated as a result of the proposed action. Combining resources through ARCH is far more cost-effective than Redmond trying to do this work alone.

V. ALTERNATIVES

- A. Approve the ARCH 2010 work program and budget.** Staff recommends this action because it meets the City's housing goals and conforms to the recommendations of the ARCH Executive Board, of which Redmond is a member.
- B. Return the ARCH work program or budget to the ARCH Executive Board with modifications or conditions for reconsideration.** The City Council could specify areas of interest or concern for resolution prior to action.

VI. TIME CONSTRAINTS

Approval of the ARCH work program and budget by all ARCH member jurisdictions is a prerequisite to ARCH receiving operating funds for 2010. Due to the difficulty of coordinating multiple approval processes, the approval of the ARCH work program and budget by each member council is necessary as early as possible.

VII. LIST OF ATTACHMENTS

- Attachment A:** 2010 ARCH Work Program
Attachment B: 2010 ARCH Budget
Attachment C: ARCH Projects Receiving City of Redmond Assistance
Attachment D: Summary of Affordable Housing Units in Redmond

/s/ _____
Robert G. Odle, Planning Director

1/29/10 _____
Date

Approved for Council Agenda: /s/ _____
John Marchione, Mayor

2/5/10 _____
Date

12/15/09

ARCH WORK PROGRAM: 2010

I. PROJECT ASSISTANCE

A. Oversight of Local Monetary Assistance

ARCH Trust Fund. Review applications and make recommendations for requests of local monetary funds through the ARCH Housing Trust Fund process. Includes helping to coordinate the application process and use of funds for various programs. Also assist with preparing contracts for awarded projects and do quarterly progress reports on funded projects.

Objective: Allocation of \$1,000,000 or more through the ARCH Housing Trust Fund Process.

Funding commitments to create or preserve a minimum of 75 units.

For the 'Parity Program', provide updated annual information to members, and achieve the base line goal for levels of direct assistance.

Provide a variety of types of affordable housing as specified in the ARCH Trust Fund Criteria.

Evaluation of ARCH Trust Fund: Dedicated Funding Source. As follow up to the ARCH Workshops in 2007, explore and evaluate the feasibility of a dedicated funding source.

Objective: Develop a sustainable strategy for the HTF to meet increasing project costs and the reduction of federal housing funds.

Centralized Trust Fund Account. See Section IV Administration.

Funded Projects Follow-up Monitor progress of funded projects and assist local staff with contracting and distributing funds, and ongoing monitoring of loans.

King County / State Funding Programs. Review and provide input to other funders for Eastside projects that apply for County (HOF, RAHP, HOME, etc) and State (Tax Credit, DOC) funds. Includes providing input to the King County Home Consortium on behalf of participating Eastside jurisdictions. Assist N/E consortium members with evaluating and making a recommendation to the County regarding the CDBG formula for allocations to affordable housing.

Objective: In consultation with County, local staff and housing providers, seek to have funds allocated on a countywide basis by the County and State allocated proportionately throughout the County including the ARCH Sphere of Influence.

B. Special Projects This includes a range of activities where ARCH staff assist local staff with specific projects. Activities can range from feasibility analysis, assisting with requests for

proposals, to preparation of legal documents (e.g. contracts, covenants). Following is a list of several specific projects that are already underway. One of ARCH's priorities is to be available to assist cities as they assess other potential special projects that arise.

Surplus Property/Underdeveloped Property. Assist as needed member cities' evaluation of potentially surplus public property or underutilized private property for suitability of affordable housing. One potential use of surplus property is for the HomeChoice Way ownership initiative. This task is consistent with one of the priority strategies identified at the ARCH Workshops in 2007. In 2010 this effort would be expanded to also seek opportunities that may become available due to the unique market conditions resulting from the economic downturn.

Objective: Identify one or more specific sites on the eastside to be made available for housing.

HUD Initiatives. ARCH will continue to monitor and actively pursue efforts to directly assist developments in order to preserve existing HUD assisted affordable housing as well as new HUD initiatives such as the Sustainable Communities Initiative.

Objective: Preserve existing federally assisted affordable housing in East King County and prevent from converting to market rate housing.

Work with members of ARCH to seek opportunities to participate in new HUD programs such as the Sustainable Communities Initiative.

Issaquah Master Planned Development Sites. The Issaquah Highlands master planned developments (MPD) includes 'land set-aside' parcels that are reserved for the development of affordable housing for a specified period of time. ARCH will work with City staff to assist as needed with specific aspects of these parcels, including negotiate and track covenants and resale restrictions to guarantee long term affordability.

Objective: Assist City with work related to development of the 'TOD site in Issaquah Highlands by the YWCA, and Parcel 95 by Habitat for Humanity. Work in 2010 will focus around issues that come up during construction and initial lease-up / sales of units on both these sites.

Eastside Homebuyer Assistance Program. In late 2005 the House Key Plus ARCH down payment assistance program was launched with funding from many East King County cities, King County and the Washington Housing Commission and in 2006 a second round of funding was received from the same initial funders. In 2009/2010, the goal is to seek a third round of funding for the program and to implement updates to the program suggested by the review completed in 2008.

Objective: Receive sufficient additional funding to extend the program another 2 years.

Implement updates to the program based on the conclusions of the program evaluation completed in 2008.

Reserve Fund Innovative Program. In the past, ARCH has used its reserve funds to provide unsecured predevelopment loans for innovative projects being sponsored by communities (e.g.

Greenbrier (Woodinville), Coast Guard Site (Redmond). ARCH will work with local staff and the broader community to identify other potential new innovative projects.

Objective: On an as needed basis, assist members with doing feasibility, community outreach and other predevelopment activity on specific sites or programs to assess their potential to provide affordable housing.

II. HOUSING POLICY PLANNING

Work in this section falls into several basic areas of activity:

- Work with individual members on local planning efforts.
- Efforts coordinated through ARCH that benefit multiple members of ARCH.
- Track legislation that increases tools available to cities to create affordable housing.
- Participation in regional workgroups that impact local housing efforts.

A. Local Planning Activities

ARCH Housing Strategy Program. ARCH members have identified a number of Priority Housing Strategies as well as an ongoing education program for members. There are a number of work items in both of these areas including:

Objective: Continue Housing 101 Workshops for staffs and new local officials. Includes updating information in the Housing 101 Workbook as needed and annual study sessions with member councils to review current issues and activities. This includes preparing annual fliers profiling current programs and housing trends.

Objective: Assist cities that incorporate any of the priority strategies into their local work program. (Note: See Local Housing Efforts below for specific activities by members.)

Objective: Several of the Priority Strategies have been identified as being more appropriate to approach in a more collective manner by members. In 2010, initial analysis on one or two of these priority strategies- a dedicated funding source for the Trust Fund, and potentially employer assisted housing program. Includes preparing a work program for review by the Executive Board and work on the initial steps identified for each.

Legislative Items. ARCH staff will track state and federal legislative items that relate to affordable housing and could impact members' ability to address affordable housing. As needed staff will report back to the Executive Board and members, and when directed coordinate with other organizations (e.g. AWC, Prosperity Partnership, WLIHA) to contact legislators regarding proposed legislation. Potential pending legislation consistent with the Housing Priorities Strategies include:

- State Housing Trust Fund. This fund source has been a primary funding source for almost all affordable housing created in the last 15 years in east King County.
- Waiver of Impact Fees. Potential legislation would give discretion to cities to waive impact fees without replacing with other public funds. This is an area where ARCH may take a more proactive role in the legislative process.

- The federal government authorizing funds for a new National Housing Trust Fund.

Housing Background Information/ Housing Needs Assessment. Historically, ARCH has provided a range of housing and demographic information for its members. On an annual basis, ARCH will continue to provide updated housing data information as available. This updated housing information will be incorporated into the education fliers developed as part of the ongoing Housing Education Program developed as a result of the ARCH Workshops. In 2010 this effort will be expanded. Members will need to do updates to their Comprehensive Plans by 2011, which includes updating the Housing Needs Assessment part of the Housing Element. Based on input from members, ARCH will develop a needs assessments in behalf of all members of ARCH that will be completed toward the beginning of the updates to local Comprehensive Plans.

Objective: Assist with preparation of Housing Needs Assessment for all members, and to do so through a coordinated effort in behalf of all members.

Continue to keep member jurisdictions and the broader community aware of local housing conditions to assist in their efforts to evaluate current and future efforts to meet local housing objectives.

Include research on recent housing trends, and responses to these trends, in order to inform members of potential issues and local responses (e.g. , foreclosure activity).

Accessory Dwelling Units (ADU). Continue to provide information to the broader community on ADUs through fliers and the ARCH website. As needed, ARCH staff will assist local staff with assessing and modifying existing local ADU regulations

Objective: Increase general community awareness and utilization of ADU's .

Local Housing Efforts: ARCH jurisdictions are updating land use, zoning and other codes in order to implement policies identified in their Comprehensive Plans. ARCH staff will continue to assist local staffs in these efforts. Following are specifically identified areas that ARCH will assist local staff with accomplishing. For the coming year, ARCH staff expects to spend considerable time assisting all members with updating their Housing Elements, with initial efforts focused on developing needs assessments for members.

Objective: Assist local staff with completion of the following updates of local codes and specific plans:

Bellevue

Assist City staff as needed with Bellevue's planning initiatives included in Bellevue's Housing Element update and in the Two-Phase Housing Work Program identified by the Council. (e.g. updates to ADU regulations, update city-wide housing incentives, more innovative forms of housing, MF tax exemption.)

Assist City staff with developing and implementing incentives to encourage affordable housing, work force housing, and housing choice citywide (Phase II).

Assist with Council evaluation of a MF Tax exemption program in Bel-Red and potentially other areas of the City. In the event Council provides direction to develop a program, assist City Staff to develop code language for a program.

Assist in land use planning in identified ST2 corridors where transit oriented housing and mixed income housing development is an important component of the initial planning work.

Assist City staff to evaluate long term options for the Landmark property (purchased in 2002 by the King County Housing Authority) or other properties identified by the City.

Bothell

Assist City staff with implementing elements of the downtown plan to encourage affordable housing.

Assist City staff with implementation of any housing strategies identified by City Council as part of the 2010 Docket process.

Clyde Hill

Assist City staff with a general review of housing regulations.

Assist City with rental of City's affordable rental unit.

Issaquah

Assistance is anticipated for the following projects:

Central Issaquah Plan: Continue work with City staff to refine housing parts of the Central Issaquah Plan as well as the related development standards and incentives. Participate in related presentations to the Task Force, Planning Policy Commission and/or City Council at key milestones for assistance on affordable housing.

Issaquah Highlands: Monitor the implementation of the Issaquah Highlands affordable housing development agreement. This includes monitoring individual projects by private developers, and assisting City staff with the implementation of the Block 9, YWCA affordable housing project.

Kenmore

Downtown Plan: Assist, as needed, City staff to implement the requirement to provide affordable units in the downtown area.

TOD Regulations: Assist City staff and Downtown Taskforce with reviewing policies and regulations as they relate to housing and housing affordability.

Tax Exemption Program: Develop reporting forms, procedures and other necessary actions as requested by the City related to the property tax exemption program.

Kirkland

Assist City staff with an examination of existing non-conforming multifamily densities and how that might relate to the preservation of existing affordable housing.

Continue to assist staff with exploring the feasibility of mixed-use transit oriented development on a portion of the South Kirkland Park & Ride property, including coordination with Metro and for profit or non-profit housing developers, and development of regulations for project development and affordability requirements.

Assist City staff with the Housing portion of the Lakeview and Houghton Neighborhood Plan updates.

Mercer Island.

Assist City staff and council with evaluating and, if appropriate, implementing a tax incentive program for affordable housing in the Mercer Island Town Center, as allowed under RCW 84.14.

Assist City staff and City Council with a community evaluation of the potential for considering innovative housing within the community.

Assist City Staff and Planning Commission with updating the Housing Strategy Plan, and with initial implementation of high priority strategies.

Newcastle

Assist City staff in reviewing and adding clarifying language to the affordable housing requirements for the downtown, Community Business Center. Also assist with agreements for any project that would include an affordable housing requirement, including those related to the Community Business Center.

Redmond

Assist with update of housing regulations related to the update of the City's overall development regulations.

Continue to assist with negotiating and administering the provision of affordable housing in developments required to provide affordable housing units pursuant to city regulations.

Assist City staff and council with evaluating and, if appropriate, implementing a tax incentive program for affordable housing, as allowed under RCW 84.14.

Provide assistance as needed in updating neighborhood plans (e.g. Bear Creek Neighborhood) with respect to housing, including periodic attendance at CAC meetings to help identify housing issues within the neighborhood and develop policy responses.

Assist with the refinement of existing incentive programs to create affordable housing, especially related to methods for alternative compliance and bonus area in downtown projects.

Assist in implementing and preliminary analysis of the City's innovative housing ordinance and pilot program.

Sammamish

Assist City staff with Council review of Town Center regulations related to diverse housing opportunities and innovative design techniques.

Assist with evaluating and potentially implementing a demonstration program for cottage housing and/or other innovative housing projects that meet changing population needs and preferences.

Assist with initial implementation of high priority strategies identified in the Housing Strategy Plan, including efforts to encourage Accessory Dwelling Units (ADUs), and processes and standards for homeless encampments.

Evaluate Strategy Plan to assess if work should commence on any median priority strategies (e.g. Senior Housing opportunities).

Woodinville

Review and strengthening of affordable housing and accessory dwelling unit programs and regulations.

Continue work to assist City staff and Planning Commission with ways to encourage housing in the Downtown/Little Bear Creek Master Plan area.

King County See Regional/Planning Activities below.

Complete standard covenants, and monitor the implementation of the Northridge/Blakely Ridge and Redmond Ridge Phase II affordable housing development agreements. This includes monitoring annual progress toward achieving affordability goals; and providing information to developers on details about how the program is implemented.

General Assistance. In the past, there have been numerous situations where member staffs have had requests for support on issues not explicitly listed in the Work Program. Requests range from technical clarifications, to assisting with negotiating agreements for specific development proposals, to more substantial assistance on unforeseen work. ARCH sees this as a valuable service to its members and will continue to accommodate such requests to the extent they do not jeopardize active work program items.

B. Regional/Countywide Planning Activities

Affordable Housing Tracking System. The Growth Management Act/Countywide Affordable Housing Policies call for jurisdictions to track the development/preservation of housing

affordable to low and moderate income families. This work is being coordinated through the Benchmarks Task Force. ARCH staff will continue to assist cities and the County with collecting data needed for Benchmarks.

Objective: Collection and analysis of data as specified in Benchmark Task Force report.

Maintain an eastside housing database for storing benchmark and related housing data. The database should allow the creation of standardized reports, yet be flexible enough to also meet the individual reporting needs of members.

Information collected for this will be incorporated into the annual updates prepared as part of the ongoing ARCH Housing Education program.

County-Wide Housing Committees. Support local staff by providing staff support as needed to 'regional'/statewide working groups/committees, and disseminating key information back to local staffs. Groups include the Growth Management Planning Council (GMPC), the McKinney review team, and DOC Housing Trust Fund Policy Advisory Team.

Committee to End Homelessness (CEH)/ Eastside Homeless Advisory Committee (EHAC). Anticipated work of the CEH in the coming year include: more coordinated allocation of resources; and initiating several specific proposals (e.g. Landlord Liaison program). Role for ARCH staff is expected to include participating in the CEH Funders group and its efforts to coordinate funding, and develop strategies for delivering and funding services on an ongoing basis to homeless housing; and inform ARCH members and the general public of CEH/EHAC activities. Also continue to participate in efforts to implement homeless efforts within East King County through EHAC.

Objective: Keep member jurisdictions informed of significant regional issues and pending legislation that could affect providing housing in East King County.

Ensure that perspectives of communities in East King County are addressed in regional housing activities, including the Committee to End Homelessness.

Have one or more specific local programs initiated as part of the 10 Year Plan to End Homelessness.

III. HOUSING PROGRAM IMPLEMENTATION

Monitoring Affordable Rental Housing. Administer ongoing compliance of affordability requirements. This includes affordable rental housing created through direct assistance (e.g. Trust Fund allocation, land donations) from member jurisdictions, and through land use incentives. Some Trust Fund projects also require monitoring of project cash flow related to loans made by jurisdictions to projects.

Objective: Ensure projects are in compliance with affordability requirements which involves collecting annual reports from projects, screening information for compliance, and preparing summary reports for local staffs. To the extent possible this work shall:

- Minimize efforts by both owners and public jurisdictions.

- Coordinate ARCH's monitoring efforts with efforts by other funding sources such as using shared monitoring reports.
- Utilize similar documents and methods for monitoring developments throughout East King County.
- Ensure accurate records for affordable ownership units, including audit units for owner occupancy and proper recording of necessary documentation.
- Establish working relationship with other public organizations that can help assess how well properties are maintained and operated (e.g. code compliance, police, and schools).

Monitoring Affordable Ownership Housing. As more price restricted homes are created, monitoring of affordable ownership housing created through local land use regulations is becoming of increased importance. In addition, will continue to monitor general trends with ownership units, enforcement of covenant provisions (e.g. leasing homes, foreclosure), and as necessary evaluate and if warranted, complete revisions to the ownership covenants in order to better insure long term affordability of ownership units.

Objective: Oversee resale of affordable ownership homes. Address issues related to ongoing compliance with program requirements (e.g. leasing homes, foreclosures).

Complete revisions to the affordability covenant and administrative procedures to better protect against potential loss of long term affordability.

Mailing List of Low/Moderate Income Households. Maintain a list of families potentially interested in affordable housing (both rental and ownership) created through the efforts of the participating jurisdictions.

Objective: Maintain lists of affordable housing in East King County, and making that available as needed to people looking for affordable housing.

Maximize use of the ARCH web site to assist persons looking for affordable housing.

Relocation Plans. Assist as necessary with preparing relocation plans and coordinate monitoring procedures for developments required to prepare relocation plans pursuant to local or state funding requirements.

Objective: Maximize efforts to ensure that existing households are not unreasonably displaced as a result of the financing or development of new or existing housing.

IV. SUPPORT/EDUCATION/ADMINISTRATIVE ACTIVITIES

Education/Outreach. Education efforts should tie into efforts related to public outreach/input on regional housing issues. However, much of ARCH's outreach/education work will occur through work with individual members on local housing efforts. Potential outreach tools include the Housing 101 workbook and related brochures, housing tours, a portfolio of successful projects,

and ARCH brochure.

Objective: **Consistent with the Education program discussed at the ARCH Workshops**, using input from the broader community, develop education tools to inform councils, staffs and the broader community of current housing conditions, and of successful efforts achieved in recent years.

Objective: **Consistent with the Education program discussed at the ARCH Workshops**, on a regular basis, conduct education sessions for new local officials and staffs on local housing conditions and programs (Housing 101 East King County, East King County Plan to End Homelessness), and hold annual discussion with member councils on recent housing trends and efforts.

Objective: Be a resource for members to assist with outreach and education activities on affordable housing associated with local planning efforts.

Objective: Create outreach tools/efforts that inform the broader community of affordable housing resources available to residents.

ARCH Web site. Currently this site is primarily geared to those utilizing programs administered through ARCH (e.g. listing of available rental and ownership affordable units, application for Trust Fund, consumer information on Accessory Dwelling Units, linkages to other housing related services in the community). In addition, information will be added to the website regarding general needs for affordable housing. In the last year this has primarily involved adding material from the Housing 101 Workbook. In the coming year, opportunities will be looked at to add information to this part of the website.

Objective: Maintain the ARCH web site and update the community outreach portion by incorporating information from Housing 101 East King County, as well as updated annual information, and links to other sites with relevant housing information (e.g. CEH, HDC).

Make presentations, including housing tours, to at least 10 community organizations.

Media coverage on at least six topics related to affordable housing in East King County related to work done by Cities/ARCH and articles in local city newsletters.

Advice to Interested Groups. Provide short-term technical assistance to community groups, faith communities and developers interested in community housing efforts. Meet with groups and provide suggestions on ways they could become more involved.

Objective: Increase awareness of existing funding programs by potential users.

Increase opportunities of private developers and Realtors working in partnership with local communities on innovative/affordable housing.

Assist community based groups who want to provide housing information to the broader community by assisting with preparing background information.

Administrative Procedures. Maintain administrative procedures that efficiently provide services to both members of ARCH and community organizations utilizing programs administered through ARCH. Prepare quarterly budget performance and work program progress reports. Prepare the Annual Budget and Work Program. Staff the Executive and Citizen Advisory Boards.

Objective: Maintain a cost effective administrative budget for ARCH, and keep expenses within budget. Administrative costs should be equitably allocated among ARCH's members.

Maintain membership on the ARCH Citizen Advisory Board that includes broad geographic representation and wide range of housing and community perspectives.

Update the ARCH Interlocal Agreement to incorporate updates to ARCH's administrative structure related to administering the Housing Trust Fund and ARCH Sphere of Influence, and if adopted, implement provisions approved in the Interlocal Agreement

2010 ARCH Administrative Budget

Dec-09

I. ANNUAL OPERATING EXPENSES

Item	2009 Budget	2010 Budget	Change Budget	Percent Change
Sub-total	\$ 453,190	\$ 451,931	\$ (1,259)	0%
Rent	\$ 12,052	\$ 12,750	\$ 698	6%
Utilities	Incl^	Incl^	Incl^	Incl^
Telephone	\$ 2,575	\$ 2,704	\$ 129	5%
Operating				
Travel/Training	\$ 2,000	\$ 2,000	\$ -	0%
Auto Mileage	\$ 3,650	\$ 3,650	\$ -	0%
Copier Costs	\$ 2,750	\$ 2,750	\$ -	0%
Office Supplies	\$ 2,068	\$ 2,068	\$ -	0%
Office Equipment Service	\$ 4,000	\$ 3,750	\$ (250)	-6%
Fax/Postage	\$ 2,060	\$ 2,060	\$ -	0%
Periodical/Membership	\$ 3,588	\$ 3,588	\$ -	0%
Misc. (e.g. events,etc.)	\$ 1,840	\$ 1,680	\$ (160)	-9%
Insurance	\$ 8,420	\$ 8,650	\$ 230	3%
Reorganization Admin	\$ -	\$ 650	\$ 650	
Sub-total	\$ 30,376	\$ 30,846	\$ 470	2%
TOTAL	\$ 498,193	\$ 498,231	\$ 38	0.01%

* Actual salary increases based on Bellevue's approved Cost of Living Adjustment

III. ARCH ADMINISTRATIVE BUDGET: RESOURCE DISTRIBUTION

A. Cash Contributions		2009	2010	Change	Percent Change	
Bellevue	\$	-	\$	-	-	
Bothell	\$	39,191	\$	39,191	\$	0.00%
Issaquah	\$	14,698	\$	14,698	\$	0.00%
King County	\$	43,466	\$	43,466	\$	0.00%
Kirkland	\$	59,768	\$	59,768	\$	0.00%
Mercer Island	\$	29,882	\$	29,882	\$	0.00%
Newcastle	\$	9,960	\$	9,960	\$	0.00%
Redmond	\$	59,768	\$	59,768	\$	0.00%
Woodinville	\$	11,898	\$	11,898	\$	0.00%
Beaux Arts Village	\$	1,569	\$	1,569	\$	0.00%
Clyde Hill	\$	2,660	\$	2,660	\$	0.00%
Hunts Point	\$	1,569	\$	1,569	\$	0.00%
Medina	\$	2,660	\$	2,660	\$	0.00%
Yarrow Point	\$	1,569	\$	1,569	\$	0.00%
Sammamish	\$	46,188	\$	46,188	\$	0.00%
Kenmore	\$	25,195	\$	25,195	\$	0.00%
Other*	\$	11,400	\$	11,400	\$	
TOTAL	\$	361,442	\$	361,442	\$	
B. In-Kind Contributions		2008	2009	Change	Percent Change	
Bellevue	\$	136,791	\$	136,792	\$	1.10
TOTAL	\$	136,791	\$	136,792	\$	1.10
C. Total Contributions						
Bellevue	\$	136,791	\$	136,792	\$	1.10
Bothell	\$	39,191	\$	39,191	\$	0.00%
Issaquah	\$	14,698	\$	14,698	\$	0.00%
King County	\$	43,466	\$	43,466	\$	0.00%
Kirkland	\$	59,768	\$	59,768	\$	0.00%
Mercer Island	\$	29,882	\$	29,882	\$	0.00%
Newcastle	\$	9,960	\$	9,960	\$	0.00%
Redmond	\$	59,768	\$	59,768	\$	0.00%
Woodinville	\$	11,898	\$	11,898	\$	0.00%
Beaux Arts Village	\$	1,569	\$	1,569	\$	0.00%
Clyde Hill	\$	2,660	\$	2,660	\$	0.00%
Hunts Point	\$	1,569	\$	1,569	\$	0.00%
Medina	\$	2,660	\$	2,660	\$	0.00%
Yarrow Point	\$	1,569	\$	1,569	\$	0.00%
Sammamish	\$	46,188	\$	46,188	\$	0.00%
Kenmore	\$	25,195	\$	25,195	\$	0.00%
Other*	\$	11,400	\$	11,400	\$	0.00%
TOTAL	\$	498,233	\$	498,234	\$	1.10
TOTAL COSTS	\$	498,193	\$	498,231	\$	38.32
BALANCE	\$	39	\$	2		

* This is the administrative fee collected from Redmond Ridge East (\$250 / initial sale).

ATTACHMENT C

ARCH PROJECTS RECEIVING CITY OF REDMOND ASSISTANCE - THROUGH FALL 2008

Project Location	Year Funded	No. Units Total	In Redmond	REDMOND ALLOCATIONS			PROJECTS LOCATED IN REDMOND			Redmond Contributions to Other Cities	HTF Cycle
				HTF/CIP a.	CDBG b.	Other c.	Funding from Redmond d.	Funding from Other Cities e.	Total ARCH Funding (d + e)		
Redmond	1993	41	41	\$ 100,000			\$ 100,000	\$ -	\$ 100,000	1993, Spring	
Redmond	1993	19	19	\$ 23,303			\$ 23,303	\$ 164,485	\$ 187,788	1993, Fall	
Bellevue	1993	10	4	\$ 9,400			\$ 9,400			1993, Fall	
Redmond	1994	4	4	\$ 71,750			\$ 71,750	\$ -	\$ 71,750	1994, Spring	
UKC-Iss.	1995	54		\$ 75,000			\$ 75,000		\$ 75,000	1995, Spring	
UKC - Bell.	1996	12		\$ 10,000			\$ 10,000		\$ 10,000	1996, Fall	
Redmond	1996	18	18	\$ 280,000			\$ 280,000	\$ -	\$ 280,000	1996, Fall	
Redmond	1997	24	24	\$ 70,000			\$ 286,683	\$ -	\$ 286,683	1997, Spring	
Redmond	1997	93	93	\$ 50,000			\$ 376,000	\$ 150,000	\$ 526,000	1997, Spring	
Redmond	1997	18	18	\$ 66,353			\$ 66,353	\$ 375,647	\$ 442,000	1997, Fall	
Kirkland	1997	24		\$ 33,647			\$ 33,647		\$ 33,647	1997, Fall	
Bellevue	1996/98	20		\$ 115,000			\$ 115,000		\$ 115,000	1998, Fall (1996, Fall)	
Bothell	1999	8		\$ 50,000			\$ 57,265		\$ 57,265	1999, Spring/Fall	
Mercer Island	1999	59		\$ 100,000			\$ 100,000		\$ 100,000	Spring 1999	
Woodinville	1999	50		\$ 50,000			\$ 50,000		\$ 50,000	Spring 1999	
Newcastle	2000	12		\$ 85,401			\$ 85,401		\$ 85,401	Spring 2000	
Woodinville	2000	50		\$ 6,475			\$ 6,475		\$ 6,475	Spring 2000	
Redmond	2000	308	308				\$ 1,573,375	\$ 72,000	\$ 1,645,375	2000 Fall	
Issaquah	2001	50		\$ 40,107			\$ 40,107		\$ 40,107	Spring 2001	
Redmond	Fall 2001	60	60	\$ 100,000			\$ 100,000	\$ 150,000	\$ 250,000	Fall 2001	
Redmond	Spring 2002	Incl ¹		\$ 105,255			\$ 524,326	\$ 752,436	\$ 1,276,762	Spring 2002	
Kirkland	Spring 2002	66		\$ 100,000			\$ 100,000		\$ 100,000	Spring 2002	
Redmond	N/A	Incl ¹		\$ 125,344			\$ 125,344		\$ 125,344	N/A	
Redmond	2000	1	1	\$ 400			\$ 400		\$ 400	N/A	
Redmond	N/A	Incl ¹		\$ 50,000			\$ 50,000	\$ 25,000	\$ 75,000	Fall 2003	
Redmond	N/A	5	5	\$ 50,000			\$ 50,000	\$ 175,000	\$ 250,000	Fall 2003	
Redmond	Fall 2006	5	5	\$ 75,000			\$ 75,000		\$ 75,000	Fall 2006	
Bothell	See #35 above	5									
Various	N/A			\$ 85,000			\$ 85,000	\$ 165,000	\$ 250,000	Fall 2003	
Redmond	N/A	166	166	\$ 150,000			\$ 150,000	\$ 1,000,000	\$ 1,150,000	Spring 2004	
Issaquah	N/A	Incl ¹		\$ 150,000			\$ 150,000		\$ 150,000	Fall 2004	
Issaquah	N/A	28		\$ 40,000			\$ 40,000	\$ 410,000	\$ 450,000	Fall 2005	
Kirkland	Fall 2007	6		\$ 40,000			\$ 40,000		\$ 40,000	Fall 2007	
Bellevue	Fall 2007	6		\$ 25,000			\$ 25,000		\$ 25,000	Fall 2007	
Kenmore	Spring 2008	90 (indefinite)		\$ 160,000			\$ 160,000		\$ 160,000	Spring 2008	
Issaquah	Spring 2009	47		\$ 150,000			\$ 150,000		\$ 150,000	Spring 2009	
Kirkland	Fall 2009	60 (proposed)		\$ 85,000			\$ 85,000		\$ 85,000	Fall 2009	
NE King Co.	Fall 2009	2 (proposed)		\$ 55,000			\$ 55,000		\$ 55,000	Fall 2009	
TOTAL¹		1421	762	\$ 2,142,005	\$ 930,943	\$ 2,277,439,981	\$ 5,324,829	\$ 3,439,568	\$ 7,417,102	\$ 1,437,295	

1) assessment for sewer improvements on Avondale
 f Building, Planning, and Impact Fees
 2) Total units funded since 1993 through ARCH (includes all cities)
 3) Total units funded located in Redmond (31%)
 4) Units that include funding by Redmond (63% of total)
 for all projects is approximately \$20 million
 Redmond has provided approximately 23% of total assistance to all ARCH projects.
 Projects located in Redmond have received approximately 34% of the total from all cities.
 amount of city waiver for Building, Planning, and Impact Fees

HOUSING TYPE	PROJECT NAME	ADDRESS	MANAGEMENT TYPE (OR OWNER)	ARCH \$\$ FROM OTHER CITIES	REDMOND FUNDS TO ARCH		TOTAL UNITS IN DEV.	AFFORDABLE UNITS IN DEVELOPMENT					
					HTF (CIP)	CDBG		<30% Median	<50% Median	<60% Median	<80% Median	<90% Median	
TRANSITIONAL HOUSING	YWCA Family Village	16601 NE 80 th Street	YWCA				20	20					
	EHA Avondale Park Acquisition & Rehab	9551 Avondale Rd NE	Eastside Housing Association (EHA)		\$280,000		18 ¹	18 ¹					
	EHA Avondale Park Redevelopment	9551 Avondale Rd NE	Eastside Housing Association (EHA)	\$902,436	\$332,017	\$292,309	60	60					
	Dixie Price	9451 Avondale Rd NE	Hopelink			\$71,750	4	4					
	Ashford Park ²	178** NE 93 rd Way	Private Ownership Condominiums				N/A						6
	Essex Park ³	109** Avondale Rd. NE	Private Ownership Condominiums				N/A						6
	Meadows at Marymoor ⁴	46** 168 th Ct. NE	Private Ownership Condominiums				33						4
	Conover Commons ⁵	104** 132 nd Avenue NE	Private Ownership Cottage Housing				24	1					
	Avalon/Park Square Apartments	16075/16080 NE 85 th St.	Rental Units				124						9
	Frazer Court Apartments	16275 NE 85 th Street	Condominium conversion				59						6
Redmond 44	NE 79 th Street	Private Ownership Condominiums				60						6	
Cleveland Street Condos ⁶	16141 Cleveland Street	Private Ownership Condominiums				84						5	
Park Place	7805 170 th Pl.	Private Ownership Condominiums				66						7	
Redmond Court (Urbane Redmond)	8296 160 th Ave NE	Private Ownership				22						2	
Indigo (Hanson Plat)	12931 NE 126 th Pl	Private Ownership SF attached				24	1						
Portula ca	8039 165 th Ave NE	Private Ownership				24	1						
Redmond Townhomes (Intracorp (The Element))	NW intersection of Redmond Way and Willows Road	Private Ownership				99						9 (3 handicap accessible)	

¹ These units are not included in the total unit count because of redevelopment

² Ashford Park covenant duration 30 years to 2025. Units are set-aside for households earning 85% or less of KC Median Income

³ Essex Park covenant duration 15 years to 2007

⁴ Meadows at Marymoor covenant duration 30 years to 2028 with provision that City receives net surplus from first sale after covenant expires. Units are set-aside for households earning 85% or less of KC Median Income

⁵ Project under construction (March 2004). Affordable unit to be built as part of Phase II.

⁶ With this development, the City crossed the threshold for affordable housing downtown, requiring 10% of all future units built downtown to be affordable to households earning 80% or less of KC Median Income

AM No. 10-049 (C6)

MEMO TO: City Council

FROM: John Marchione, Mayor

DATE: March 16, 2010

SUBJECT: **RESOLUTION: EXPRESSING THE CITY COUNCIL'S INTENT TO ADOPT THE MISCELLANEOUS USES AND DEVELOPMENT STANDARDS 1 PACKAGES OF THE REDMOND CODE REWRITE PROJECT SUBJECT TO RECONCILIATION WITH THE REMAINDER OF THE PROJECT**

I. RECOMMENDED ACTION:

Adopt a resolution (Attachment A) expressing the City Council's intent to adopt the Miscellaneous Uses and Development Standards 1 packages of the Redmond Code Rewrite project following reconciliation of these packages with the remaining packages of the project.

II. DEPARTMENT CONTACTS:

Rob Odle, Director, Planning and Community Development, 425-556-2417
Judd Black, Development Services Manager, 425-556-2426
Lori Peckol, AICP, Policy Planning Manager, 425-556-2411
Steven Fischer, Principal Planner, 425-556-2432
Jayme Jonas, Senior Planner, 425-556-2496

III. DESCRIPTION:

The Redmond Code Rewrite project was identified and approved through the 2009-2010 Budgeting by Priorities process. It commenced in January 2009 and will continue through 2010, with the goal of final adoption of a new zoning code by spring 2011.

The existing Redmond Community Development Guide (RCDG) has been divided into topic-based packages of code sections. Each rewritten section of code must be consistent with the adopted mission statement and sets of guiding principles.

The Code Rewrite Commission (CRC) recommended approval of the first two packages of the project in January 2010 after careful deliberation and open record public hearings as noted below:

- Miscellaneous Uses includes code sections related to Adult Entertainment, Landfills (Filling of Land), Temporary Uses and Nonconforming Uses and Structures. The public hearing opened on November 9, 2009, and closed on January 4, 2010. The CRC recommended approval on January 4, 2010.
- Development Standards 1 includes code sections related to Fences, Exterior Lighting, Transportation Standards, Utilities Standards, and appendices related to Construction

City Council

RE: RESOLUTION: EXPRESSING THE CITY COUNCIL'S INTENT TO ADOPT THE MISCELLANEOUS USES AND DEVELOPMENT STANDARDS 1 PACKAGES OF THE REDMIND CODE REWRITE PROJECT SUBJECT TO RECONCILLIATION WITH THE REMAINDER OF THE PROJECT.

March 16, 2010

Page 2

Specification and Design Standards for Streets and Access and Design Requirements for Water and Wastewater System Extensions. The public hearing opened on November 16, 2009, and closed on January 4, 2010. The CRC recommended approval on January 25, 2010.

On February 23, 2010, the City Council concluded their discussion of issues related to both of these packages after a staff report and two study sessions.

Adoption of the attached resolution is intended to express the Council's support for the regulations contained in the first two packages of the Redmond Code Rewrite, pending any reconciliation with forthcoming packages of the project and completion of environmental review for the proposed amendments. Final adoption of the new zoning code is expected in spring 2011, after CRC and Council review of all project packages.

IV. IMPACT:

The regulations contained in the Miscellaneous Uses and Development Standards 1 packages are consistent with the Redmond Code Rewrite mission statement and guiding principles and therefore increase the usability of the new Redmond Zoning Code for residents, developers, staff, and other parties.

V. ALTERNATIVES:

A. Adopt the resolution: Staff recommends this alternative because it best expresses Council's support for the work done to-date by the Code Rewrite Commission and supports future progress on the project.

B. Delay action on or reject the resolution: Council could choose not to approve the attached resolution and wait to take any action on the Redmond Code Rewrite project until all packages have been reviewed by the Code Rewrite Commission and Council. Staff does not recommend this alternative as it could result in impacts to the achievement of the project's schedule.

City Council

RE: RESOLUTION: EXPRESSING THE CITY COUNCIL'S INTENT TO ADOPT THE MISCELLANEOUS
USES AND DEVELOPMENT STANDARDS 1 PACKAGES OF THE REDMIND CODE REWRITE
PROJECT SUBJECT TO RECONCILIATION WITH THE REMAINDER OF THE PROJECT.

March 16, 2010

Page 3

VI. TIME CONSTRAINTS:

Timely Council action supports continued progress on the Code Rewrite Project.

VII. LIST OF ATTACHMENTS:

Attachment A: Proposed Resolution with Exhibits

/s/

Robert G. Odle, Director of Planning and Community Development

3/3/10

Date

Approved for Council Agenda /s/

John Marchione, Mayor

3/5/10

Date

ATTACHMENT A
CITY OF REDMOND
RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, EXPRESSING THE CITY COUNCIL'S INTENT TO ADOPT THE MISCELLANEOUS USES AND DEVELOPMENT STANDARDS 1 PACKAGES OF THE 2009-2011 REDMOND CODE REWRITE, DEVELOPMENT GUIDE AMENDMENT FILE NO. L090380, SUBJECT TO RECONCILIATION WITH THE REMAINDER OF THE PROJECT

WHEREAS, the Growth Management Act of 1990 (GMA) requires that the City of Redmond adopt a Comprehensive Plan and implementing regulations; and

WHEREAS, Ordinance No. 887, adopted on October 21, 1979, by the Redmond City Council established the Redmond Community Development Guide; and

WHEREAS, the Redmond Community Development Guide (RCDG) has been amended 291 times since its adoption; and

WHEREAS, in 2008 the City approved the 2009-2011 Redmond Code Rewrite project to rewrite the RCDG; and

WHEREAS, the mission of the Redmond Code Rewrite project is to create a zoning code that improves clarity, conciseness, predictability, and usability for residents, development professionals and the business community; maintains the integrity of code concepts adopted over time by the City Council while utilizing new ideas where appropriate to achieve these

concepts; and, implements clearly and effectively the goals, visions and policies of the Comprehensive Plan; and

WHEREAS, the RCDG has been divided into topic-based packages of regulations to be considered during the Redmond Code Rewrite project; and

WHEREAS, the Miscellaneous Uses package includes regulations pertaining to Adult Entertainment, Landfills, Temporary Uses, and Nonconforming Uses and Structures; and

WHEREAS, the Development Standards 1 package includes regulations pertaining to Fences, Exterior Lighting Standards, Transportation Standards, and Utilities Standards, as well as appendices pertaining to Construction Specification and Design Standards for Street and Access and Design Requirements for Water and Wastewater System Extensions; and

WHEREAS, the Redmond Code Rewrite Commission conducted study sessions and public hearings to gather public input on the proposed Miscellaneous Uses package, and on January 4, 2010, completed its unanimous recommendation that the Redmond City Council approve these regulations; and

WHEREAS, the Redmond Code Rewrite Commission conducted study sessions and public hearings to gather public input on the proposed Development Standards 1 package, and on January 25,

2010, completed its unanimous recommendation that the Redmond City Council approve these regulations; and

WHEREAS, the Redmond City Council has considered the recommendations of the Redmond Code Rewrite Commission, and has held study sessions on the proposed Miscellaneous Uses and Development Standards 1 packages; and

WHEREAS, the Miscellaneous Uses and Development Standards 1 packages are consistent with the adopted project mission and guiding principles, as well as the Redmond Comprehensive Plan as required by the existing Redmond Community Development Guide; and

WHEREAS, the Redmond City Council must adopt the new Redmond Zoning Code as one complete package, which is expected to occur in spring 2011.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Mission Statement and Guiding Principle Consistency. After reviewing the proposed Miscellaneous Uses and Development Standards 1 packages, the City Council agrees that the regulations are consistent with the Redmond Code Rewrite project mission statement and guiding principles.

Section 2. Intent to Adopt. The City Council intends to adopt the proposed Miscellaneous Uses and Development Standards 1

packages set forth in Exhibits 1 through 10 attached hereto and incorporated herein by this reference subject to reconciliation with the remainder of the Redmond Code Rewrite project and SEPA review of the entire Redmond Code Rewrite project.

ADOPTED by the Redmond City Council this 16th day of March, 2010.

APPROVED:

MAYOR, JOHN MARCHIONE

ATTEST/AUTHENTICATED:

CITY CLERK, MICHELLE M. MCGEHEE, CMC

(SEAL)

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
RESOLUTION NO:

Exhibit 1

20D.20 Adult Entertainment

20D.20.10 Adult Entertainment Facilities.

20D.20.10-010 Purpose.

All adult entertainment facilities shall comply with the requirements of this section. The purpose and intent of requiring standards for adult entertainment facilities is to mitigate the adverse secondary effects caused by such facilities and to maintain compatibility with other land uses and services permitted within the City. The standards established in this section apply to all adult entertainment facilities and include, but are not limited to, the following: adult arcades, adult cabarets, adult drive-in theaters, adult motels, adult motion picture theaters, adult retail stores, adult sauna parlors, escort agencies, and nude or semi-nude model studios. The standards established in this section shall not be construed to restrict or prohibit the following activities or products: expressive dance as defined in RMC 5.68.030(R); plays, operas, musicals, or other dramatic works; classes, seminars, or lectures conducted for a scientific or educational purpose; printed materials or visual representations intended for educational or scientific purposes; nudity within a locker room or other similar facility used for changing clothing in connection with athletic or exercise activities; nudity within a hospital, clinic, or other similar medical facility for health-related purposes; and all movies and videos that are rated G, PG, PG-13, R and NC-17 by the Motion Picture Association of America. (Ord. 1919. Formerly 20C.20.015)

20D.20.10-020 Separation Requirements.

Adult entertainment facilities shall be permitted as indicated in the table of Permitted Land Uses referred to in RCDG 20C.60.20-030 only if the following separation requirements are met:

- (1) No adult entertainment facility shall be located closer than 825 feet to another adult entertainment facility whether such other facility is located within or outside the City limits.
- (2) No adult entertainment facility shall be located closer than 825 feet to any of the following zones or uses whether such zone or use is located within or outside the City limits:
 - (a) A residential zone as defined in Chapter 20A.20 RCDG;
 - (b) An Urban Recreation zone as defined in Chapter 20A.20 RCDG;
 - (c) A public park;
 - (d) A community center as defined in Chapter 20A.20 RCDG;
 - (e) A public library;
 - (f) A day care center or family day care as defined in Chapter 20A.20 RCDG;
 - (g) A public or private nursery school or preschool;
 - (h) A public or private primary or secondary school; and
 - (i) A church, temple, synagogue, mosque or other similar religious facility (activities and uses related to churches, temples, synagogues, and mosques are not subject to the separation requirements). (Ord. 1919. Formerly 20C.20.015)

20D.20.10-030 Measurement.

The separation requirements specified in RCDG 20D.20.10-020 shall be measured as follows:

- (1) The 825-foot buffer required by RCDG 20D.20.10-020(1) shall be measured by extending a straight line from the nearest point on the property line of the lot containing the proposed adult entertainment facility to the nearest point on the property line of the lot containing the other adult entertainment facility.

Exhibit 1

- (2) The 825-foot buffer required by RCDG 20D.20.10-020(2) shall be measured by extending a straight line from the nearest point on the property line of the lot containing the proposed adult entertainment facility to:
- (a) The nearest point on the boundary line of a residential or Urban Recreation zone;
 - (b) The nearest point on the property line of a public park;
 - (c) The nearest point on the property line of the lot containing a public library, day care center, family day care, community center, public or private nursery school or preschool, public or private primary or secondary school, or church, temple, synagogue, mosque or other similar religious facility. (Ord. 1919. Formerly 20C.20.015)

20D.20.10-040 Waiver of Separation Requirements.

An applicant may obtain a waiver of the separation requirements required by this section only if the applicant demonstrates that all of the following criteria are met:

- (1) Conditional Use Permit Required. Any party proposing to locate an adult entertainment facility within 825 feet of any zone or use specified in RCDG 20D.20.10-020 may do so only after obtaining a conditional use permit in accordance with RCDG 20F.40.40, Conditional Use.
- (2) Special Notice Requirements. In addition to the notice requirements for Conditional Use permits, first class mailing of notice shall be made to all individuals owning or occupying property within 825 feet of the property for which the application is made. The applicant shall provide the name and addresses of all property owners and businesses within 825 feet of the property of the proposed location.
- (3) Criteria for Decision. The final decision on the request for a waiver of the separation requirements shall be made by the City Council upon the recommendation of the Hearing Examiner, based upon consideration of the following criteria:
 - (a) The extent to which physical features would result in an effective separation between the proposed adult entertainment facility and any zones or uses identified in RCDG 20D.20.10-020 in terms of visibility and access;
 - (b) The extent to which the proposed adult entertainment facility complies with the goals and policies of the Redmond Community Development Guide;
 - (c) The extent to which the proposed adult entertainment facility is compatible with adjacent and surrounding land uses;
 - (d) The availability or lack of alternative locations for the proposed adult entertainment facility;
 - (e) The extent to which the proposed adult entertainment facility can be avoided by alternative vehicular and pedestrian routes; and
 - (f) The extent to which the applicant can minimize the adverse secondary effects associated with the proposed adult entertainment facility. (Ord. 1919. Formerly 20C.20.015)

20D.20.10-050 Nonconforming Adult Entertainment Facility.

An adult entertainment facility shall be deemed a nonconforming use and shall be subject to the requirements of RCDG 20F.10.50, Nonconformances, if a zone or use identified in RCDG 20D.20.10-020 locates within 825 feet of such adult entertainment facility after the date that such adult entertainment facility has located within the City in accordance with the requirements of this section. (Ord. 1919. Formerly 20C.20.015)

Exhibit 2

LANDFILLS

RCDG 20D.70 to be repealed.

Exhibit 3

TEMPORARY USES

010 Purpose.

The following provisions authorizing and regulating certain temporary uses are intended to permit temporary uses and structures when consistent with the Development Guide and when safe and compatible with the general vicinity and adjacent uses.

020 Scope.

- (1) A short term temporary use permit shall be required for any temporary use of no more than six months in duration. A short-term temporary use permit shall be valid for a fixed period up to a maximum of six months from the date the permit is issued. Applications for a short-term temporary use permit (six months or less) shall follow the procedures for a Type I review pursuant to RCDG 20F.30.30 or as modified herein. Short-term temporary use permits shall not be renewed and any temporary use that will extend beyond six months shall be conducted only after approval of a long-term temporary use permit.
- (2) A long term temporary use permit shall be required for any temporary use longer than six months in duration. A long term temporary use permit shall be valid for a maximum of two years from the date the permit is issued or the end of the permit activity, whichever comes first. Applications for a long term temporary use permit (longer than six months) shall follow the procedures for a Type V review pursuant to RCDG 20F.30.50.
- (3) A long term temporary use permit may be renewed ~~once~~, provided that:
 - (a) The permit renewal must be applied for in advance of the expiration of the original term;
 - (b) The permit renewal shall follow the procedures for a Type V review pursuant to RCDG 20F.30.50;
 - (c) The applicant shall pay a renewal fee equal to that prescribed by Council resolution for a new long term temporary use permit; and
 - (d) The application for renewal meets the Decision Criteria outlined in RCDG 20D.190.10-030(1);
 - (e) The renewal may be conditioned upon the construction or installation of such improvements that are necessary to serve the temporary use and to mitigate impacts of the temporary use, taking into account the duration of the use.

Exhibit 3

- (f) A long-term temporary use permit may be renewed for one or more additional two-year renewal terms if the conditions of this subsection are met at the time of such renewal.
- (4) Upon expiration of the initial term of a short long term temporary use permit or upon the expiration of any renewal term of a long term temporary use permit, either
- (a) The temporary use shall immediately cease and the property on which the use was located shall be restored as nearly as practicable to the state it was in prior to commencement of the temporary use, or,
 - (b) If the applicant has applied for and received all permits necessary to make such temporary use permanent, the temporary use may continue until any necessary construction under such permits is completed and the use meets all requirements for a permanent use of the property as long as the applicant diligently pursues completion of the improvements and compliance with the requirements.
- (5) The following types of temporary uses, activities and associated structures may be authorized, subject to specific limitations noted herein and as noted in RCDG 20D.190.10-030 and as may be established by the Administrator:
- (a) Outdoor art and craft shows and exhibits;
 - (b) Retail sales such as Christmas trees, seasonal retail sale of agricultural or horticultural products, firewood, seafood, etc.;
 - (c) Mobile services such as veterinary services for purposes of giving shots;
 - (d) Vending cart. No mechanical, audio or noise-making devices, nor loud shouting or yelling, will be permitted to attract attention;
 - (e) Group retail sales such as swap meets, flea markets, parking lot sales, Saturday Market, auctions, etc.;
 - (f) Temporary encampments that comply with the conditions outlined in this chapter;
 - (g) Temporary parking lots used during construction or site development;
 - (h) The Planning Director may authorize additional temporary uses not listed in this subsection, when it is found that the proposed uses are in compliance with the provisions pursuant to this chapter.
- (6) Exemptions. The following activities and structures are exempt from requirements to obtain temporary use approval:

Exhibit 3

- (a) Portable units, or modular structures when used to provide temporary classrooms at schools, provided that adequate sewer and water service is available;
- (b) Manufactured homes, portable units, modular structures, travel trailers when used as a dwelling while a residential building on the same lot is being constructed or when a damaged residential building is being repaired, when adequate sewer and water is available.
- (c) Manufactured homes when used for housing elderly or disabled relatives of the occupant of an existing residence, when such relative require constant supervision and care and when adequate sewer and water is available.
- (d) Manufactured homes, portable units, modular structures, or travel trailers when used to support construction or site development.
- (e) Guests of Redmond residents in recreational vehicles when in compliance with RCDG 20D.130.10-050;
- (d f) Recycling and collection centers that meet all of the following requirements:
 - (i) Containers and structures shall be located on private property and not on public rights-of-way. The property owner's approval must be obtained, and the Planning Department notified that the structure will be located at that site;
 - (ii) Structures shall not interfere with traffic circulation or visibility at intersections;
 - (iii) The owner's name and telephone number shall be clearly posted on the structure or container;
 - (iv) If located in a parking area, the structures or containers shall take up no more than three parking stalls. One collection structure and associated staff booth are allowed in parking lots of 200 stalls or less and one additional container and staff booth for every additional 200 stalls;
- (g) Model homes or apartments and related real estate sales and display activities located within the subdivision or residential development to which they pertain;
- (h) Garage sales, moving sales, and similar activities for the sale of personal belongings when operated not more than three days in the same week and not more than twice in the same calendar year. Allowed in all residential zoning districts;
- (i) Fund raising carwashes that meet the requirements for discharge of wastewater established by the City of Redmond Natural Resources Division;

Exhibit 3

- (j) Motorized catering such as popsicle/ice cream scooters and self-contained lunch wagons that remain at one location for no more than three hours per day;
- (k) Circuses, carnivals, fairs, or similar transient amusement or recreational activities. Such uses are subject to Chapter 5.28 RMC, Shows, Carnivals and Circuses;
- (l) Activities, vendors and booths associated with City of Redmond sponsored or authorized special events;
- (m) Individual booths in an approved temporary use site for group retail identified under subsection (3)(e) of this section;
- (n) Weekend (Saturday and Sunday) only, warehouse sales in Business Park, Manufacturing Park, and Industry zoning districts, when held no more than once a month in an existing facility.

030 Decision Criteria.

- (1) Temporary uses may be authorized only when all the following determinations can be made:
 - (a) The temporary use will not impair the normal, safe, and effective operation of a permanent use on the same site.
 - (b) The temporary use will not significantly impact public health, safety or convenience, or create traffic hazards or congestion, or otherwise interrupt or interfere with the normal conduct or uses and activities in the vicinity.
 - (c) The temporary use will not be materially detrimental to the surrounding uses in terms of traffic, noise, and other external effects.
- (2) General Conditions.
 - (a) A temporary use conducted in a parking facility shall not occupy or remove from availability more than 25 percent of the spaces required for the permanent use.
 - (b) Each site occupied by a temporary use must provide or have available sufficient parking and vehicular maneuvering area for customers or other users. Such parking need not comply with RCDG 20D.130.10-050, Parking, but must provide safe and efficient interior circulation and ingress and egress to and from public rights-of-way.

Exhibit 3

- (c) The temporary use shall comply with all applicable standards of the Seattle-King County Health Department.
 - (d) No temporary use shall occupy or use public parks in any manner unless specifically approved by the Parks Department.
 - (e) All temporary uses shall obtain, prior to occupancy of the site, all applicable City of Redmond permits, licenses and other approvals (i.e., business license, building permit, administrative approvals, etc.).
 - (d) The applicant for a temporary use shall supply written authorization from the owner of the property on which the temporary use is located.
 - (e) Each site occupied by a temporary use shall be left free of debris, litter, or other evidence of the temporary use upon completion of removal of the use.
 - (f) All materials, structures and products related to the temporary use must be removed from the premises between days of operation on the site, provided that materials, structures and products related to the temporary use may be left on site overnight between consecutive days of operation. By virtue of having been in consistent operation prior to the existence of the ordinance codified in this chapter, the open air craft and farmer's market operation, commonly known as the Saturday Market, shall be allowed to store structures on site between weekly activity of the market, but such structures must be reviewed by the Administrator annually and permission to leave them in place between market sessions may be denied if they become a visual blight, safety, or health problem. They shall be removed at the end of the permit period.
 - (g) Additional conditions may be established as necessary to ensure land use compatibility and to minimize potential impacts on nearby uses. These include, but are not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirement for screening or enclosure, and guarantees for site restoration and cleanup following temporary uses.
- (3) Temporary encampments must also meet the following criteria:
- (a) The applicant shall apply for a temporary use permit at least 30 days before the planned opening of the temporary encampment.
 - (b) The encampment shall be limited to a maximum of 100 persons. After the encampment reaches its 100-person capacity, individuals who arrive after sundown (and meet all screening criteria) will be allowed to stay for one night, after which they will not be permitted entry until a vacancy is available. Such occurrences shall be logged and reported to the City on a weekly basis.

Exhibit 3

- (c) A temporary encampment shall be limited to a maximum of 110 days within any 365-day time period at one location. This 110-day time limit shall control over the six-month time limit specified for short-term temporary uses in RCDG 20D.190.10-020(1).
 - (d) The encampment or the parking of any vehicles associated with the application shall not displace the host site's parking lot in such a way that the host site no longer meets the minimum or required parking of the principal use as required by code or previous approvals unless an alternative parking plan has been approved by the Planning Director.
 - (e) The temporary encampment managing organization shall maintain a resident log for all who are residing at the encampment. Such log shall be kept on site at the encampment. Prospective encampment residents shall be asked to provide a reasonable form of identification when signing the log.
 - (f) The Planning Director may impose additional conditions for the purpose of maintaining the health, safety, and welfare of people in and around the temporary encampment, relating but not limited to any or all of the following:
 - (i) Encampment resident code of conduct;
 - (ii) The presence of minors in the encampment;
 - (iii) The provision of transportation to/from the encampment; and
 - (iv) Setbacks and screening.
- (4) Temporary encampments shall be processed as a Type I Permit with the following modifications:
- (a) A Notice of Application shall be mailed and posted on site meeting the standards outlined in RCDG 20F.30.35-020(1) through 20F.30.35-020(3)(x).
 - (b) Posting of the Notice of Application shall meet the standards outlined in RCDG 20F.30.35-020(4) and (5).
 - (c) A minimum of one Major Land Use Action Sign shall be posted on site meeting the requirements outlined in RCDG 20F.30.40-020(4)(c).
 - (d) Prior to the decision on the application for a temporary encampment, the Administrator shall require that a neighborhood meeting be held.
- (5) Emergencies. The Administrator may waive these requirements when a natural or manmade disaster necessitates the immediate establishment of a temporary encampment.

Exhibit 4

DEFINITIONS

"A" Definitions.

Abandonment, Nonconforming Use or Structure.

All right to continue a nonconforming use is abandoned when the property owner (a) intends to abandon its right to continue the nonconforming use or structure, and (b) there is an overt act, or failure to act, on the part of the property owner which implies that the owner no longer claims or retains any interest in the right to continue the nonconforming use or structure.

Alteration, Nonconforming Structure.

Any change or rearrangement in the foundation or supporting members of an existing nonconforming structure, such as bearing walls, columns, beams, or girders, as well as any change in the means of ingress or egress (except to accommodate persons with disabilities).

"E" Definitions.

Expansion, Nonconforming Structure.

Any enlargement or expansion of a legal nonconforming structure, whether horizontally or vertically, and any increase in the area within a structure or on a site devoted to a nonconforming use.

Expansion, Nonconforming Use

Any expansion of a legal nonconforming use.

"I" Definitions.

LEGAL NONCONFORMING USES AND STRUCTURES

010 Purpose.

The City recognizes that land, structures, and uses of land and structures which do not conform to the Redmond Community Development Guide can become nuisances, can disrupt the orderly development of the City, and can create unsafe, hazardous, and unhealthful conditions. The City also recognizes that the eventual elimination of existing legal nonconforming uses and structures assists in the implementation of the comprehensive plan and benefits the health, safety, and welfare of the community. It is the intent of this chapter to establish regulations and procedures which

Exhibit 4

ensure that the elimination of legal nonconforming uses and structures occurs as fair and orderly as possible and with justice to property owner(s) and business operator(s).

015 Scope.

- 1) The requirements and thresholds established within this section apply only to development standards regulated by the Planning Department.
- 2) For requirements and thresholds established by the Department of Public Works, see RCDG20D.210.20-150, Required Off-Site Street Improvements.
- 3) For requirements and thresholds established by the Fire Department, see Chapter 15.06 RMC, Fire Code.
- 4) For requirements and thresholds established by the Building Division, see RMC Title 15 and associated referenced documents.
- 5) Nothing in this chapter shall prohibit the establishment of special regulations for specific nonconforming uses and structures regulated by other sections of the Redmond Community Development Guide. Such regulations may provide for the retirement or amortization of those specific uses and structures.

020 Legal Nonconforming Lots of Record.

Lots of record that do not conform to the dimensional requirements of the Redmond Community Development Guide may be used as otherwise permitted if they were legally created and were in conformance with the prior zoning code or were a legal nonconformance under that code.

030 Continuance of Legal Nonconformities.

Legal nonconforming uses and structures, as defined in Chapter ~~20A.60~~ 20A.20.140 RCDG, Definitions, may continue to be used and maintained in accordance with the provisions of this chapter except as otherwise provided in RCDG 20D.150.150-020, Amortization of Off-premise Signs within the Shoreline. The use and maintenance is permitted as a result of vested rights obtained through the legal establishment of the nonconforming use or structure.

040 Conditional Uses.

Any use which was originally established in a zoning district by right and has since been reclassified as a conditional use in that district shall obtain approval through the conditional use review procedure as is required before the expansion of the use or any structure related to the use.

050 Maintenance.

Ordinary and routine maintenance and repair of a legal nonconforming structures and structures containing a nonconforming use, such as painting or plumbing repair, shall be permitted as necessary to ensure the protection of general health, safety, and welfare. All legal nonconforming uses and structures are subject to all applicable property maintenance and substandard building laws.

Exhibit 4

20F.10.50-060 Abandonment of Rights to Nonconformities.

- (1) All rights to a legal nonconforming use are lost:
 - (a) If the use is changed, or
 - (b) If the use is abandoned for 12 months, or
 - (c) If the structure housing the nonconforming use is demolished or rebuilt as defined in RCDG 20A, except as provided in 070.
- (2) All rights to nonconforming parking shall be lost if the primary structure on the lot is demolished or rebuilt as defined in RCDG 20A. Rights shall not be lost if a building is merely vacated for less than one year.

070 Restoration.

Any building containing a nonconforming use or any nonconforming structure may be repaired and restored to its nonconforming state if the need for repairs or restoration shall be the result of fire, explosion, earthquake, imminent public hazard, replacement of underground fuel tanks, vandalism or other accidental destruction. Such restoration shall comply with the following conditions:

- 1) Level of Restoration. The damaged use or structure may be repaired to the area and footprint of the previous use or structure. In the case of total destruction or need for underground fuel tank replacement, a new structure may be established to the same area or footprint of the previous use or structure. Alternatively, the structure may be built to a more conforming area or footprint.
- 2) Time Limit. Building permits for the repair or restoration of the structure must commence within 18 months of the event causing damage to the structure, and the repairs must be diligently pursued until completed. (Ord. 2118)

080 Alteration or Expansion of a Nonconformance.

- (1) General. The alteration or expansion of a legal nonconforming use or structure is prohibited unless it does not increase the degree of nonconformity, or unless it is specifically permitted through an official action as stated in RCDG 20F.30.15, Types of Review. See 20D.150.200-020(3) for nonconforming shoreline structures. The alteration or expansion of a legal nonconforming use or structure is prohibited for land uses and activities listed in RCDG 20D.140.50-030 and located in Wellhead Protection Zones 1 and 2.
- (2) Bringing Nonconforming Structures into Compliance. A legal nonconforming structure shall be brought into full compliance with the Redmond Community Development Guide when alteration or expansion of the structure takes place and the following takes place within any three-year period:
 - a) The gross floor area of the structure is increased by 100 percent or more; or

Exhibit 4

- b) The costs stated on all approved building permit applications for the structure equal or exceed the value of the existing structure at the beginning of that three-year period.
- (3) Bringing Nonconforming Landscaping and Pedestrian System Area into Compliance. A nonconforming landscaping or pedestrian system area shall be brought into compliance with RCDG 20D.80.10 and 20C.40.105 in accordance with the following:
- a) When the gross floor area of the structure is increased by 100 percent or more; or
 - b) The costs stated on all approved building permit applications for the structure equal or exceed 100 percent of the value of the existing structure at the beginning of that three-year period. The percentage (by value) of the required landscaping or pedestrian system, to be installed shall be determined in the same manner as the value of the existing structure.
 - c) For the purposes of subsections (3)(a) and (b) of this section, improvements shall not include those improvements required by the City for health and safety reasons, nor ordinary repair and maintenance.
 - d) The Technical Committee shall have the authority to specify the location and phasing sequence of the landscaping or pedestrian system improvements which fall under this section.

090 Abatement of Public Nuisances.

Regardless of any provisions in this section, any nonconformance found to be a public nuisance shall be terminated.

100 Prior Nonconformance.

Any nonconformance which under the prior zoning ordinance was nonconforming and was required to terminate by a certain date shall continue to be subject to the amortization provisions of the prior zoning ordinance.

110 Illegal Uses or Structures.

Illegal uses or structures have no vested rights and no rights or privileges are conferred upon such uses or structures by this division. Illegal uses and structures shall either be brought into legal conforming status or shall be removed.

Exhibit 5 FENCES

010 Purpose

The purpose of this chapter is to provide for fences that:

- (1) Protect or enhance property and life and that are compatible with residential neighborhoods while protecting the public from hazardous fences or fences that may blight residential neighborhoods;
- (2) Increase visibility of front yards by using the principles of the Crime Prevention Through Environmental Design (CPTED) Program to increase public safety and to deter crime;
- (3) Promote and enhance the City's neighborhoods as walkable places and reduce impacts on the pedestrian experience that may result from taller fencing;
- (4) Maintain the open space character of certain residential neighborhoods and promote public view corridors by encouraging the application of non-solid styles of fencing, and landscaped screens.

020 Permits

Fences exceeding six feet in height require a building permit before being erected, altered, or relocated. Fences of six feet or lesser height are exempt from the requirement to obtain a building permit.

030 Height

- (1) **Maximum Height.** The maximum height of fences shall be as follows, provided that the requirements of RCDG 210.25, Site Clearance at Intersections are met:

Zones	Permitted Height
UR, RA-5, R1-R30	Six feet anywhere on the lot
All other zones	Eight feet anywhere on the lot, subject to landscaping requirements in <u>RCDG 20D.80.10</u> .

- (2) **Fences Adjacent to Rockeries or Retaining Walls.**
 - (a) Where a fence and a rockery or retaining wall lying within a building setback area are within five feet of each other, the combined height of the fence and rockery or retaining wall shall not exceed a maximum of eight feet except as provided in subsections (b) and (c) below.
 - (b) Staff may approve a modification to the combined height limit for fences and rockeries or retaining walls if either:

Exhibit 5 FENCES

- (i) The City's Building Code requires additional height, such as where a guard rail is required to be placed atop a retaining wall or rockery; or
 - (ii) The design of the rockery or retaining wall includes terraces that are deep enough to incorporate landscaping or other techniques that reduce the visual mass of the wall, and the fence is designed to be no more than 50 percent solid.
 - (c) The Technical Committee may approve a modification to the combined height limit for fences and rockeries or retaining walls if the modification is necessary because of the size, configuration, topography, or location of the subject property, to provide the property with the use rights and privileges permitted to other properties in the vicinity or zone in which the property is located, and the modification will not be materially detrimental to the public welfare or to abutting properties:
- (3) Measurement of Fence and Wall Height. For purposes of this Chapter, fence and wall height shall be measured as follows:
- (a) Fence height shall be measured as the vertical distance between the existing grade on the site at the base of the fence and the top edge of the slats or other fence material (exclusive of fence posts).

[INSERT GRAPHIC]

- (b) The combined height of fencing placed on top of a wall or rockery shall be measured as the vertical distance between the existing grade on the site at the base of the wall and the top edge of the slats or other fence material (exclusive of posts).

[INSERT GRAPHIC]

- (c) Where the grade within six feet of the base of a fence or wall differs from one side of the fence or wall to the other (as when a fence is placed at the top or bottom of a slope or at the top of a rockery or retaining wall), the height shall be measured from the side with the lowest existing grade.

[INSERT GRAPHIC]

040 Prohibited Locations

Fences are prohibited in critical areas, critical area buffers, native growth protection areas and easements, designated greenbelts, and designated open space, except as required by RCDG 20D.140.10-080(2).

Exhibit 5 FENCES

050 Electric, Barbed Wire, and Swimming Pool Fences

Electric, barbed wire, and swimming pool fences are permitted or required as follows:

Fence Type	Permitted Zones	Special Requirements	Other Code Requirements
Electric Fences	UR, RA-5, R-1 May be used in conjunction with the keeping of large domestic animals where allowed in R-4 through R-30 zones	<ul style="list-style-type: none"> (1) Permanent signs must be posted every 50 feet stating that the fence is electrified. (2) Fences, appliances, equipment, and materials must be listed or labeled by a qualified testing agency and be installed in accord with manufacturer's specifications. (3) Except in the UR zone, all electric fences must be set back at least 2 feet from property lines adjacent to public rights-of-way and R-4 through R-30 zones, and a second and more substantial fence with a mesh size small enough to prevent a child from reaching through, shall be located along the property line. (4) Prohibited when fronting shoreline public access areas (Shoreline Public Access System Map, Figure S-1 of the Shoreline Master Program). 	All electric fences must comply with Chapter 15.12 RMC - Electrical Code
Barbed or Razor Wire Fences	UR, RA-5, R-1, but not along property lines adjacent to other residential and commercial zones	<ul style="list-style-type: none"> (1) Commercial storage, utility and public uses may use barbed wire only on top of a fence at least six feet in height. The barbed wire shall not extend more than 18 inches above the top of the fence. (2) Prohibited when fronting shoreline public access areas (Shoreline Public Access System Map, Figure S-1 of the Shoreline Master Program). 	None
Swimming Pool Fences	All zones	All outdoor swimming pools must be surrounded with a fence at least five feet in height	All swimming pool fencing must comply with King County Health Department requirements.

060 Additional Residential Neighborhood Requirements.

Exhibit 5 FENCES

- (1) The following additional fence, rockery wall, and retaining wall requirements apply to properties located in the neighborhoods listed. The boundaries of each neighborhood are set forth in Chapter 20C.70 RCDG. Where a conflict exists between the neighborhood requirements in this section and the other provisions of this chapter, the requirements of this section shall control. Where there is no specific regulation listed for the neighborhood, the other provisions of this chapter control.

Neighborhood	Applicability	Fence or Wall Height	Design Requirements	Other Requirements
Education Hill	Applies to fences and walls in the front yard setback or adjacent to public recreational trails	42" when built in the front setback (See Figure __), except where home fronts onto arterial street	<ol style="list-style-type: none"> 1) No sight obscuring fencing materials allowed. 2) Fence must be of a non-solid type, such as split rail fencing or split rail fencing combined with dark-colored vinyl or powder-coated chain link fence. 	New gated communities in short subdivisions and subdivisions with security fencing are prohibited
North Redmond (except Wedge Subarea)	Applies to fences and walls in the front yard setback or adjacent to public view corridors, and public recreational trails	42" in any front setback area, and 42" in any street side or rear setback area adjacent to an identified pedestrian or public view corridor (See Figure __)	<ol style="list-style-type: none"> 1) No sight obscuring fencing materials allowed. 2) Fence must be of a non-solid type, such as split rail fencing or split rail fencing combined with dark-colored vinyl or powder-coated chain link fence. 	None
North Redmond Wedge Subarea	Applies to the Wedge Subarea defined in the Neighborhoods Element of the Comprehensive Plan	No special height requirements	Private residential fences may be constructed and maintained along and west of the western edge of the required maintenance easement for retaining systems on the west side of Redmond-Woodinville Road	
Willows/Rose Hill	Applies to fences in the front yard setback	42"	No special design requirements	New gated communities in short subdivisions and subdivisions with security

Exhibit 5 FENCES

				fencing are prohibited
--	--	--	--	------------------------

- (2) The Administrator may approve alternative materials or a combination of materials for the fences and walls described above when such alternative materials or combinations are demonstrated to better meet the intent of RCDG 20D.50.010.

- (3) The Administrator may also approve deviations from the maximum fence height requirements set forth in the above table in the North Redmond and Willows/Rose Hill Neighborhoods for fencing associated with swimming pools, landscaping alternatives (such as landscaped berms), or other designs that clearly meet the intent of RCDG 20D.50.010.

[INSERT GRAPHIC FOUND ON RCDG PAGES 168.14, 170.29, 172.20, AND 184.11]

Exhibit 6

EXTERIOR LIGHTING

DEFINITIONS

“F” Definitions.

Footcandle.

A unit of illumination or light intensity used to calculate lighting levels. One footcandle is equal to one lumen per foot.

“M” Definitions.

Maximum Uniformity Ratio.

The highest horizontal illuminance point provided by an exterior lighting fixture at grade divided by the lowest horizontal illuminance point or area.

Mounting Height.

The vertical distance between the bottom of a light fixture and the nearest point on the ground surface.

“O” Definitions.

Open-air Parking Lot.

An area for parking vehicles that is not enclosed by walls or roof. Parking areas on the roofs of buildings or parking garages are considered open-air parking lots.

“S” Definitions.

Security Lighting.

Lighting designed and used to discourage crime and undesirable activity.

Security Lighting, Basic.

A lighting level allowed for most developments in order to provide a reasonable level of illumination for the security of persons or property.

Security Lighting, Enhanced.

A lighting level reserved for areas where personal security is an issue, such as where an area is open to the public during all hours of the night, where special security needs exist, or where vandalism or crime is likely without the increased level of illumination.

Exhibit 6 EXTERIOR LIGHTING

EXTERIOR LIGHTING STANDARDS

010 Purpose

The purpose of this chapter is to:

- (1) Regulate exterior lighting in order to avoid unsafe and unpleasant conditions as the result of poorly designed or installed exterior lighting;
- (2) Encourage energy efficient types of lighting and otherwise implement the light and energy conservation policies of the Comprehensive Plan;
- (3) Discourage excessive lighting in order to promote the City's dark sky policies; and
- (4) Protect properties and residents in the Residential zones from the ill effects associated with non-residential and multi-family exterior lighting.

020 Applicability

- (1) When exterior lighting installation is part of a new development proposal requiring Type II – VI review, the Technical Committee shall review and approve the lighting design as part of the permitting process.
- (2) When exterior lighting is part of a proposal for redevelopment or expansion of an existing development, the Technical Committee shall review and approve the lighting design as part of the permitting process when the redevelopment or expansion increases the gross floor area or valuation of the development by the levels established in RCDG 20F.10.50-090.
- (3) This chapter does not apply to individual dwelling units, with the exception of common areas, which are regulated. Examples of common areas include, but are not limited to, pathways, clubhouses, shared driveways, parking lots, and play areas.
- (4) This chapter does not apply to public rights-of-way, which are governed by the City's street light standards and criteria.
- (5) This chapter does not apply to lighting necessary for fire, police, and public works equipment and operations when responding to an emergency or when conducting operations where such lighting is reasonably required for the proper performance of public services.
- (6) The regulation of sign lighting is governed by Chapter 20D.160 RCDG.

Exhibit 6

EXTERIOR LIGHTING

- (7) Standards for properties in Transition Overlay Areas can be found in Chapter 20D.230 RCDG, Transition Overlay Areas.

030 General Requirements.

- (1) Site lighting trespass onto adjacent residential zones and shorelines shall be minimized.
- (2) Site lighting shall minimize light spill into the dark night sky.
- (3) Exterior lighting installations shall include timers, dimmers, sensors, or photo-cell controllers that turn the lights off during daylight hours or hours when lighting is not needed, to reduce overall energy consumption and eliminate unneeded lighting. The Technical Committee may grant exceptions to these requirements for lighting located under canopies, tunnels, parking garages and similar locations.
- (4) Exterior lighting installations shall be designed to avoid luminance levels that result in disability glare. Disability glare refers to the reduction or elimination of the ability to see areas or objects due to the presence of a bright light source within the field of vision.
- (5) Fixtures and lighting systems used for safety and security shall be in good working order and shall be maintained in a manner that serves the original design intent of the system.
- (6) Vegetation and landscaping shall be maintained in a manner that does not obstruct security lighting and minimizes possible entrapment spaces.
- (7) Lighting designs shall comply with the City of Redmond Energy Code, RMC 15.18, the City of Redmond Building Code, RMC 15.08, and the City of Redmond Electrical Code, RMC 15.12.

040 Lighting Standards for Uses within 50 Feet of Residential Zones

- (1) For exterior lighting installations and fixtures within 50 feet of Residential zones, the following requirements shall apply:
 - (a) The height of lighting fixtures shall be as provided in 120, Mounting and Illumination Standards Table.
 - (b) Lighting fixtures shall be aimed and shielded in a manner that shall not direct illumination on adjacent residential zones. Fixtures should be of a type or adequately shielded so as to prevent glare from normal viewing angles.
 - (c) Additional landscaping may be required by the Technical Committee to provide light screening between commercial zones and residential zones where the same would diminish or prevent light trespass. Where landscaping is used for light

Exhibit 6

EXTERIOR LIGHTING

screening, the Technical Committee shall take into consideration the applicable landscaping standards found elsewhere in these regulations, the design standards found elsewhere in these regulations, the creation of excessive shadows or dark spaces, and views into and out of a site.

050 Open-Air Parking Lot Lighting

- (1) Mounting heights for lighting fixtures and illumination standards for open-air parking lots are set forth in 120, Mounting and Illumination Standards Table.
- (2) Open-air parking lot lighting shall be designed to provide:
 - (a) Adequate vision, comfort, and safety.
 - (b) Uniform lighting throughout the facility with no dark patches or pockets.
 - (c) A minimum value of lighting necessary for the safety and identification of features.
- (3) Open-air parking lot lighting shall not cause direct illumination on adjacent and nearby properties or streets. Fixtures should be of a type or adequately shielded so as to prevent glare from normal viewing angles.
- (4) All lighting fixtures serving open-air parking lots, except as allowed in subsection (5) of this section, shall be full cutoff fixtures as defined by the Illuminating Engineering Society of North America (IESNA).
- (5) If the design of an area suggests the use of a particular “period” or architectural style fixture, the Technical Committee may permit alternatives or supplements to the lighting described above.
- (6) During periods of non-use, the lighting of parking facilities with Basic Security lighting should be turned off or reduced to conserve energy.
- (7) The Technical Committee may allow increases from Basic to Enhanced Security lighting levels (see 120, Mounting and Illumination Standards Table), when personal security is an issue, such as where the parking facility is used during all hours of the day and night, where special security needs exist, or where vandalism or crime is possible. The Technical Committee may consider specific site characteristics, level of vehicle and pedestrian conflict, special security needs, and history or likelihood of crimes in making its determination.

060 Canopy Lighting and Lighting of Service Stations.

- (1) Lighting of such areas shall not be used to attract attention to the business.

Exhibit 6

EXTERIOR LIGHTING

- (2) Lighting levels shall be as set forth in 120, Mounting and Illumination Standards Table.
- (3) In order to minimize the extent of direct glare, light fixtures shall be mounted in one of the following manners:
 - (a) On canopies and recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy or shielded by the fixture or the edge of the canopy so that light is restrained to 85 degrees or less from vertical; or
 - (b) As indirect lighting where light is beamed upward and then reflected down from the underside of the canopy. When this method is used, light fixtures must be shielded so that direct illumination is focused exclusively on the underside of the canopy.
- (4) Lights shall not be mounted on the top or sides (fascias) of the canopy. The sides (fascias) of the canopy shall not be illuminated in a manner other than that prescribed under the section of these regulations regulating signs.
- (5) Illumination of areas around service station pump islands shall be as provided in 120, Mounting and Illumination Standards Table. At the discretion of the Technical Committee, increased lighting levels may be permitted for enhanced security purposes only.

070 Lighting of Outdoor Performance, Sport and Recreation Facilities and Playfields.

- (1) Lighting levels for outdoor performance areas, sport and recreation facilities, and playfields shall not exceed by more than five percent the Illuminating Engineering Society of North America (IESNA) published standards for the proposed activity.
- (2) Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be mounted, aimed and shielded so that their beams fall within the primary playing area and immediate surroundings, and so that no direct illumination is directed off the site.
- (3) The main lighting shall be turned off as soon as possible following the end of the event. The main lighting shall not remain on longer than 30 minutes following the end of the event. Where feasible, a low level lighting system shall be used to facilitate patrons leaving the facility, cleanup, nighttime maintenance and other closing activities. Illumination of the low lighting system shall be as provided in 120, Mounting and Illumination Standards Table.

080 Security Lighting.

Exhibit 6

EXTERIOR LIGHTING

- (1) Security Lighting should use the lowest possible illumination to effectively allow surveillance. Illumination standards are set forth in 120, Mounting and Illumination Standards Table.
- (2) All security lighting fixtures shall be full cutoff fixtures as defined by the Illuminating Engineering Society of North America (IESNA).
- (3) Security lighting shall be shielded and aimed so that illumination is directed to the designated areas.
- (4) Where a proposed security lighting application is not identified in 120, Mounting and Illumination Standards Table, the table shall be used as a guide for establishing the range of permissible light levels.
- (5) Where a guardhouse or other manned security enclosure is used to provide security at a site, all security lighting shall be dimmable to lower levels at night in order to allow visibility from the guardhouse or security enclosure.

090 Architectural Accent Lighting.

- (1) Fixtures used to accent architectural features, materials, colors, style of buildings, or art shall be located, aimed and shielded so that light is directed only on those features. The Technical Committee may allow exceptions to this provision if minimal light escapes into the dark night sky or onto adjacent properties.
- (2) Maximum illumination levels shall be as provided in 120, Mounting and Illumination Standards Table.
- (3) Flags of the United States or Washington State may be illuminated from below provided such lighting is focused primarily on the individual flag or flags.

100 Lighting of Landscaping.

Illumination of landscaping shall utilize diffused or muted lighting, and avoid glare.

110 Temporary Lighting.

- (1) Lighting used to illuminate temporary uses shall be reviewed, and if necessary conditioned, through the Temporary Use Permitting Process.
- (2) The Technical Committee may impose specific conditions for the lighting of temporary uses consistent with the purposes of this title.

Exhibit 6 EXTERIOR LIGHTING

120 Mounting and Illumination Standards Table.

Condition/Type of Lighting	Within 50 feet of residential zones	Open Air Parking Lot	Canopy Lighting and Lighting of Service Stations (applies to areas around service station pump islands)	Outdoor Performance, Sport and Recreation Facilities and Playfields (low level lighting system)	Architectural Accent Lighting	Security Lighting Applications					
						Large Open Areas	Buildings	Perimeter Fence	Entrances (in inspection area)	Gatehouses (measured on the work-plane in the gatehouse)	Pedestrian Pathways and Access Routes
Maximum Mounting Height	15' above grade	15' if alternative to full cutoff fixture as defined by the Illuminating Engineering Society of North America (IESNA) or on top level of multilevel parking facilities 25' otherwise	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Minimum Footcandles (fc) on Ground	N/A	Basic Security = 0.2 fc Enhanced Security = 0.5 fc	1.0 fc	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Maximum Footcandles (fc) on Ground	N/A	Basic Security = 4.0 fc Enhanced Security = 7.5 fc	5.0 fc	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Average Footcandles (fc) on Ground	N/A	N/A	N/A	3.0 fc	N/A	N/A	0.5 - 2.0 fc ¹	0.5 fc	10 fc	30 fc	4 - 6 fc
Maximum Uniformity Ratio	N/A	Basic Security = 20:1 Enhanced Security = 15:1	4:1	4:1	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Minimum Footcandles at 5' above Ground	N/A	Basic Security = 0.1 fc Enhanced Security = 0.25 fc	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Maximum Footcandles (fc) of any vertical surface in dark surroundings	N/A	N/A	N/A	N/A	3.0 fc	N/A	N/A	N/A	N/A	N/A	N/A
Maximum Footcandles (fc) of any vertical surface in light surroundings	N/A	N/A	N/A	N/A	5.0 fc	N/A	N/A	N/A	N/A	N/A	N/A

Notes:
1. The greater the brightness of the surrounding area, the higher the illuminance required to balance the brightness.

Exhibit 7

TRANSPORTATION STANDARDS

DEFINITIONS

“A” Definitions

Alley.

A vehicular passageway through the middle of a block providing access to the rear of lots or buildings.

“C” Definitions

Concomitant Agreement.

An agreement recorded against the title of a parcel of land under which a property owner binds the property to certain terms and conditions in exchange for development approval.

“I” Definitions

Intersection.

Where two or more public and/or private alleys, roads, streets, or commercial, industrial or multi-family residential driveways meet or cross.

“P” Definitions

Peak Hour, A.M.

The consecutive 60-minute period during the a.m. hours which experiences the highest sum of traffic volumes as determined by the City on a roadway segment passing through a roadway intersection, or entering or leaving a development.

Peak Hour, P.M.

The consecutive 60-minute period during the p.m. hours which experiences the highest sum of traffic volumes as determined by the City on a roadway segment passing through a roadway intersection, or entering or leaving a development.

TRANSPORTATION STANDARDS

10 Transportation Concurrency

10-010 Purpose.

The purpose of this division is to:

Exhibit 7

TRANSPORTATION STANDARDS

- (1) Comply with the requirement of the Growth Management Act (GMA) that the City; “adopt and enforce ordinances which prohibit development approval if the development causes the level-of-service on a transportation facility to decline below the standards adopted in the Transportation Element of the Comprehensive Plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development,”
- (2) Establish a transportation level-of-service (LOS) standard that seeks to balance mobility, circulation and access¹ demands from existing and future development, with the City’s future vision, framework policies and policies in the various elements of the Comprehensive Plan;
- (3) Implement the City’s transportation LOS standard set forth in Transportation Element Policy TR-4², establishing the specific relationship between implementation of the Transportation Facility Plan (TFP) and future development;
- (4) Provide for “concurrency testing” prior to the submittal of a development application in order to assess development impacts and to determine whether a proposed development will negatively affect the City’s transportation LOS standard;
- (5) Document a development’s compliance with the City’s transportation LOS standards by providing for the issuance of a certificate of concurrency for developments that pass the concurrency test; and
- (6) Provide options for developments that do not pass the concurrency test, subject to the approval of the Administrator.

10-020 Application

This section applies to:

- (1) All development approval applications filed after its effective date that generate demand for more than 25 mobility units (MU).
- (2) Phased Development. A phased development is any development involving multiple buildings where issuance of building permits could occur for individual buildings. The requirements of this section shall be applied at the time of approval of the initial phase and may be adjusted for each subsequent phase based on the cumulative impact of all the phases.

¹ The Redmond *Comprehensive Plan*, Transportation Element describes these demands as follows: “To achieve Redmond’s transportation vision, the policies have been developed with a common understanding of the concepts of mobility, circulation, and access. “Mobility” is the ability to travel over distances; “circulation” is the ability to move about within an area, connecting different localized land uses; and “access” is the ability to get to individual destinations.

² Redmond Comprehensive Plan, Transportation Element, p. 9-3.

Exhibit 7

TRANSPORTATION STANDARDS

- (3) **Single Projects.** All development applications which have been submitted by the same developer on the same or contiguous parcel of land as a single project within the one-year period immediately prior to a current application will be considered along with the current application as being a single application for purposes of determining under subsection (1) above, whether this section applies.
- (4) **Change in Occupancy.** This section will apply to applications for tenant improvements if a proposed new use or an expanded existing use will generate demand for more than 25 additional MU.
- (5) **Concomitant Agreements.** Unless the agreement specifically provides otherwise, this section applies to any development application that is subject to an existing concomitant agreement.
- (6) **Reconstruction of Destroyed Buildings.** If a building is destroyed by fire, explosion or act of God or war, or is demolished and is reconstructed in accordance with the RCDG, it will not be required to comply with this section unless the reconstructed building generates demand for more than 25 MU in excess of those produced by the destroyed building prior to its destruction.
- (7) **Development Agreements.** A development agreement may include a provision whereby the City may grant a certificate of concurrency for a proposed development that meets the requirements of this division. In the development agreement, the City may also specify the length of time for which a certificate of concurrency is valid.

10-030 Relationship to the State Environmental Policy Act (SEPA)

This division establishes minimum requirements applicable to all developments and is not intended to eliminate the use of the State Environmental Policy Act (SEPA). An analysis of development specific impacts, particularly transportation safety and operational issues will occur, with mitigation identified as allowed under the authority of SEPA.

10-040 Administration

The Administrator shall be responsible for the administration of this division and may adopt rules for its implementation, provided the Administrator shall first hold a public hearing. The Administrator shall publish notice of intent to adopt any rule and the date, time and place of the public hearing thereon in a newspaper of general circulation in the City at least 20 days prior to the hearing date. Any person may submit written comment to the Administrator in response to such notice, and/or may speak at the public hearing. Following the public hearing the Administrator shall adopt, adopt with modifications, or reject the proposed rules.

10-050 Concurrency and the Transportation Level-of-Service (LOS) Standard

Exhibit 7

TRANSPORTATION STANDARDS

The City shall issue a certificate of concurrency only if the City is able to determine that the unallocated mobility unit (MU) supply necessary to provide for the MU demand from a proposed development is available at the time of opening or within six years, consistent with the City's transportation level-of-service (LOS) standard.

To calculate the MU supply available to serve proposed development, the City shall include complete and fully committed Transportation Facility Plan (TFP) or six-year program improvements.

10-060 Review of Development Proposals – Concurrency Testing

The Administrator will use the Comprehensive Plan's land use growth target and Transportation Facility Plan (TFP) to determine the mobility unit (MU) demand expected from the growth target and MU supply provided by the TFP. The MU demand shall be determined by calculating the person miles of travel (PMT) generated by development, and shall consider the design, density, diversity of the development, including commute-trip reduction strategies, internal, diverted, and pass-by trips from existing traffic in evaluating the MU demand. The PMT shall be translated into MU demand such that one unit of PMT is equal to one unit of MU demand.

The MU supply provided by the TFP will be implemented through the six-year program. The Administrator shall calculate the MU supply available in each year of the six-year program and determine transportation concurrency for each new development by ensuring that the MU demand from a development does not exceed the MU supply that the City is able to provide for that development under the six-year plan. This analysis of the MU demand and MU supply relationship is a concurrency testing requirement to maintain the City's transportation level-of-service (LOS) standard under the Plan-Based concurrency system.

The concurrency testing process is divided into the following steps:

- (1) Application. Any proposed development which is subject to this division shall be tested for transportation concurrency by the Administrator to determine compliance with the City's transportation concurrency policies and regulations;
- (2) Certificate of Concurrency. A proposed development passes the transportation concurrency test if the mobility unit (MU) demand from the proposed development is less than or equal to the unallocated MU supply from TFP. The Administrator shall issue a certificate of concurrency to a proposed development that passes the concurrency test. A valid certificate of concurrency is necessary for development approval.

A certificate of concurrency shall include an adequate description of the development proposal to which the certificate applies, and any further information necessary to administer this division. The certificate may not be transferred to another proposed development unless approved by the Administrator.

A certificate of concurrency shall be valid for 180 days. The certificate of concurrency will remain valid if a complete development application is received by the City within

Exhibit 7

TRANSPORTATION STANDARDS

180 days of the certificate being issued and subsequently for the duration that development application is under review by the City. A certificate of concurrency will continue to be valid for the same period of time as the development approval granted by the City. If the development approval does not have an expiration date, the certificate of concurrency shall be valid for one year, and then up to two one-year extensions upon approval by the Administrator.

- (3) Certificate of Concurrency Denial. A certificate of concurrency will be denied if the unallocated MU supply is less than the MU demand from the proposed development.
- (4) Administrator's Decision and Appeal Process. Decisions made by the Administrator pursuant to this division may be appealed as specified in RMC Impact Fees.
- (5) Expiration. A certificate of concurrency shall expire:
 - (a) If a complete application for the development for which concurrency is reserved is not made within 180 days of issuance of the concurrency certificate. If a certificate of concurrency expires before a complete development application is submitted to the City, the developer must wait 30 days before submitting another concurrency application request for the same development; or
 - (b) If either the related development application expires or is denied, or if the related development approval expires or is revoked by the City.

10-070 Available Options When the Mobility Unit (MU) supply is Insufficient to Serve a Proposed Development

- (1) If a development is tested for transportation concurrency, and does not pass, the developer may:
 - (a) Reduce the size of the proposed development until the MU demand is equal to or less than the MU supply that is available;
 - (b) Delay the proposed development until the City or others increase the MU supply;
 - (c) Obtain supplemental mitigation by purchasing sufficient MUs to serve the MU demand of the proposed development;
 - (d) Upon approval by the Administrator, a developer may implement TDM strategies as supplemental mitigation provided that the MU demand from a proposed development is reduced due to the elimination of trips, and the TDM strategies become a legal project approval condition of the development. The Administrator will determine, consistent with accepted engineering and planning practice, the appropriate reduction in trips and mode split to be applied to the proposed development, and shall review and approve the TDM strategies proposed by the developer, provided that:

Exhibit 7

TRANSPORTATION STANDARDS

- (i) These strategies shall be pre-negotiated and approved by the Administrator;
 - (ii) There shall be methods to monitor and enforce TDM performance, and a fallback plan which would be implemented if the development fails to achieve TDM goals within two years;
 - (iii) The TDM strategies become a condition tied to all future owners of the development and property; and,
 - (iv) The TDM strategies meet the criteria of subsection (3) below.
- (2) Payment for and Timing of Supplemental Mitigation. If allowed by the Administrator, a developer may provide funding in an amount equal to the City's estimated cost of the necessary MUs. The cost per MU supplied shall be indexed for inflation using the same method used to update transportation impact fees. The Administrator, with the concurrence of other affected City departments, may provide for latecomer agreements as provided by state law or for other reimbursement from properties benefited by the improvements unless the City Council finds reimbursement to be inappropriate. The Administrator may require that a developer build or implement a transportation improvement, rather than provide funding.

Funds for transportation improvements must be paid by the developer to the City prior to issuance of a building permit, final plat approval or other approval requiring improvements under this section; provided that the developer may, at the Administrator's option, submit an assurance device in a form approved by the Administrator.

A developer providing supplemental mitigation may receive credit towards payment of required transportation impact fees. Credit determination shall be made according to RMC Impact Fees.

- (3) Supplemental Mitigation Decision Criteria – Acceptable Supplemental Mitigation requires a finding by the Administrator that:
- (a) The supplemental mitigation meets the definition outlined in Chapter 20A.20 RCDG; or if a developer proposes as supplemental mitigation a transportation improvement that is not identified in the City's Transportation Facility Plan (TFP), the transportation improvement must first be considered and approved as an amendment to the Comprehensive Plan before the supplemental mitigation is approved.
 - (b) The MU supply is available concurrent with the development or that a financial commitment is in place to complete the improvement that provides the MU supply within six years.

Exhibit 7

TRANSPORTATION STANDARDS

- (c) The effect of the improvement would not result in a reduction or the loss of another transportation objective, including but not limited to maintaining high occupancy vehicle lanes, sidewalks, paths, trails, or bicycle lanes.
 - (d) Any adverse environmental impacts of the proposed transportation improvement can be reasonably mitigated.
 - (e) The improvement is consistent with accepted engineering and planning standards and practices.
 - (f) Where practical, transportation improvements required as part of supplemental mitigation, should be made at locations most impacted by the development.
 - (g) A developer proposing TDM strategies demonstrates that the MU demand is reduced. The developer must have additional strategies to address a situation where the reduction in MU demand is not met by the developer's initial TDM strategies.
 - (h) Notwithstanding the foregoing, the Administrator has the authority to require correction of a documented safety-related deficiency.
- (5) Supplemental Mitigation Denial Process. If the Administrator determines that the proposed supplemental mitigation does not meet the requirements of this section, the Administrator may deny the issuance of a certificate of concurrency.

15 Transportation Management Program

15-010 Requirement

- (1) All development applications that warrant transportation mitigation are required to comply with this division. For purposes of the Transportation Management Program (TMP), transportation mitigation is warranted when:
 - (a) A commercial or industrial development generates 30 or more new vehicle trips and has at least 25 employees arriving at the site during the a.m. peak hour, p.m. peak hour, or both, provided, that in mixed-use developments a TMP is required only for the commercial or industrial portion of the development; or
 - (b) The TMP is required in order for a development to achieve concurrency as required in 10, Concurrency; or
 - (c) The TMP is required based on the amount of parking to be provided by the development, as required in Chapter 20D.130 RCDG, Parking.

Exhibit 7

TRANSPORTATION STANDARDS

- (2) Where a TMP is required under subsection (1)(b) above, the TMP may be required to exceed the requirements of this section if necessary in order to achieve concurrency.
- (3) The fee charged for the review and monitoring of a TMP shall be set by ordinance.

15-020 Program Objective

The building owner shall implement a transportation management program to reduce the level of traffic generation during the a.m. and p.m. peak hours.

15-030 Program Performance

- (1) A program performance level shall be determined by the City of Redmond (as represented by the Technical Committee) and shall be defined in terms of a not to exceed percentage of single occupancy vehicle (SOV) use during combined a.m. and p.m. peak (commuter) periods. The program performance level shall be no greater than 70 percent single occupancy vehicles for program approval (i.e., for every 100 commuters arriving at the worksite during peak commute periods, a maximum of 70 would be in single occupancy vehicles). In the Overlake Neighborhood, the program performance level shall be no greater than 60 percent single occupancy vehicles for program approval.
- (2) This performance level shall be met within a period of two years, and shall be further defined in terms of target annual achievement levels for each of the two years. The peak hour trip generation forecast as indicated by an accepted project transportation analysis shall serve as the base for applying the performance requirement.

15-040 Required Program Activities

Upon determination of the Technical Committee, the building owner will provide for implementation of these program elements or their equivalent for program approval:

- (1) Administration. A TMP designed to achieve the City's program performance level.
- (2) Occupant Survey. Within six months of substantial occupancy, a survey of occupants will be conducted to determine commute modes, needs and preferences. An annual survey (approved by the City of Redmond) to assess program performance shall be performed. Examples of acceptable survey methods include commute trip reduction surveys, driveway surveys or survey sampling methods that can be demonstrated to be statistically equivalent to these methods. Upon meeting the program performance level, a survey shall be conducted every two years.
- (3) Transportation Coordinator. Appoint a transportation coordinator prior to building occupancy permit approval. The transportation coordinator should maintain records related to program implementation which would be annually submitted to the Technical Committee to monitor progress toward meeting a target goal.
- (4) Promotion.

Exhibit 7

TRANSPORTATION STANDARDS

- (a) There shall be an annual distribution of transportation information resources to all employees at the site for distribution to employees.
 - (b) Special transportation promotion, "Transportation Day," to increase occupant awareness of available programs and commuting alternatives.
- (5) **Preferential Parking for Carpools, Vanpools, and Bicycles.** Preferential parking near main building entrances shall be designated subject to site plan approval. Preferential parking spaces shall be signed, and parking by nonregistered vehicles prohibited and enforced. Designated preferential parking shall be sufficient to meet demand, up to 10 percent of the total parking spaces provided. Bicycle racks shall be installed near main occupant entrances and screened from adverse weather conditions. Bicycle racks shall be made available for a minimum level of use of 7.5 percent of the occupant population at each site.
 - (6) **Transportation Information Centers.** For all buildings occupied by at least 25 occupants, transportation and commute information will be placed in a visible location.
 - (7) **Transportation Management Program information** shall be distributed as a component of new employee orientation programs.
 - (8) The property owner will provide for joining and maintaining membership in a Transportation Management Association (if established) in the vicinity of the development. The transportation coordinator will serve as a representative to the Transportation Management Association.
 - (9) **Incentives.** At least one financial incentive equivalent to 25 percent of a monthly peak period two-zone bus pass and offered to all affected occupants at the site will be implemented. Financial incentives such as subsidized bus passes, carpool mileage, commuter club incentives, subscription "custom" bus service and direct pay bonuses for occupant contribution to success are acceptable and effective methods of reaching target goals. Other equivalent program elements (such as parking pricing) may also be proposed for inclusion in the TMP, subject to approval by the Technical Committee's finding that the alternate program will be equally effective.
 - (10) **Contingency Measures.** At least one additional financial incentive or other equivalent program element will be identified for implementation in the event that two consecutive TMP reports show that target goals are not met.
 - (11) A property owner may propose a demonstrated, equally effective alternative in lieu of a required element. Substitution of such alternatives is subject to approval by the Technical Committee.

15-060 Program Review

Following implementation of the program, the Technical Committee shall periodically review progress towards meeting transportation objectives and program effectiveness with the intent that new and innovative program activities (including required program elements) may be initiated and less effective program activities revised or omitted. The Technical Committee will review

Exhibit 7

TRANSPORTATION STANDARDS

the annual transportation management report and determine a successful achievement for that period.

15-070 Program Implementation

- (1) By entering into a TMP, the property owner recognizes that the terms and conditions of an approved TMP are binding upon the property for the lifetime of the development. The TMP shall be recorded with the King County Department of Records and Elections and will be binding upon the property owner, its successors in interest and assigns, as to the property. Any changes or revisions to a TMP requested due to change of ownership must at least comply with the minimum requirements in effect at the time the change or revision is requested and are subject to approval of the city.
- (2) Failure to implement the TMP may result in the imposition of penalties as provided for by Chapter 1.14 RMC.

20 Street and Access Standards

20-010 Purpose

The purpose of this division is to establish street and access standards to implement:

- (1) RCDG Title 20B, Comprehensive Plan;
- (2) The City of Redmond Transportation Master Plan; and
- (3) The Neighborhood Street Plans found in the Neighborhoods Element of the Redmond Comprehensive Plan or in Chapter 20C.70 RCDG.

20-020 Scope.

The requirements of this division shall apply to all development in the City processed under Chapter 15.08 RMC, Building Code, and RCDG Titles 20C, 20D, and 20F. No permit shall be issued nor approval granted without compliance with this section.

20-030 Street Classification.

Streets and rights-of-way are classified as freeways, principal arterials, minor arterials, collectors, connectors, local access streets, and alleys. A description of each of these classifications is contained in Section 5D of the City's Transportation Master Plan.

20-040 Street Plan

Exhibit 7

TRANSPORTATION STANDARDS

- (1) Streets shall be designated and located to conform to the Transportation Master Plan and the Neighborhood Street Plans. Where not part of an adopted plan, streets shall be designed to:
 - (a) Provide multimodal street improvements according to City standards;
 - (b) Complete missing links and improve connections among adjacent neighborhoods;
 - (c) Provide access to and from public transportation facilities;
 - (d) Maintain continuity of the street pattern;
 - (e) Avoid creation of excessively large blocks on local access streets; and
 - (f) Manage access to arterials.
- (2) Where topography or other conditions make achievement of the design objectives in subsection (1) impractical, street design shall conform to a system approved by the Technical Committee.

20-050 Access

- (1) Lot Access. All lots shall have access to a public right-of-way via direct access to the right-of-way, an easement recorded with King County, or a private drive or road. The specific design of property access shall be based on standards and guidelines established or approved by the City of Redmond.

Where feasible access is available from a property to more than one public right-of-way, the property shall access the lower classification street as defined in 20-030. Access is feasible when it provides a direct connection via easement, private road, or other means to a public right-of-way and when it meets minimum Fire Code access requirements.

- (2) Waterfront Access. Rights-of-way may be required to be extended to water bodies and/or the center of watercourses as land is developed to provide public access.

[INSERT GRAPHIC REPRESENTATIVE OF REDMOND STREETS]

20-060 Required Public Improvements.

Except as provided in subsection (4) below, it shall be a condition of approval for development permits that public improvements including paving, curbs, sidewalks, storm drainage, street lights and underground utilities conforming to the standards adopted by the Technical Committee shall be installed by the applicant prior to final approval or occupancy as follows:

- (1) This section shall apply to:

Exhibit 7

TRANSPORTATION STANDARDS

- (a) New commercial, industrial or residential construction (except for accessory dwelling units).
 - (b) Subdivisions.
 - (c) Dedication of private streets.
 - (d) Remodeling or additions to existing commercial, industrial, or multi-family residential buildings or conversions to these uses that increase gross floor area by 20 percent or greater, or any alterations or repairs which exceed 100 percent of the value of the previously existing structure.
 - (e) Remodeling or additions to existing single-family residential buildings located on an arterial, along a designated Lake Washington School District school walk route, in the Downtown, or within 350 feet of an improved section of roadway that increase the gross floor area by 100 percent or more, or any alterations or repairs which exceed 100 percent of the value of the previously existing structure. The Technical Committee may waive this requirement if any of the conditions set forth in subsection (4) below are present.
- (2) Street improvements shall as a minimum include half the street abutting the property, but may extend to full-street improvements to ensure safe movement of vehicles, bicyclists or pedestrians. Additional construction may also be required beyond the property frontage to the minimum extent to ensure safe movement of vehicles, bicyclists or pedestrians, to ensure safe walking conditions for students who walk to and from school, and to connect with nearby improvements within 350 feet.
- (3) Other public improvements may be required by the Development Guide as part of street improvements for development. These may include, but are not limited to, sidewalks, landscaping, street trees, pedestrian and equestrian paths, curb ramps, safety railings, guard rails, traffic calming measures, and transit and bicycle facilities.
- (4) Improvements required by this section shall not be required if the Technical Committee determines that any of the following conditions are present:
- (a) The impacts of the development do not contribute to the need for the required improvement or dedication; or
 - (b) The improvements required by this section do not alleviate or mitigate any need created by the development; or
 - (c) The required improvement or dedication is not related either in nature or extent to the impact of the proposed development, i.e., the improvement or dedication is not roughly proportional to the impacts of the development; or
 - (d) If constructed, the use or operation of the improvements would decrease traffic safety; or

Exhibit 7

TRANSPORTATION STANDARDS

- (e) The street is planned to be improved as a whole through a fully funded capital improvement project programmed by the City, County or State, and
 - (i) The developer contributes to the cost of the improvement through payment of traffic impact fees or other payment based on the impacts of the development; and
 - (ii) The property owner signs a covenant not to oppose formation of a Local Improvement District (LID) for the planned improvement.

If the Technical Committee determines that improvements are not required under this subsection, the Technical Committee may still require the applicant to furnish and implement an interim street plan to bring the roadway up to the existing character of surrounding streets and pedestrian facilities.

20-070 Traffic Control, Safety Devices and Street Lights.

- (1) As a condition of development approval, the Director of Public Works may require that all or any portion of the needed traffic control and safety markings, signs, signals, street lights, turn lanes, traffic calming measures, and other devices be installed or funded. The requirement for these items shall be based on warrants and guidelines established by the City of Redmond, the Washington State Department of Transportation (WSDOT), the American Association of State Highway and Transportation Officials (AASHTO), and the Manual on Uniform Traffic Control Devices (MUTCD). Such devices shall only be required when it is clearly demonstrated that the development itself or in conjunction with other developments is causing the need for the improvement.
- (2) Whenever any construction within or adjacent to any public street will result in street lights being temporarily removed or disconnected for more than 24 hours, the party proposing such temporary removal or disconnection shall be required to submit a temporary lighting plan for review and approval by the Public Works Department before any removal or disconnection takes place. The Public Works Department shall approve the temporary lighting plan only if adequate provisions are made for the safety of vehicles and pedestrians during periods in which the street lights will be removed or disconnected for more than 24 hours.
- (3) Whenever any construction within or adjacent to any public street will result in the temporary closure of all or any portion of any sidewalk or other public walkway, the party proposing such temporary closure may be required to submit a temporary pedestrian linkage plan for review and approval by the Public Works Department before any closure takes place. The Public Works Department shall approve the temporary pedestrian linkage plan only if adequate provisions are made for the safe passage of pedestrians during the periods when the sidewalk or walkway will be closed.

20-080 Right-of-Way and/or Easement Dedication.

Exhibit 7

TRANSPORTATION STANDARDS

Where a planned street right-of-way or roadway, sidewalk, slope or utility easement, as indicated by 20-040 or as is necessary to complete a public City street, lies within a proposed development, the fee owner of the property shall be required to dedicate the right-of-way to the City as a condition of approval under RCDG Title 20F, Administration and Procedures. Prior to acceptance of the right-of-way and/or easement by the City, the fee owner will be required to remove or subordinate any existing private easements or rights that encumber the property to be dedicated, and shall be required to remove any encroachments on such easements or rights-of-way.

20-090 Private Streets.

Local access streets serving less than 10 single-family homes may be private, subject to the approval of the Technical Committee. If agreed to by the City, private streets may be dedicated to the City but only upon meeting all requirements of 20-060, Required Public Improvements.

20-100 Construction Specifications and Design Standards.

Street and right-of-way improvement construction specifications, standardized details, and design standards shall be prepared by the Director of Public Works. The specifications shall include, but are not limited to, the following: street widths, curve radii, alignments, street layout, grades, sidewalk placement and standards, length of cul-de-sacs, intersection design, sight distance and clearance, and driveway location. Amendments to these standards may be made as conditions warrant. The specifications and any amendments shall be made available to the public and become an appendix to the Development Guide. Alternative street designs may be approved by the City Council to encourage innovative designs or reduce disturbance to the natural setting if it finds that the alternative meets the intent of this chapter.

20-130 Performance Assurance.

To ensure compliance with this section, the provisions of RCDG 20F.20.60-060, Performance Assurance, shall be met.

25 Sight Clearance at Intersections

25-010 Purpose

The purpose of this section is to ensure adequate sight distance for all users at intersections.

25-020 Sight Distance Triangle

The sight distance triangle is described by two intersecting lines of a specified length (a) and (b) which correspond to the straight line projections of the pavement edges or curb face and a third line which connects the extremities of the other two, as shown in the illustration below. The location of the pavement edge or curb face shall be for a fully developed street that meets City standards for the classification.

Exhibit 7

TRANSPORTATION STANDARDS

[REPLACE TABLE WITH ILLUSTRATION]

[RETAIN ILLUSTRATION]

25-030 Obstructions Prohibited

The obstruction of a motor vehicle operator's view at an intersection shall be prohibited within the "Sight Distance Triangle" described in this section and in the City of Redmond's construction "Standard Specification and Details" between a height of two feet and eight feet above existing street grade.

Fences; hedges; and signs, shrubs, natural vegetation and trees and other inanimate objects greater than 18 inches in width or diameter are not allowed in the Sight Distance Triangle. Traffic control devices; and utility poles, trees and other opaque inanimate objects 18 inches or less in width or diameter are allowed in the sight distance triangle when spaced at an adequate distance to not significantly obstruct the site distance triangle.

[RETAIN ILLUSTRATION]

25-040 Vertical Sight Distance at Intersections

- (1) Minimum vertical sight distances shall be established by the Department of Public Works consistent with vehicular speeds and stopping sight distance.
- (2) These standards shall be published, placed in the appendix of the Development Guide and be made available to the public.

25-050 Special Cases

Where unusual conditions, such as roundabouts, preclude the application of this section in a reasonable manner, the Department of Public Works may establish minimum sight distances based on the intent of this section. These minimum sight distances may be more restrictive than provided in RCDG 20D.210.25-040. Minimum sight distances for roundabouts are provided in the City's Roundabout Design Manual.

30 Pedestrian, Bicycle and Other Non-Motorized Connections.

30-010 Purpose.

The purpose of this section is to ensure connectivity between the various neighborhoods of the City by providing facilities for the mobility and safety of pedestrians and non-motorized conveyances.

30-020 Required Installation

Exhibit 7

TRANSPORTATION STANDARDS

As development occurs, sidewalks, bike lanes, multi-use paths, and trails shall be provided. Installation is required as a condition of development approval.

30-030 Location

Sidewalks, bike lanes, multi-use paths and trails shall be provided in public rights-of-way or easements across private property that guarantee public access after consideration of the following factors:

- (1) Compliance with RCDG Title 20B, Comprehensive Plan;
- (2) Need to improve access to public facilities;
- (3) Need to connect a development with trails;
- (4) Need for access between developments;
- (5) Compliance with the standards of 20, Street and Access Standards;
- (6) Need for sidewalks on one or both sides of a street;
- (7) Compliance with RCDG Appendix 20C-1; and
- (8) Compliance with RCDG 20C.40, Downtown, 20C.45 Overlake, and 20C.70, Neighborhoods.

30-040 Construction Specifications

Construction specifications and design details for sidewalks, bike lanes, multi-use paths, and trails shall be prepared by the Director of Public Works or incorporated in the Parks, Arts, Recreation and Conservation Plan.

EXHIBIT 8 UTILITY STANDARDS

DEFINITIONS

“V” Definitions

Value, Existing Structure.

The value established by the records of the King County Assessor or, where the applicant disagrees with such value, the value established by a current appraisal of replacement value that is:

- (1) Prepared by an appraiser licensed by the State of Washington to appraise properties of the type at issue; and
- (2) Paid for by the applicant; and
- (3) Determined to be accurate and reliable by the Administrator.

UTILITY STANDARDS

10 Adequate Public Facilities and Services Required.

10-010 Purpose.

The purpose of this chapter is to ensure that public facilities and services necessary to support development are adequate or will be provided in a timely manner consistent with the Public Facilities and Services planning goal of the Washington State Growth Management Act, as amended, and the policies of the Redmond Comprehensive Plan by:

- (1) Specifying the on-site and off-site facilities and services that must be in place or otherwise assured of timely provision before development.
- (2) Allocating the cost of those facilities and services based upon the extent to which the development contributes to the need for such facilities and services.
- (3) Providing a mechanism to relate development standards and other requirements of the Redmond Community Development Guide to:
 - (a) Adopted service level standards for public facilities and services.
 - (b) Procedural requirements for phasing development projects to ensure that services are provided as development occurs.

EXHIBIT 8

UTILITY STANDARDS

- (c) The review of development permit applications.

10-020 General Requirements.

- (1) All new development proposals including any use, activity, structure or division of land allowed by the Redmond Community Development Guide (RCDG) or the Redmond Municipal Code that requires City of Redmond approval shall be adequately served by the following facilities and services prior to the time of occupancy, recording, or other land use approval, as further specified in this chapter:
 - (a) Sewage disposal.
 - (b) Water supply.
 - (c) Surface water management.
 - (d) Streets, sidewalks, trails, and access.
 - (e) Fire protection service.
- (2) All improvements, dedications, or property transfers required under this division shall meet the following requirements:
 - (a) The impacts of the development must contribute to the need for the required improvement, dedication, or transfer.
 - (b) The required improvement, dedication, or transfer must alleviate or mitigate the need created by the development.
 - (c) The required improvement, dedication, or transfer must be related in nature and extent to the impact of the development, i.e., it must be roughly proportional to the impact of the development.
- (3) Requests to Modify or Rescind Requirements.
 - (a) An applicant may request that the Technical Committee modify or rescind a required improvement, dedication, or transfer if the requirement does not meet all of the provisions of subsection (2) of this section.
 - (b) The applicant shall explain what condition justifies the modification or rescission. The request shall be made in writing and be made no later than the end of the appeal period for the approval that imposes the required improvement, dedication, or transfer.
 - (c) The Technical Committee shall adopt written findings and conclusions documenting its decision to approve or deny the request. The findings and

EXHIBIT 8

UTILITY STANDARDS

conclusions shall document whether (i) the development contributes to the need for the required improvement or dedication and (ii) the required improvement or dedication is roughly proportional to the impact from the development. The Technical Committee shall consider whether credits, latecomer's fees, or other measures can be used to modify the required improvement, dedication, or transfer so that it is roughly proportional to the impact from the development.

- (d) As a condition of approving an exception, the Technical Committee may require:
 - (i) Those dedications or improvements necessary to mitigate the impacts of the development; and
 - (ii) The applicant to furnish an interim improvement plan to mitigate the impacts of the development. Any interim improvement plan may include a covenant consenting to formation of a local improvement district, and a plan for the installation of improvements that will bring the facility up to the adopted level of service standards. Any requirement to prepare an interim plan shall be proportionate to the scale of the proposed development.

10-030 Certificates of Water and Sewer Availability Outside City Limits.

Whenever the City agrees to provide water or sewer service to development outside of the City limits, a certificate of water or sewer availability will be issued.

10-040 Adequate Water Supply and Sewage Disposal.

- (1) All uses and development shall be served by an adequate public water supply system, including both supply and distribution, and an adequate public sewage disposal system, including both collection and treatment facilities, that meet the requirements of this section.
- (2) A public water system is adequate for a use or development proposal if the following requirements are met:
 - (a) For the issuance of a building permit, preliminary plat approval or other land use approval, the applicant must demonstrate the following:
 - (i) The proposed development can be connected to the City's water supply system or another system approved by the City.
 - (ii) The water supply system can supply sufficient flows to serve the proposed uses and their needed fire flows.
 - (iii) The water supply system has sufficient storage capacity to serve the proposed uses and their needed fire flows.

EXHIBIT 8

UTILITY STANDARDS

- (b) The Technical Committee shall review the proposed water supply system and if the system meets the requirements of this section, approve the water system. The Technical Committee can condition its approval and require on-site and off-site improvements or contributions to off-site improvements to ensure the requirements of this section are met. These improvements include, but are not limited to:
 - (i) The construction of mains in all public and private streets or utility easements within and adjacent to the proposed development.
 - (ii) The construction of mains through the development to adjacent properties to provide for a well-gridded water system and allow adjacent properties to connect to and extend the water system.
 - (iii) The construction of off-site improvements needed to:
 - (A) Connect to the existing system.
 - (B) Provide the storage and flows needed to meet the level of service standards and the requirements of the Water System Plan.
 - (C) Provide the storage and flows needed to meet the water demands generated by the proposed development.
 - (D) Provide the storage and flows needed to supply the fire flows needed to serve the development.
 - (iv) The construction of pressure-reducing valves and similar appurtenances to provide pressure zone separation in the distribution system.
 - (v) The construction of pump stations needed to serve the development if it is in a special pressure zone. This will only be required or allowed in accordance with designated permanent pump stations listed or shown in the current Water System Plan.
 - (vi) The construction of replacements or improvements to existing facilities in order to maintain an established level of service for water system demand and fire flow to the development.
 - (vii) The construction of replacements or improvements to existing off-site facilities to the extent that the new development would cause the level of service for existing customers to drop below existing standards.
 - (viii) The transfer or dedication of easements or land needed for the construction and maintenance of water system improvements.

EXHIBIT 8 UTILITY STANDARDS

- (3) A public sewage disposal system is adequate for a use or development if the following requirements are met:
- (a) For the issuance of a building permit for a new structure that requires sewage disposal, preliminary subdivision approval, short plat approval, binding site plan approval, site plan approval or other land use approval:
 - (i) The site shall be connected to the City's sewage collection system in compliance with the General Sewer Plan, or its successor.
 - (ii) The disposal system has been approved by the Technical Committee as being consistent with applicable state and City policies, regulations, design and operating guidelines.
 - (b) The Technical Committee can condition its approval and require on-site and off-site improvements or contributions to off-site improvements to ensure the requirements of this section are met. These improvements include, but are not limited to:
 - (i) The construction of mains in all public and private streets or utility easements within and adjacent to the proposed development.
 - (ii) The construction of mains through the development to serve the lots and buildings within the development and to adjacent parcels to allow adjacent properties to connect to and extend the sewer system.
 - (iii) The construction of off-site improvements needed to connect to the existing system and to provide collection capacity needed to meet the level of service standards and the anticipated demand from the service area.
 - (iv) The construction of wastewater pump stations needed to serve the development because of topographical considerations. This will only be required in accordance with or allowed with designated wastewater pump stations listed or shown in the current General Sewer Plan, or its successor.
 - (v) The construction of replacements or improvements to existing facilities in order to maintain established level of service for wastewater discharge from the service area.
 - (vi) The construction of replacements or improvements to existing off-site facilities to the extent that the new development would cause the level of service for existing customers to drop below existing standards.

EXHIBIT 8

UTILITY STANDARDS

- (vii) The transfer or dedication of easements or land needed for the construction and maintenance of sewer system improvements.
- (4) A private sewage collection and disposal system meets the requirements of this section where all of the following requirements are met:
- (a) The system will serve one single-family residence developed at an average density of one dwelling unit per acre or less.
 - (b) The zoning district in which the single-family residence will be located has a maximum density of one dwelling unit per acre or less.
 - (c) The Seattle-King County Department of Public Health, or its successor, has approved the private sewage collection and disposal system as meeting all of the department's applicable requirements.
- (5) For final inspection approval for a building, the issuance of a certificate of occupancy for a building, or approval of a change of use permit; the approved connections to the City water system and any system improvements needed to adequately serve the proposed building or use and the approved sewage disposal system required in subsections (1), (2), and (3) or (4) of this section shall be installed to serve each building or lot.
- (6) Before recording a final plat, a final short plat, or a binding site plan; either the approved connections to the City water system and any system improvements needed to adequately serve the proposed building or use and the approved public sewage disposal system required in subsections (2) and (3) or (4) of this section shall be installed to serve each lot or a performance guarantee complying with the requirements for subdivisions, short subdivisions, or binding site plans shall be used to guarantee the future installation of the approved public sewage collection system. The performance guarantee may be assigned to the City to assure the construction of the required facilities if the system is not otherwise constructed to City standards as required by City performance guarantee requirements.
- (7) For the issuance of a building permit, site plan approval, or changes in use, any sewage pre-treatment or treatment facilities required by any government agency shall be provided at occupancy. The property owner and occupant shall maintain and operate the pretreatment facility for the life of the use.

10-050 Surface Water Management.

All new development shall be served by an adequate surface water management system complying with the policies of the Comprehensive Plan and meeting the requirements of Chapter 15.24 RMC, Clearing, Grading, and Storm Water Management.

10-060 Adequate Streets, Sidewalks, and Trails.

EXHIBIT 8

UTILITY STANDARDS

- (1) All new uses or development shall be served by adequate streets, sidewalks, and trails. Streets, sidewalks, and trails are adequate if all of the following conditions are met:
 - (a) The development's traffic impacts on surrounding public streets are acceptable under the level-of-service standards and the compliance procedures in Chapter 20D.210 RCDG, Transportation Standards.
 - (b) The construction requirements of RCDG 20D.210.20, Street and Access Standards, are met.
 - (c) The proposed development and the traffic, pedestrians, and bicyclists generated by or attracted to the development will not create safety hazards on nearby streets and sidewalks or those hazards will be corrected by the applicant.
 - (d) All trails, bikeways, bicycle lanes, and bicycle routes shown in the Comprehensive Plan on or adjacent to the development are constructed and dedicated or transferred to the City.
 - (e) All sidewalks and pedestrian improvements required by RCDG Title 20 are provided.
 - (f) The proposed circulation system of a proposed subdivision, short subdivision or binding site plan shall intersect with existing and anticipated streets abutting the site at safe and convenient locations, as determined by the Technical Committee and the City Engineer.
 - (g) Every lot upon which one or more buildings is proposed to be erected or a traffic generating use is proposed to be established, shall establish safe access as follows:
 - (i) Safe passage from the street right-of-way to building entrances for transit patrons and other pedestrians, in accordance with the requirements of Chapter 20D.240 RCDG, Transit Supportive Development.
 - (ii) Direct access from the street right-of-way, fire lane or a parking space to any part of the property as needed to provide public services in accordance with adopted standards (e.g., fire protection, emergency medical service, mail delivery and trash collection).
 - (iii) Direct access from the street right-of-way, driveway, alley or other means of ingress and egress approved by the City of Redmond to all required off-street parking spaces on the premises.
- (2) Location of sidewalks, walkways, trails, bikeways, bike lanes, and bicycle routes.
 - (a) Sidewalks, walkways, trails, bikeways, bike lanes, and bicycle routes shall be located in public rights-of-way or easements that guarantee public access.

EXHIBIT 8

UTILITY STANDARDS

- (b) Trails, walkways, and bikeways shall follow the routes shown in the Comprehensive Plan, but may vary if connections between points are maintained. In determining the location of walkways, trails, bikeways, bike lanes, and bicycle routes, the following factors shall be considered:
 - (i) The locations shown on RCDG Title 20B, Comprehensive Plan.
 - (ii) The need to improve access to public facilities.
 - (iii) The need to connect a development with various ways, such as streets, trails, bikeways, and walkways.
 - (iv) The need to provide access between developments and uses.
 - (v) The feasibility of constructing the facility in the proposed route.
- (3) The renewal of permits or the issuance of a new permit for existing uses constitutes a new development proposal only if it will generate additional traffic above that currently generated by the use.
- (4) The Technical Committee shall review the proposed transportation improvements and if the improvements meet the requirements of this section, approve them. The Technical Committee can condition its approval and require on-site and off-site improvements or contributions to off-site improvements to ensure the requirements of this section are met.

10-070 Adequate Fire Protection.

- (1) All new developments shall be served by adequate fire protection. This requirement shall be met if:
 - (a) The site of the proposed development is served by a water supply system that provides the required minimum fire flow.
 - (b) The site of the proposed development is served by a street system or fire lane system that provides life safety/rescue access.
 - (c) The site of the proposed development and any proposed buildings meet the fire protection requirements for buildings in Chapter 15.06 RMC, Fire Code.
 - (d) Emergency access easements needed to maintain required emergency access and fire lane systems are created and recorded.
- (2) The Technical Committee shall review the proposed fire improvements and if the improvements meet the requirements of this section, approve them. The Technical

EXHIBIT 8

UTILITY STANDARDS

Committee can condition its approval and require on-site and off-site improvements or contributions to off-site improvements to ensure the requirements of this section are met.

10-080 Construction Standards, Specifications, and Drawings.

- (1) The Public Works Department, or its successor, shall prepare and approve:
 - (a) Design standards, construction specifications and construction details for water systems, sewer systems, storm water systems, streets, sidewalks, bikeways, and other ways.
 - (b) Construction and as-built drawing formats and content requirements.
- (2) For any facilities to be dedicated or transferred to the City of Redmond or required under RCDG Title 20, the person constructing the facility shall submit construction drawings to the Public Works Department for approval before construction of the improvements.
- (3) For any facilities to be dedicated or transferred to the City of Redmond or required under RCDG Title 20, the person constructing the facility shall submit as-built construction drawings to the Public Works Department for approval after the facilities are built and before the improvements are accepted.

20 Electrical Equipment and Wiring

20-010 Purpose

The purpose of this chapter is to ensure the placement of utilities underground in order to:

- (1) Eliminate safety issues caused by damaged overhead lines;
- (2) Reduce the number of service interruptions caused by storms;
- (3) Remove utility poles which are a hazard along streets; and
- (4) Increase the appearance and aesthetics of the public ways.

20-015 Requirements for Wiring and Electrical Equipment

- (1) Existing aerial wiring shall be relocated underground and new facilities installed underground within a property and within the public right-of-way abutting the property when one or more of the following occurs:
 - (a) Subdivisions are developed;
 - (b) Short subdivisions are developed;

EXHIBIT 8

UTILITY STANDARDS

- (c) Local improvement districts and utility local improvement districts are developed;
 - (d) Street or utility improvements are undertaken;
 - (e) Binding site plans are developed;
 - (f) New commercial, industrial or multi-family residential buildings are constructed;
 - (g) Remodeling or additions to existing commercial or industrial buildings or conversions to these uses that increase gross floor area by 50 percent or more, or any alterations or repairs which exceed 100 percent of the value of the previously existing structure, and to single-family and multi-family residential buildings whenever any alterations or repairs exceed 100 percent of the value of the previously existing structure; or
 - (h) Building complexes or other projects are developed and are of a size to warrant undergrounding.
- (2) Wiring for electrical, communication, and other purposes serving a building or property shall be relocated or placed underground from the point of primary distribution to within a property when one of the following occurs:
- (a) The overhead electrical, communication, and primary utility distribution facilities are relocated underground;
 - (b) Remodeling or additions to existing commercial or industrial buildings or conversions to these uses takes place;
 - (c) The electrical service panel within a structure, or the service lines to the structure, are upgraded or modified; or
 - (d) Remodeling or additions to the existing residential buildings that increase gross floor area by 20 percent or more, or any alterations or repairs which exceed 100 percent of the value of the previously existing structure.
- (3) All new equipment related to the provision of electrical service, communications, or other utilities, except transformers, switch cabinets, traffic signal cabinets and street lighting cabinets, shall be installed in one of the following locations:
- (a) Underground;
 - (b) Inside a building;
 - (c) In a service alley;
 - (d) Immediately adjacent to a building and screened from view; or
 - (e) In a landscaped area and screened from view.

EXHIBIT 8

UTILITY STANDARDS

The Technical Committee may approve an alternate location if an applicant demonstrates that the equipment cannot be placed in any of the above locations.

- (4) All existing above-ground equipment related to the provision of electrical service, communications, or other utilities, except transformers, switch cabinets, traffic signal cabinets, and street lighting cabinets, shall be relocated and placed within one of the locations described in subsection (3) whenever any of the conditions set forth in subsections (1) or (2) are present.
- (5) Traffic signal cabinets and street lighting cabinets shall be placed within the street furnishings zone where this zone exists or in a less conspicuous or other alternate location when all operational and maintenance needs of the City of Redmond and other utilities related to safety, access and visibility are met. The street furnishings zone is described in the Transportation Master Plan and consists of a hard surface area between the sidewalk and curb in which trees, benches, trash receptacles, and other street furniture serving pedestrian needs is placed.
- (6) Where the Technical Committee has determined that interim street improvements are adequate as provided in RCDG 20D.210.20-150, Required Off-Site Street Improvements, the requirement to underground distribution facilities may be temporarily waived.

20-020 Overhead Facilities Prohibited

As overhead communication, electrical and utility facilities are relocated underground, persons and businesses served by such facilities shall relocate all overhead connections underground and connect to the new underground facilities within 90 days of the date of undergrounding completion.

20-030 Property Owner's Responsibility for Rewiring

The property owner is responsible for providing all labor and materials for any required rewiring and relocation of existing facilities between primary relocation and the point at which secondary service is received on the customer's premises. The property owner shall also provide necessary occupancy rights and easements for transmission facilities and maintenance.

20-040 Construction Specifications

The design and construction specifications for underground facilities covered by this section shall be subject to approval by the Director of Public Works.

20-050 Exemptions

The requirements of this section shall not apply to electrical distribution substations nor to electrical lines of greater than 50 kV capacity unless it can be shown that the undergrounding of these lines has become economically feasible. This section shall also not apply where the utility demonstrates that its facilities will not function properly if located underground or cannot be maintained properly if so located.

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

These specifications and design standards implement the City's Transportation Master Plan (TMP) by providing details for the construction of improvements described in the TMP. The TMP should be consulted along with these specifications and standards in order to determine the complete nature and extent of the improvements required.

This appendix has been approved by the Director of Public Works, who may approve design deviations in specific situations where conditions warrant and are properly documented. Such site-specific design deviations shall not constitute general changes to these standards.

I. Streets.

- A. Purpose. The purpose of this section is to establish street standards for both public and private streets serving five or more dwelling units. This section is a supplement to RCDG 20D.210.20, Street and Access Standards.
- B. Street Types and Widths.
 1. City of Redmond streets are defined in RCDG 20D.210.20-030, Redmond Transportation Master Plan, and as shown on Tables 1-A, 1-B and 1-C and Standard Details in the City of Redmond's construction "Standard Specification and Details."
 2. Private Streets.
 - a. Criteria for Authorization. Private residential streets and roadways are allowed under the following conditions:
 - i. Where due to topographic or other constraints the Public Works Department determines that it would be creating an inequitable hardship on the City or because of practical difficulties the City could not assure maintenance.
 - ii. In residential developments private streets shall be maintained by the homeowners within the development.
 - iii. Provision is made for the streets to be open at all times for emergency and public service vehicles.
 - iv. The private streets will not obstruct public street circulation.
 - b. Construction Requirements. Private streets shall conform to public works construction standards, except where specifically exempted in this section. Concrete crosswalks, per the City of Redmond Standard Details, are required across all private streets intersecting minor or principal arterials.
 - c. Acceptance as Public Streets. The acceptance of private streets as public streets shall be per adopted procedures. The public street standards contained herein shall apply in consideration of such acceptance.

Exhibit 9
Appendix: Construction Specification and Design Standards for
Streets and Access

Table 1-A

Arterial Street ⁽¹⁾				
Classification	Principal	Minor	Collector	Connector
Corridor Width (Right-of-Way)	100'	84'	60'	60'
Easement ⁽⁶⁾	10' – Adjacent to ROW			
Pavement Width (Curb to Curb)	48' – 60' 4 thru lanes with 12 ft. center turn lane where required	44' – 56' 4 thru lanes with 12 ft. center turn lane where required	36' – 40' 2 thru lanes with center turn lane and parking where required	36' – 40' 2 thru lanes with center turn lane and parking where required
Maximum Grade (%) ^(2,3)				
Flat	4	6	7	7
Rolling	6	7	10	10
Mountainous	8	9	12	12
Type of Concrete Curb	Vertical Type A-1	Vertical Type A-1	Vertical Type A-1	Vertical Type A-1
Sidewalk, Concrete ^(4,5)				
Mixed-Use Areas	8 ft. min, both sides with widths as great as 12-16 ft in retail areas. See Transportation Master Plan	8 ft. min, both sides with widths as great as 12-16 ft in retail areas. See Transportation Master Plan	8 ft. min, both sides with widths as great as 12-16 ft in retail areas. See Transportation Master Plan	8 ft. min, both sides with widths as great as 12-16 ft in retail areas. See Transportation Master Plan
Other Areas	6 ft. min, both sides	6 ft. min, both sides	6 ft. min, both sides	6 ft. min, both sides when located back of curb; 5 ft. min both sides when detached sidewalks present
Parking	Not Permitted	Not Permitted	None to both sides	None to both sides
Bicycle Lanes	See Redmond Transportation Master Plan for bike lane plan. If bike lanes are			

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

Arterial Street ⁽¹⁾				
Classification	Principal	Minor	Collector	Connector
	required add 11 feet to the asphalt pavement width (5.5 feet per lane when adjacent to vertical curb).			
Landscape Strip ⁽⁵⁾	5 ft. both sides	5 ft. both sides	5 ft. both sides	5 ft. both sides

Notes:

- 1 Variations may be required to accommodate unusual and/or topographic conditions. Specific corridor designs may supersede these standards.
- 2 Flat – Typical cross slopes from zero percent to eight percent.
Rolling – Typical cross slopes from nine percent to 15 percent.
Mountainous – Typical cross slopes over 15 percent.
- 3 Maximum grade may be exceeded for short distances provided no practical alternative exists and subject to approval by the Director of Public Works.
- 4 Pedestrian facilities along multimodal corridors shall comply with the Redmond Transportation Master Plan. Pedestrian facilities within the downtown shall comply with the Downtown Pedestrian System Plan, RCDG 20C.40.105-020.
- 5 Downtown Pedestrian System Plan, RCDG 20C.40.105-020 shall govern in the downtown.
- 6 Easements accommodate the sidewalk and can be used to accommodate utilities.

Table 1-B

Local Access Streets						
Classification	Single-Family Residential			Multi-Family Residential ⁽¹⁾		Non-Residential
	Private	Public	Public	Private	Public	Public
Dwelling Units/Lots	5 – 9	5 – 9	10 or more			
Corridor Width (Right-of-Way)	N/A	44'	50'	N/A	50' ⁽¹⁾	60'
Easement ⁽⁷⁾	35' – Access 10' – Adjacent to ROW	10' – Adjacent to ROW	10' – Adjacent to ROW	35' – Access 10' – Adjacent to ROW	10' – Adjacent to ROW	10' – Adjacent to ROW
Pavement Width	28'	28'	28'	28'	28'	44'/thru route 36' – 40'/side streets
Max Grade (%) ^(4,5)						
Flat	8	8	8	8	8	8

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

Local Access Streets							
Classification		Single-Family Residential			Multi-Family Residential ⁽¹⁾		Non-Residential
		Private	Public	Public	Private	Public	Public
	Rolling	10	12 ⁽⁶⁾	12 ⁽⁶⁾	10	12 ⁽⁶⁾	12 ⁽⁶⁾
	Mountainous	10	15 ^(3,6)	15 ^(3,6)	10	15 ^(3,6)	15 ^(3,6)
Type of Curb		Asphalt Thickened Edge or Concrete Shiner	Vertical Type A-1	Vertical Type A-1	Asphalt Thickened Edge or Concrete Shiner	Vertical Type A-1	Vertical Type A-1
Sidewalk, Concrete 5' Wide min for detached sidewalks 6' Wide min back of curb		One Side	One Side	Both Sides	One Side	Both Sides	Both Sides
Parking Permitted		One Side	One Side	One Side	One Side Only ⁽²⁾	One Side	None
Bicycle Lanes		None	None	None	None	None	None
Landscape Strip 5' Wide		None	One Side	Both Sides	None	Both Sides	None

Notes:

- 1 For less than 10 dwelling units, one may follow the single-family residential public guidelines with 44 feet of right-of-way.
- 2 RCDG 20D.130.10-030, Design Requirements for Parking Facilities, would be used in conjunction with this guideline.
- 3 Maximum grade may be exceeded subject to approval by the Director of Public Works. Such approval shall be conditional upon the following:
 - (a) No practical alternative exists.
 - (b) Any grade over 15 percent up to a maximum of 20 percent shall extend no further than 600 feet without being interrupted by an intersection or landing with eight feet difference in elevation over a distance of 100 feet.
- 4 On private streets the grade shall not exceed 10 percent unless authorized by the Redmond Fire Department.
- 5 See Table 1-A for definitions of terrain.
- 6 Where grade exceeds 10 percent on an emergency vehicle access road, mitigation shall be required per RMC 15.06.013(17).
- 7 Easements accommodate the sidewalk and can be used to accommodate utilities.

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

Table 1-C (Rustic Street Standards for NE Rose Hill Neighborhood Subarea)

Local Access Street Improvements: Residential Single-Family			
Street Classification	Private	Public	Public
Dwelling units/lots served by street	5 – 9	5 – 9	10 or more lots
Corridor Tract or Right-of-Way Width	44' tract	44' right-of-way	60' right-of-way
Pavement Width (Edge to Edge)	20'	20' 22' for NE 100th St., NE 104th St. and 138th Ave. NE south of 100th St.	20' 22' for NE 100th St., NE 104th St. and 138th Ave. NE south of 100th St.
Utility Easement Width ⁽⁵⁾	10' adjacent to tract	10' adjacent to right-of-way	10' adjacent to right-of-way
Maximum grade % ⁽²⁾			
Flat	8%	8%	8%
Rolling	12%	12%	12%
Street Edge (including total street width)	2' wide, flat on each side printed asphalt, scored concrete, or concrete shiner	2' wide, flat on each side scored concrete or concrete shiner 3' wide, flat on each side printed or scored concrete for NE 100th St., NE 104th St. and 138th Ave. NE south of 100th St.	2' wide, flat on each side scored concrete or concrete shiner 3' wide, flat on each side printed or scored concrete for NE 100th St., NE 104th St. and 138th Ave. NE south of 100th St.
Sidewalk, concrete 5' wide	One side	One side	Both sides
Parking Required ⁽¹⁾	One side, interspersed with landscaped swale	One side, interspersed with landscaped swale	Both sides, interspersed with landscaped swale
Bicycle Lanes	None	None	None
Landscape/street edge treatment required ^(3,4)	Landscaped swale	Landscaped swale	Landscaped swale

Notes:

- 1 Parking will be located intermittently between the swales and other landscaped areas. Parking may be parallel, angled or 90 degree depending on site conditions. The Fire Marshal may allow variation in signage type and allow fewer signs (spacing requirements) that restrict parking in fire lanes.
- 2 City regulations regarding grade for other street standards apply to rustic street standards.

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

- 3 See Willows/Rose Hill Neighborhood policies N-WR-H-11 and H-12 describing swale characteristics. Minimum swale width is five feet. Minimum bottom width of swale shall be two feet. Minimum swale depth shall be one foot. Walls are not desired in swales. Slopes less than a 3:1 ratio may only be allowed per approval by the Public Works Director and shall not be less than a ratio of 2:1.
- 4 Landscaped drainage swales are encouraged but not required for short plats with less than five lots.
- 5 Utilities including water, sanitary sewer, and dry utilities will be located within the right-of-way or dedicated easement.

C. Street Layout. Street layout shall provide for the following:

1. Local access streets shall be designed to discourage through traffic and high speeds.
2. Provide access to adjoining undeveloped property, where necessary.
3. Right-of-way placement shall be planned to minimize grading and destruction of natural features.
4. Rights-of-way shall not be located in areas where geologic or soil conditions may cause a threat to public safety or pose a continuing excessive liability to the City.
5. Walkways and trails shall be provided to maximize the potential for pedestrian circulation within a development and to adjacent areas.
6. Where it is applicable, temporary turnaround shall be provided on half streets and future street extensions.
7. All power and telecommunication facilities utilities shall be placed underground in accordance with RCDG 20D.220.10, Underground Wiring.
8. Required Access to Developments. Where more than 100 units are designed in a residential development, either single-family, multi-family, retirement or similar, there shall be a minimum of two access points to the street system. Such access points shall be located so as to provide for circulation, alternate emergency vehicle access routes, through access and general area transportation design considerations.
9. Divided Streets or Streets with Median Strips. Where due to topographic, engineering, or design considerations a divided local access street is used, the following criteria shall apply:
 - a. The length of the divided local access street shall not exceed 150 feet.
 - b. Each side of the divided street shall not be narrower than 14 feet. If one or both sides of the divided access are within 50 feet of an adjacent building or otherwise deemed necessary for fire fighting purposes, then the minimum unobstructed width per applicable side is 20 feet.
 - c. Where a lane is within 100 feet of any structure and where the Fire Chief determines there is a possibility of fire lane obstruction, fire lanes shall be marked per Redmond Fire Department standards.
 - d. Such divided local access streets shall not compromise turning radii of emergency vehicles especially at intersections.

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

D. Street Grades.

1. Arterials shall generally not exceed 12 percent in grade.
2. All streets, alleys and service drives shall generally not exceed 15 percent in average grade. Refer to Table 1-B where grades greater than 15 percent are permitted. Portland cement concrete may be required in lieu of asphalt pavement for grades over 15 percent.
3. All local access streets both public or private which are designated by the Redmond Fire Department as emergency vehicle access roads shall not exceed 10 percent in grade unless approved mitigation measures are implemented and such grades are approved by the Redmond Fire Department. Refer to RMC 15.06.013.
4. All changes in grade shall be connected by vertical curves meeting standards established by the City.

E. Minimum Horizontal and Vertical Curve Standards.

1. Minimum Horizontal Curve Radii.

- a. Arterials and Connector Streets. The minimum radius shall be as defined in the table below. The design speed shall be set at five mph over the posted speed (source: AASHTO 2004 Exhibit 3-16).

Table 1-D

Design Speed (mph)	Horizontal Curve Radius (ft)
25	200
30	335
35	510
40	760
Over 40	1040

- b. Local Access Streets. The minimum radius shall be as defined in the table below based on the typical cross slope that the street will traverse. A 100-foot radius may be permitted at the permanent end of a street.

Table 1-E

Typical Cross Slope (%)	Horizontal Curve Radius (ft)
< 8	335
8 – 15	200

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

Typical Cross Slope (%)	Horizontal Curve Radius (ft)
> 15	115

2. Minimum tangent distances between horizontal curves shall be:
 - a. Two hundred feet for streets with a posted speed limit above 25 mph.
 - b. One hundred feet for streets with a posted speed limit of 25 mph.
3. Sight Distance. Stopping sight distance and decision sight distance shall be determined using a driver height of eye of 3.5 feet and an object height of 0.5 feet. An object height of two feet shall only be considered on a case-by-case basis for existing streets and must be accompanied by a design deviation request.
4. Stopping Sight Distance (SSD). The minimum stopping sight distance, as measured along the centerline of a street, shall be determined as follows (source: AASHTO 1990 Table III-1 and 2004 Exhibit 3-1):

Table 1-F

Design Speed (mph)	Stopping Sight Distance (ft)*
25	155
30	200
35	250
40	305
45	360
50	425
55	495

* – Must be adjusted when street downgrade is 3% or greater.

- a. Arterial and Connector Streets. The minimum SSD shall be determined using a design speed of 10 mph above the posted speed limit. When restricted by topographic or other constraints, the Public Works Director may allow use of a design speed of five mph above the 85th percentile speed when properly documented in an engineering study.
- b. Local Public Streets. The minimum SSD shall be determined using a design speed of five mph above the posted speed limit. When restricted by topographic or other constraints, the Public Works Director may allow use of a design speed equivalent to the 85th percentile speed when properly documented in an engineering study. Where the 85th percentile speed cannot be measured, guidelines established in AASHTO –

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

Guidelines for Geometric Design of Very Low-Volume Local Roads ($ADT \leq 400$) may be used.

- c. Private Streets. The minimum SSD shall be 155 feet. When restricted by topographic or other constraints, the Public Works Director may allow use of the guidelines established in AASHTO – Guidelines for Geometric Design of Very Low-Volume Local Roads ($ADT \leq 400$) as part of a design deviation request.
- d. Sag Vertical Curves. The application of street lighting may be used for mitigation when the SSD on sag vertical curves is less than stated above. However, in no case shall the sag curve SSD be less than provided in Table 1-G for the posted speed (source: AASHTO – Guidelines for Geometric Design of Very Low-Volume Local Roads ($ADT \leq 400$)).

Table 1-G

Posted Speed (mph)	Sag Curve SSD (ft)
25	125
30	165
35	205
40	250
45	300

- 5. Adequate decision sight distance shall be provided on all arterial and connector streets as set in the following table. The design speed shall be set at the posted speed. Decision sight distance is measured with a driver eye-height of 3.5 feet and an object-height of two feet.

Table 1-H

Design Speed (mph)	Decision Sight Distance (ft)*
25	445
30	575
35	665
40	760
45	855

* – Must be adjusted when street downgrade is 3% or greater.

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

F. Intersection Design.

1. Sight Clearance. The requirements of RCDG 210.25, Sight Clearance at Intersections and City of Redmond Standard Details, shall apply.
2. Horizontal Alignment. Street rights-of-way shall intersect at 80 degrees to 90 degrees, where possible. For residential streets, three-way (“T”) intersections are preferred over four-way intersections.
 - a. Offsets of adjacent streets should be at least 150 feet measured from the near-side face of curb of any existing street or driveway.
 - b. On sloping approaches, landings are not to exceed two feet difference in elevation for a distance of 30 feet approaching an arterial or 20 feet approaching a connector or local access street, measured from the back of sidewalk or the back of curb if no sidewalk exists.
 - c. At street intersections, property line corners shall be rounded by an arc, the minimum radius of which shall be 25 feet. In business districts a chord may be substituted for such an arc. The curb radius shall be 25 feet for local access streets and 30 feet for arterial and neighborhood collector streets.
 - d. At private streets, driveways, etc., the minimum curb radius shall be 20 feet. Where driveway widths are less than 28 feet, a 25-foot radius may be required. Refer to the Standard Details.
3. Adequate intersection (entering) sight distance shall be provided at street intersections and driveways as defined in the table below. Unless otherwise approved, the design speed shall be set at 10 mph over the posted speed. Entering sight distance is measured with a driver eye-height of 3.5 feet and an object-height of two feet (source: AASHTO 1990 Fig IX-40 and 2004 Exhibit 9-55).

Table 1-I

Design Speed (mph)	Entering Sight Distance (ft)*
25	280
30	335
35	390
40	445
45	500
50	555
55	610

* – Must be adjusted when street downgrade is 3% or greater.

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

G. Paving Requirements. All pavings shall be designed by a registered engineer in accordance with the Washington State Department of Transportation Design Manual Section 326, using the following criteria:

1. Trip generation based on ITE "Trip Generation" Manual, Current Edition.
2. Maximum anticipated traffic loadings with the following minimums:

Zoning	Min. Truck Traffic %
Residential (Single- or Multi-Family)	5
All Other	15

3. Design Life.

Public Streets/Parking Lots	20 years
Private Streets/Parking Lots	10 years

4. Minimum Pavement Designs.

Public Street (Arterial)	4" HMA Class 1/2" PG 64-22 5" HMA Class 1" PG 64-22 *Compaction
Public Street (Connector & Local)	7" HMA Class 1/2" PG 64-22 *Compaction
Private Street & Parking Lot	3" HMA Class 1/2" PG 64-22 4" Crushed Surfacing Base Course *Compaction

*Compaction: Subgrade shall be compacted to 95 percent maximum density as determined by Modified Proctor (ASTM D 1557)
HMA – Hot Mix Asphalt
PG – Performance Grade Asphalt Binder

5. In lieu of using the above criteria for paving requirements of private streets and/or parking lots, the geotechnical engineer employed by the developer shall verify and subsequently advise the City that the installation of the paving section(s) conforms to his design. The

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

project will not be accepted until the geotechnical engineer provides the City with written documentation of this information.

6. Street Overlay. Asphalt streets impacted by construction activity must be planed, overlaid, and/or patched, as determined by the Public Works Department and in accordance with City of Redmond Standard Specifications and Details.

H. Traffic Control.

1. Signing. All traffic control devices shall conform to the most recent edition of the "Manual on Uniform Traffic Control Devices" (MUTCD). In new developments the developer shall install all traffic control signs which shall include but not be limited to street name, stop, dead end, and pedestrian signing. The developer shall be responsible for paying the cost of the signs including the installation. See Standard Detail, "Street Name Sign."
2. Pavement Marking. In new developments, pavement markings including buttons, striping, and delineators may be required to provide roadway safety. Such markings shall be provided by the developer. All materials shall conform to the City of Redmond "Standard Specifications and Details," latest edition. All work shall be approved by the City transportation division prior to installation.
3. Fire Lane Marking. In new plats or commercial/industrial developments, areas designated by the Fire Department as fire lanes and where in the opinion of the Fire Chief marking is needed to prevent obstruction, fire lane marking shall be in accordance with Redmond Fire Department standards. Such markings shall be provided by the developer.
4. Construction Requirements.
 - a. All construction activities within the public right-of-way shall have a detailed traffic control plan submitted at least 48 hours in advance of the work if required by the City. The plan shall conform to the current edition of the Manual on Uniform Traffic Control Devices and shall be approved by the City Engineer or his designated representative.
 - b. Both public contracts and private developments shall have a traffic control plan attached to the approved drawings if required by the City. The plan shall show specific placement of cones, barricades, signs and other devices. All changes including field revisions must be approved by the City Engineer or his designated representative.

I. Street Illumination. Refer also to the City of Redmond Illumination Design Manual.

1. Requirements for Public Streets.
 - a. Illumination Required. Street light illumination shall be provided in new developments.
 - b. Location of Poles. The City shall approve the location of street light poles on plans prepared by Puget Sound Energy or an independent lighting consultant.

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

- c. Maintenance. The street illumination system is maintained by the utility company or the City.
- d. Undergrounding. All street light wiring, conduit and service connections shall be located underground.
- e. Type of Luminaires. High pressure sodium vapor luminaires shall be used unless otherwise approved.
- f. Luminaire Heights. Luminaire mounting heights shall be 25 to 40 feet for arterial streets, and 30 feet maximum for local access streets.
- g. Measurement of Luminance. Average lighting levels measured in horizontal foot-candles (lumens per square feet) shall meet the following criteria:

Table 1-J

Street Classification	Area Classification	Avg. Illuminance (Foot-Candles)	Uniformity Ratio (Avg/Minimum)
Principal Arterial	Commercial	1.3 – 1.7	3:1
	Residential	0.9	3:1
Minor Arterial	Commercial	0.9 – 1.2	3:1
	Residential	0.6	4:1
Collector	Commercial	0.9 – 1.2	3:1
	Residential	0.6	4:1
Connector	Commercial	0.8 – 1.0	4:1
	Residential	0.5	6:1
Local	Commercial	0.7 – 0.9	6:1
	Residential	0.4	6:1

- 2. Requirements for Private Streets.
 - a. Street light illumination is not required for private streets.
 - b. Responsibility for Installation. Should street lights be desired, the installation, maintenance and power costs shall be the responsibility of the developer or homeowners' association, etc., not the City of Redmond.
- 3. Existing Residential Areas. The City will initiate the installation of a street light in existing residential areas provided the following conditions are met:
 - a. A letter is received, signed by all occupants within 100 feet of the location of the street light, approving of the light on a public street.

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

- b. If the street light will not be located on an existing power pole, the cost of installation of a luminaire pole and associated underground wiring, etc., shall be borne by the petitioners.
- J. Cul-De-Sac and Dead End Streets.
- 1. When an emergency turnaround is not required, provisions must be made to accommodate the turnaround for a single unit (SU) truck.
 - 2. Except when required by topography or otherwise specified in this section, streets designed to have one end permanently closed or in the form of a cul-de-sac should not be longer than 600 feet. In the event longer cul-de-sacs are unavoidable, turnarounds are required every 600 feet. See cul-de-sac detail in the City of Redmond's construction "Standard Specification and Details"..
 - 3. Temporary dead end streets planned for future continuation shall include the necessary dedication or easements for utilities and vehicle turnarounds. If the dead end is over 300 feet then a turnaround must meet the requirements of Section III. A barricade designed to City of Redmond standards shall be installed at the end of the dead end street, along with a sign stating "This Street To Be Extended In The Future."
- K. Mailbox Stand(s) in Residential Areas.
- 1. Mailboxes shall be clustered together in stands when practical and when reasonably convenient to the houses served.
 - 2. Where appropriate, mailbox stand(s) shall be installed in the sidewalk in accordance with the City of Redmond Standard Details.
 - 3. The location of the mailbox stand(s) is determined jointly by the City of Redmond together with the United States Postal Service.
 - 4. Mailbox stand locations should not be placed so vehicles using it would obstruct the required width of an emergency vehicle access road.
 - 5. Replacement and/or repair of mailbox stands is the responsibility of property owners served by the mailbox stand.
- L. Franchise Utilities. Non-City-owned franchise utilities are required by City code to relocate existing facilities at their own expense when a conflict results between their facilities and public street improvements. The improvement work must be required by the City as part of an adopted plan or study in order for the relocation work to be the financial responsibility of the utility, otherwise all costs shall be the responsibility of the developer.
- M. Rockeries. Install rockeries per rock wall detail. See Standard Detail "Rockwall."
- N. Safety Railings.
- 1. Installation. Where a sidewalk or other nonmotorized transportation facility is to be constructed above a slope steeper than three to one or adjacent to a rock wall or retaining wall where the lowest finished elevation of the slope, rock wall or retaining wall is to be 30 inches or more below the finished elevation of the sidewalk or other facility, a safety

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

- railing shall be required. Railings shall be erected and adjusted, if necessary, after initially set to assure a continuous line and grade.
2. Design. Safety railings shall be constructed per Standard Detail "Typical Pedestrian Railing."
- O. Guard Rails. For purposes of warrants, design, and location, all guard rails along roadways shall conform to the criteria of Section 710 "Traffic Barriers" of the Washington State Department of Transportation Design Manual.
- P. Survey Control. Street designs shall reference the City of Redmond's current Vertical and Horizontal Control systems.
- Q. New Monumentation. New survey monuments shall be installed at new street intersections, street tangent points and center of cul-de-sacs in accordance with the City of Redmond Standard Details.
- R. Street Naming and Numbering. Per RMC 15.06.013(19), the Fire Marshal shall name and number City streets based on the King County Street Grid System. The Fire Marshal may modify the King County System to fit special circumstances, or as requested by the Technical Committee.
- S. Other Minimum Design Standards.
1. Ramps for the Handicapped. Ramps shall be included in all construction per RCW 35.68.075.
 2. Vertical clearance above the paved roadway surface shall be a minimum of 16.5 feet. Vertical clearance of structures above the walkway surface shall be a minimum of 8.0 feet.
 3. Lateral Clearance. The lateral clearance between curb face and the closest part of any fixed object (excluding traffic control signs and break away supports) shall be at least two feet.
 4. Roadway Geometrics. Design(s) shall be based upon accepted engineering practices and the requirements listed herein. Horizontal lane transition taper lengths shall be computed by the formula $L = WS$, where L equals the taper length, W equals the horizontal offset, and S equals the posted speed.
 5. Pedestrian Facilities. There shall be a minimum five-foot clear surfaced walkway on each side of the street unless topography or other special conditions favor one walkway only.
- T. Standard Specifications. Except where the City of Redmond Standard Specifications and Details provide otherwise, design detail, workmanship and materials shall be in accordance with the current edition of the Washington State Department of Transportation (WS-DOT)/American Public Works Association (APWA) Standard Specifications for Road, Bridge and Municipal Construction.

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

II. Access Requirements for Up to Four Dwelling Units or Four Lots.

The application of these standards shall apply to an access serving up to four individual single-family lots or four dwelling units. Access requirements for the purposes of this section shall refer to access corridors and access from a driveway to the dwelling unit(s) on individual lots.

A. Construction Specifications and Guidelines.

1. Construction shall be in accordance with APWA Standard Specifications, Washington State Chapter.
2. The access surface and cross section shall be constructed per Standard Details.
3. Turnarounds may be required to be installed in accordance with Section III, Emergency Vehicle Turnarounds.

B. Minimum Standards.

1. Extent. In order to provide adequate emergency vehicle access, the driving surface on an individual lot must terminate within 50 feet of all dwelling unit(s).
2. Width.
 - a. One to Two Dwelling Units or Lots. The minimum unobstructed driving surface shall be 10 feet in width. If the length of the driving surface is over 50 feet then driving surface must be 12 feet in width and an unobstructed emergency vehicle operations area must be provided to within 50 feet of the dwelling. Such area must be constructed as a continuation of the driving surface with an overall dimension of 20 feet in width and 50 feet in length with Fire Department approval of layout. When the access is over 50 feet and any of the following apply, the minimum width shall be 14 feet within that portion of the access:
 - i. Access grade exceeds 10 percent.
 - ii. Access is within 50 feet of adjacent buildings or otherwise deemed necessary for firefighting purposes.
 - iii. Access road includes curves sharper than 100-foot interior radius.Final design shall be approved by the Fire Marshal and Engineering Division.
 - b. Three to Four Dwelling Units or Lots. The minimum unobstructed driving surface shall be 20 feet.
3. A 10-foot utility corridor may be required alongside the access corridor unless other utility access is available.

III. Emergency Vehicle Turnarounds.

Turnarounds for the purpose of this section are to be defined as the minimum dimensions and standards for emergency vehicle return on non-through access.

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

- A. Design. Design shall be in accordance with Standard Details in the City of Redmond's construction "Standard Specification and Details."
- B. Construction Specifications and Guidelines.
 - 1. Construction shall be in accordance with APWA Standard Specifications, Washington State Chapter.
 - 2. Access shall be constructed per Standard Details.
- C. When Required.
 - 1. Residential. When dwelling units are served by an access longer than 300 feet measured from the closest intersection.
 - 2. Commercial. Any emergency access roadway longer than 150 feet measured from the closest intersection.
 - 3. The selection of design drawing is subject to approval of the Technical Committee.
 - 4. A minimum unobstructed driving surface of 20 feet shall be required.
 - 5. Signage, striping or appropriate means approved by the Redmond Fire Department may be required.
 - 6. Where requirements cannot be met, alternate fire protection as designated by the Fire Chief will be required per RMC 15.06.017, Restricted access buildings.

IV. Driveways.

Driveways as used in this appendix shall refer to vehicle entrances to individual lots and the intersection of access corridors with public streets.

- A. Construction Specifications.
 - 1. Construction shall be in accordance with APWA Standard Specifications, Washington State Chapter.
 - 2. Driveways shall be constructed per Redmond Standard Details or as determined by the City Engineer.
- B. Selection Guidelines.
 - 1. Driveway details within the Standard Details are most appropriate for residential zones, business park zones and commercial areas.
 - 2. The driveway details within the Standard Details shall also apply to private street entrances serving five or more dwelling units.
 - 3. Where curbing exists or is required and a flat approach would be appropriate, a curb return driveway may be used if approved by Public Works. The decision to install curb return driveway shall be based upon a review of but not limited to the following factors:
 - a. Functional classification of street.

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

- b. Projected driveway usage.
- c. Turn lane facilities on the public street.
- d. Vehicle storage area between the street and any turning or parking maneuvers within the development.
- e. Distance from intersections.
- f. Distance from other driveways.
- g. Traffic signalization.
- h. Pedestrian circulation.
- i. Emergency vehicle access needs.

C. Width of Driveway Entrance.

1. The minimum and maximum width shall be measured from the outside of the travel lane excluding curb or thickened edge.
2. Each traffic lane of both residential, business park, industrial and commercial driveways shall be at least 10 feet wide.
3. The minimum unobstructed business park, industrial and commercial driveway width shall be 20 feet and the maximum 30 feet. A wider driveway width may be approved by the Technical Committee where a substantial percentage of oversized vehicle traffic will exist. In this case the driveway should be sized to accommodate the largest vehicles.
4. Residential driveway dimensions shall adhere to the following chart.

Table 4-A

No. of Dwelling Units	Minimum Unobstructed Width in Feet	Maximum Width in Feet*
1	10**	20
2	10**	20
3 – 4	20	24
5 or more	20	***

*In the case where medians are used in driveway entrances, greater width may be required.

**If access corridor is over 50 feet see subsection II(B)(2)(a) of this appendix.

***Refer to Tables 1-H, 1-I and 1-J.

Exhibit 9

Appendix: Construction Specification and Design Standards for Streets and Access

D. Location and Number of Driveways.

1. Driveways shall be limited to one per parcel per street frontage, except that the following is permitted subject to the approval of the Technical Committee: one driveway for each 150 feet of local street frontage, or three driveways for two lots having common parking, as provided in RCDG 20D.130.10-040(1).
2. The City shall not permit any driveway within 150 feet of the near-side face of the curb of the intersecting street or from any other such driveway. In the event it is either impossible or undesirable to separate by 150 feet, then driveways shall be located as far away from the near-side of curb of the intersecting street or any other such driveway. Separations less than 150 feet shall obtain approval from the Technical Committee. The separation requirement shall typically not be applied between single-family driveways on local streets.
3. Whenever practical, abutting property owners shall make joint use of driveways.
4. Distances between driveways and/or intersections shall be measured from the nearest edge between the driveways and/or intersections.
5. Driveways directly giving access onto arterials are not permitted if alternate access is available.
6. Driveways shall not be permitted where, in the judgment of the Technical Committee, dangerous or confusing traffic patterns would result.
7. Driveways shall be aligned wherever possible with existing driveways on the opposite side of the street. This requirement shall typically not be applied between single-family driveways.
8. Offset driveways where left turns may conflict shall be separated by at least 150 feet unless approved otherwise by the Technical Committee.

E. Conditions of Approval.

1. All abandoned driveway areas on the street frontage to be improved shall be removed and the curbing and sidewalk shall be restored to City standards.
2. Maintenance of driveways shall be the responsibility of the owner whose property they serve.
3. Left turns to and from a driveway may be restricted if such maneuvers are found to be hazardous.
4. Driveways shall have space adequate to substantially eliminate traffic backup on public streets.
5. Concrete crosswalks, per the City of Redmond Standard Details, are required across all driveways intersecting minor or principal arterials.

Exhibit 10

Appendix: Design Requirements for Water and Wastewater System Extensions

I. General.

- A. Purpose. The purpose of these design standards is to provide engineers, designers, draftsmen, inspectors and others with a reference to City of Redmond's requirements for the design and installation of improvements to the water and sewer systems. No extension or modifications to the City's utility system shall be made without the approval of construction drawings prepared in accordance with these standards.

The design standards included herein are intended to result in utility systems which will:

1. Provide the needed source, storage and distribution facilities system to maintain desirable levels of service during periods of maximum use.
2. Provide the needed sewer facilities to carry all anticipated sewage flows within a basin.
3. Conform to the City's Water System Plan and General Sewer Plan.
4. Be of material strong enough to resist all expected loads, both internal and external, in order to preserve the purity and potability of the water supply and protect ground and surface waters from the escape of wastewater.
5. Be safe and economical to maintain.

Alternate materials and methods will be considered for approval on the basis of these objectives and conformance to all requirements indicated elsewhere in these standards.

- B. Revisions to These Requirements. It is anticipated that revisions to these requirements will be made from time to time. The date appearing on the title page is the date of latest revision. Users should be sure that they are using the most recent revision to these requirements. This edition was approved in January, 2000. Contact the Public Works Department Water/Wastewater Division to ensure this copy is the most current edition.
- C. Referenced Standards. Reference herein is made to the latest edition of standards, tests, methods, and specifications of research as follows:
1. American Standards, prepared by the American Water Works Association (AWWA).
 2. American National Standards, prepared by the American National Standards Institute (ANSI).
 3. Standard Specifications, prepared by the American Society for Testing and Materials (ASTM).
 4. Federal Specification, prepared by the Federal Government (FS).
 5. Guide Book for Determination of Required Fire Flow and Grading Schedule for Municipal Fire Protection, prepared by the Insurance Services Office (ISO).
 6. Standard Specifications for Road, Bridge and Municipal Construction, prepared by the Washington State Chapter, American Public Works Association (APWA) as modified by the Water/Wastewater Division.
 7. Rules and Regulations of the State Board of Health Regarding Public Water Systems, prepared by the Water Supply and Waste Section, Health Services Division, State of Washington Department of Health (DOH), latest edition.
 8. City of Redmond Standards, Specifications and Details, prepared by the City of Redmond.
 9. Criteria for Sewage Works Design prepared by the State of Washington Department of Ecology.
 10. City of Redmond Design Requirements – Water and Wastewater System Extensions.

Exhibit C

TEMPORARY USES

010 Purpose.

The following provisions authorizing and regulating certain temporary uses are intended to permit temporary uses and structures when consistent with the Development Guide and when safe and compatible with the general vicinity and adjacent uses.

020 Scope.

- (1) A short term temporary use permit shall be required for any temporary use of no more than six months in duration. A short-term temporary use permit shall be valid for a fixed period up to a maximum of six months from the date the permit is issued. Applications for a short-term temporary use permit (six months or less) shall follow the procedures for a Type I review pursuant to RCDG 20F.30.30 or as modified herein. Short-term temporary use permits shall not be renewed and any temporary use that will extend beyond six months shall be conducted only after approval of a long-term temporary use permit.
- (2) A long term temporary use permit shall be required for any temporary use longer than six months in duration. A ~~long term temporary~~ long term temporary use permit shall be valid for a maximum of two years from the date the permit is issued or the end of the permit activity, whichever comes first. Applications for a long term temporary ~~long term temporary~~ use permit (longer than six months) shall follow the procedures for a Type V review pursuant to RCDG 20F.30.50.
- (3) A ~~long term temporary~~ long term temporary use permit may be renewed ~~once~~, provided that:
 - (a) The permit renewal must be applied for in advance of the expiration of the original term;
 - (b) The permit renewal shall follow the procedures for a Type V review pursuant to RCDG 20F.30.50;
 - (c) The applicant shall pay a renewal fee equal to that prescribed by Council resolution for a new ~~long term temporary~~ long term temporary use permit; and
 - (d) The application for renewal meets the Decision Criteria outlined in RCDG 20D.190.10-030(1);
 - (e) The renewal may be conditioned upon the construction or installation of such improvements that are necessary to serve the temporary use and to mitigate impacts of the temporary use, taking into account the duration of the use.

Exhibit C

- (f) A long-term temporary use permit may be renewed for one or more additional two-year renewal terms if the conditions of this subsection are met at the time of such renewal.
- (4) Upon expiration of the initial term of a short or ~~long-term temporary~~ long term temporary use permit or upon the expiration of any renewal term of a long term temporary ~~long-term temporary~~ use permit, either
- (a) The temporary use shall immediately cease and the property on which the use was located shall be restored as nearly as practicable to the state it was in prior to commencement of the temporary use, or,
- (b) If the applicant has applied for and received all permits necessary to make such temporary use permanent, the temporary use may continue until any necessary construction under such permits is completed and the use meets all requirements for a permanent use of the property as long as the applicant diligently pursues completion of the improvements and compliance with the requirements.
- (5) The following types of temporary uses, activities and associated structures may be authorized, subject to specific limitations noted herein and as noted in RCDG 20D.190.10-030 and as may be established by the Administrator:
- (a) Outdoor art and craft shows and exhibits;
- (b) Retail sales such as Christmas trees, seasonal retail sale of agricultural or horticultural products, firewood, seafood, etc.;
- (c) Mobile services such as veterinary services for purposes of giving shots;
- (d) Vending cart. No mechanical, audio or noise-making devices, nor loud shouting or yelling, will be permitted to attract attention;
- (e) Group retail sales such as swap meets, flea markets, parking lot sales, Saturday Market, auctions, etc.;
- (f) Temporary encampments that comply with the conditions outlined in this chapter;(g) Temporary parking lots used during construction or site development;
- ~~(g)~~(h) The Planning Director may authorize additional temporary uses not listed in this subsection, when it is found that the proposed uses are in compliance with the provisions pursuant to this chapter.
- (6) Exemptions. The following activities and structures are exempt from requirements to obtain temporary use approval:

Exhibit C

- (a) Portable units, or modular structures when used to provide temporary classrooms at schools, provided that adequate sewer and water service is available;
- (b) ~~Mobile homes, portable units, modular structures, travel trailers and recreational vehicles when used as temporary housing for residents or guests of single family homes, provided that adequate sewer and water is available and provided that the requirements of 20D.130.050(2) are met for any travel trailer or recreational vehicle;~~

Mobile homes, portable units, modular structures, travel trailers when used as a dwelling while a residential building on the same lot is being constructed or when a damaged residential building is being repaired, when adequate sewer and water is available.

- (c) Mobile homes when used for housing elderly or disabled relatives of the occupant of an existing residence, when such relative require constant supervision and care and when adequate sewer and water is available.
- (d) Mobile homes, portable units, modular structures, or travel trailers when used to support construction or site development.
- (e) Guests of Redmond residents in recreational vehicles when in compliance with RCDG 20D.130.10-050;
- (d f) Recycling and collection centers that meet all of the following requirements:
 - (i) Containers and structures shall be located on private property and not on public rights-of-way. The property owner's approval must be obtained, and the Planning Department notified that the structure will be located at that site;
 - (ii) Structures shall not interfere with traffic circulation or visibility at intersections;
 - (iii) The owner's name and telephone number shall be clearly posted on the structure or container;
 - (iv) If located in a parking area, the structures or containers shall take up no more than three parking stalls. One collection structure and associated staff booth are allowed in parking lots of 200 stalls or less and one additional container and staff booth for every additional 200 stalls;
- (g) Model homes or apartments and related real estate sales and display activities located within the subdivision or residential development to which they pertain;

Exhibit C

- (h) Garage sales, moving sales, and similar activities for the sale of personal belongings when operated not more than three days in the same week and not more than twice in the same calendar year. Allowed in all residential zoning districts;
- (i) Fund raising carwashes that meet the requirements for discharge of wastewater established by the City of Redmond Natural Resources Division;
- (j) Motorized catering such as popsicle/ice cream scooters and self-contained lunch wagons that remain at one location for no more than three hours per day;
- (k) Circuses, carnivals, fairs, or similar transient amusement or recreational activities. Such uses are subject to Chapter 5.28 RMC, Shows, Carnivals and Circuses;
- (l) Activities, vendors and booths associated with City of Redmond sponsored or authorized special events;
- (m) Individual booths in an approved temporary use site for group retail identified under subsection (3)(e) of this section;
- (n) Weekend (Saturday and Sunday) only, warehouse sales in Business Park, Manufacturing Park, and Industry zoning districts, when held no more than once a month in an existing facility.

030 Decision Criteria.

- (1) Temporary uses may be authorized only when all the following determinations can be made:
 - (a) The temporary use will not impair the normal, safe, and effective operation of a permanent use on the same site.
 - (b) The temporary use will not significantly impact public health, safety or convenience, or create traffic hazards or congestion, or otherwise interrupt or interfere with the normal conduct or uses and activities in the vicinity.
 - (c) ~~The temporary use is consistent with the underlying zoning of the property on which it is to be located.~~

The temporary use will not be materially detrimental to the surrounding uses in terms of traffic, noise, and other external effects.

- (2) General Conditions.

Exhibit C

- (a) A temporary use conducted in a parking facility shall not occupy or remove from availability more than 25 percent of the spaces required for the permanent use.
 - (b) Each site occupied by a temporary use must provide or have available sufficient parking and vehicular maneuvering area for customers or other users. Such parking need not comply with RCDG 20D.130.10-050, Parking, but must provide safe and efficient interior circulation and ingress and egress to and from public rights-of-way.
 - (c) The temporary use shall comply with all applicable standards of the Seattle-King County Health Department.
 - (d) No temporary use shall occupy or use public parks in any manner unless specifically approved by the Parks Department.
 - (e) All temporary uses shall obtain, prior to occupancy of the site, all applicable City of Redmond permits, licenses and other approvals (i.e., business license, building permit, administrative approvals, etc.).
 - (d) The applicant for a temporary use shall supply written authorization from the owner of the property on which the temporary use is located.
 - (e) Each site occupied by a temporary use shall be left free of debris, litter, or other evidence of the temporary use upon completion of removal of the use.
 - (f) All materials, structures and products related to the temporary use must be removed from the premises between days of operation on the site, provided that materials, structures and products related to the temporary use may be left on site overnight between consecutive days of operation. By virtue of having been in consistent operation prior to the existence of the ordinance codified in this chapter, the open air craft and farmer's market operation, commonly known as the Saturday Market, shall be allowed to store structures on site between weekly activity of the market, but such structures must be reviewed by the Administrator annually and permission to leave them in place between market sessions may be denied if they become a visual blight, safety, or health problem. They shall be removed at the end of the permit period.
 - (g) Additional conditions may be established as necessary to ensure land use compatibility and to minimize potential impacts on nearby uses. These include, but are not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirement for screening or enclosure, and guarantees for site restoration and cleanup following temporary uses.
- (3) Temporary encampments must also meet the following criteria:

Exhibit C

- (a) The applicant shall apply for a temporary use permit at least 30 days before the planned opening of the temporary encampment.
 - (b) The encampment shall be limited to a maximum of 100 persons. After the encampment reaches its 100-person capacity, individuals who arrive after sundown (and meet all screening criteria) will be allowed to stay for one night, after which they will not be permitted entry until a vacancy is available. Such occurrences shall be logged and reported to the City on a weekly basis.
 - (c) A temporary encampment shall be limited to a maximum of 110 days within any 365-day time period at one location. This 110-day time limit shall control over the six-month time limit specified for short-term temporary uses in RCDG 20D.190.10-020(1).
 - (d) The encampment or the parking of any vehicles associated with the application shall not displace the host site's parking lot in such a way that the host site no longer meets the minimum or required parking of the principal use as required by code or previous approvals unless an alternative parking plan has been approved by the Planning Director.
 - (e) The temporary encampment managing organization shall maintain a resident log for all who are residing at the encampment. Such log shall be kept on site at the encampment. Prospective encampment residents shall be asked to provide a reasonable form of identification when signing the log.
 - (f) The Planning Director may impose additional conditions for the purpose of maintaining the health, safety, and welfare of people in and around the temporary encampment, relating but not limited to any or all of the following:
 - (i) Encampment resident code of conduct;
 - (ii) The presence of minors in the encampment;
 - (iii) The provision of transportation to/from the encampment; and
 - (iv) Setbacks and screening.
- (4) Temporary encampments shall be processed as a Type I Permit with the following modifications:
- (a) A Notice of Application shall be mailed and posted on site meeting the standards outlined in RCDG 20F.30.35-020(1) through 20F.30.35-020(3)(x).
 - (b) Posting of the Notice of Application shall meet the standards outlined in RCDG 20F.30.35-020(4) and (5).

Exhibit C

- (c) A minimum of one Major Land Use Action Sign shall be posted on site meeting the requirements outlined in RCDG 20F.30.40-020(4)(c).
- (d) Prior to the decision on the application for a temporary encampment, the Administrator shall require that a neighborhood meeting be held.
- (5) Emergencies. The Administrator may waive these requirements when a natural or manmade disaster necessitates the immediate establishment of a temporary encampment.

N:\RCDG Update\Phase II rewrite\01 - Misc. Uses\DRAFT Code\Temporary Uses 12-7.DOC

ORDINANCE NO. 2118

AN ORDINANCE OF THE CITY OF REDMOND,
WASHINGTON, AMENDING THE ADMINISTRATION
AND PROCEDURES CHAPTERS IN TITLE 20F OF THE
REDMOND MUNICIPAL CODE AND THE REDMOND
COMMUNITY DEVELOPMENT GUIDE, AND
ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Redmond Comprehensive Plan Policy LU-128 directs the City to adopt and maintain development regulations that implement the City's plans and are clear and not duplicative; and

WHEREAS, recently adopted regulations within Title 20F of the Redmond Community Development Guide contain inconsistencies, creating confusion when applying these regulations; and

WHEREAS, adopting amendments to Title 20F of the Redmond Community Development Guide would eliminate this confusion and duplication; and

WHEREAS, the Planning Commission has held a public hearing on this proposed ordinance and recommends that it be adopted; and

WHEREAS, the City Council of the City of Redmond desires to improve the city's development regulations and acknowledges that this ordinance is for the benefit of the public health, safety, and welfare,

NOW, THEREFORE,

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

Section 1. Adoption of Findings and Conclusions. After carefully reviewing the record and considering the evidence, analysis, and arguments in the record, the City Council hereby adopts the findings and conclusions in the *Planning Commission Report DGA 01-005, 20F Revisions* (January 16, 2002)

Section 2. Revised Administration and Procedures. A new title, Title 20F, Administration and Procedures, is hereby adopted as part of the Redmond Municipal Code and Redmond Community Development Guide to read as set forth in Attachment A. attached hereto and incorporated herein by this reference as if set forth in full.

Section 3. Repeal of Replaced Regulations. Title 20F, Administration and Procedures, of the Redmond Community Development Guide and Redmond Municipal Code is hereby repealed, having been replaced by the regulations adopted in Section 2 above.

Section 4. Repeal of Replaced Regulations. Section 20D.170.55, *Essential Public Facilities*, of the Redmond Community Development Guide and Redmond Municipal Code is hereby repealed, having been replaced by the regulations adopted in Ordinance 2102 in Section 20F.40.80, *Essential Public Facilities*.

Section 5. Amendment of Section 20D.190.10-040 (5), Temporary Use. Section 20D.190.10-040(5), *Temporary Use*, is hereby amended to read as follows:

“No short-term temporary use shall occupy or operate within the City of Redmond for more than 6 months within any calendar year unless approved by the City Council under a long-term temporary use permit. A day of operation shall mean any or part of any day in which the business is conducted. The 6 months need not run consecutively. The 6 months may occur at any time within a calendar year as long as each day is designated and approved. “

Section 6. Severability. If any section, sentence, clause, or phrase of this ordinance or any tax or law adopted or amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance or any tax or law adopted by amended hereby.

Section 7. Effective Date. This ordinance, being an exercise of a power specifically delegated to the city legislative body, is not subject to referendum, and shall take effect five days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND

/S/ MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:
/S/ CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:
By: /S/ JAMES E. HANEY

FILED WITH THE CITY CLERK:	January 31, 2002
PASSED BY THE CITY COUNCIL:	February 5, 2002
SIGNED BY THE MAYOR:	February 5, 2002
PUBLISHED:	February 9, 2002
EFFECTIVE DATE:	February 14, 2002
ORDINANCE NO.:	<u>2118</u>

ORDINANCE NO. 2424

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING RCDG 20A.20.200, 20D.190, 20D.170.65, AND 20F.40.170 IN ORDER PROVIDE DEFINITIONS, REQUIREMENTS, AND PROCEDURES FOR PERMITTING TEMPORARY USES AND TEMPORARY ENCAMPMENTS WITHIN THE CITY AND IN ORDER TO ELIMINATE DUPLICATIVE CODE AND CLARIFY RECREATIONAL CAMPING AS AN UNCLASSIFIED USE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Redmond Community Development Guide (RCDG) authorizes temporary uses and structures in a limited number of situations, and

WHEREAS, during the review and appeal process for a temporary use permit for a homeless encampment in 2006, it became apparent that there were structural and clarity issues with the existing code on temporary uses, and

WHEREAS, in response to the structural and clarity issues, the City planning staff prepared changes to the code and on July 24, 2008, a community meeting was held to introduce the proposed code changes to the public, and

WHEREAS, the Redmond Planning Commission began its review of the proposed code changes on August 13, 2008, and the Planning Commission held a public hearing on the proposed changes on August 20, 2008, and

WHEREAS on October 15, 2008, the Redmond Planning Commission made its final recommendations on proposed changes to the City's temporary use regulations,

WHEREAS, the Redmond City Council considered the Planning Commission's recommendations on November 3, 2008, and has determined to adopt the code changes set forth in this ordinance.

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

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City Code.

Section 2. Amendment of Section - Definitions. RCDG 20 A.20.200, is hereby amended by adding the following definitions:

Temporary Encampment.

A group of persons temporarily residing out of doors for other than recreational purposes with services provided by a temporary encampment sponsor and supervised by a temporary encampment managing organization.

Temporary Encampment Sponsor.

A local group or organization that has an agreement with the temporary encampment managing organization to provide basic services and support for the residents of a temporary encampment and liaison with the surrounding community and joins with the managing agency in an application for a temporary use permit. A "sponsor" may be the same entity as the managing organization.

Temporary Encampment Managing Organization.

An organization that has the capacity to organize and manage a temporary encampment. A "managing agency" may be the same entity as the temporary encampment sponsor.

Temporary Use.

A specific use that is allowed for a limited duration and/or frequency through the approval of a Temporary Use Permit.

Section 3. Amendment of Section. RCDG 20D.170.65-010,

Unclassified Uses, is hereby amended to read as follows:

20D.170.65-010 Purpose.

Unclassified uses are those uses possessing unique and special characteristics which prevent them from being permitted outright in any zone of the City and those uses not consistent, overlooked or inadvertently omitted from the permitted land uses charts in RCDG Title 20C. Unclassified uses may be permitted only after a special development permit has been approved and subject to any conditions imposed to mitigate the impacts of the use. (See also RCDG 20F.40.080, Essential Public Facilities.) Unclassified uses include the following:

- (1) Nature exhibits, zoos, aquariums, botanical gardens, amusement parks;
- (2) Recreational [C]camping sites, hunting and gun clubs, ranges, paint ball facilities;
- (3) Cemeteries, mausoleums;
- (4) University and college facilities;
- (5) Disposal, processing, treatment plants;
- (6) Other uses not specified elsewhere in the Development Code.

Section 4. Amendment of Section. RCDG 20D.190.10,

Temporary Use Regulations, is hereby amended to read as follows:

20D.190.10 Temporary Uses.

20D.190.10-010 Purpose.

The following provisions authorizing and regulating certain temporary uses are intended to permit temporary uses and structures when consistent with the Development Guide and when safe and compatible with the general vicinity and adjacent uses.

~~[20D.190.10-020 APPLICATION AND AUTHORIZATION.~~

~~(1) APPLICATION TO CONDUCT A TEMPORARY USE SHALL BE MADE TO THE PLANNING DEPARTMENT, AND SHALL INCLUDE SUCH INFORMATION AS THE PLANNING DIRECTOR MAY REQUIRE TO EVALUATE THE USE AND TO MAKE THE DETERMINATIONS REQUIRED BY THESE PROVISIONS.~~

~~(2) APPLICATION SHALL BE MADE PRIOR TO THE REQUESTED DATE FOR COMMENCEMENT OF THE TEMPORARY USE, AND THE PLANNING DIRECTOR SHALL MAKE A DETERMINATION WHETHER TO APPROVE, APPROVE CONDITIONALLY, OR TO DENY THE TEMPORARY USE WITHIN 10 DAYS AFTER THE DATE OF APPLICATION.~~

~~(3) AUTHORIZATION OF A TEMPORARY USE SHALL BE BY ISSUANCE OF AN APPROVAL LETTER.]~~

20D.190.10-025 Scope.

(1) A short-term temporary use permit may only be valid for a maximum of six months. Applications for a short-term temporary use permit (six months or less) shall follow the procedures for a Type I review pursuant to RCDG 20F.30.30 or as modified herein.

(2) A long-term temporary use permit may only be valid for the time period specified by the City Council. If the permit must be renewed, the applicant must apply for a new temporary use permit. Applications for a long-term temporary use permit (longer than six months) shall follow the procedures for a Type V review pursuant to RCDG 20F.30.50.

(3) The following types of temporary uses, activities and associated structures may be authorized, subject to specific limitations noted herein and as noted in RCDG 20D.190.10-030 and as may be established by the Administrator:

(a) Outdoor art and craft shows and exhibits;

(b) Retail sales such as Christmas trees, seasonal retail sale of agricultural or horticultural products, firewood, seafood, etc;

(c) Mobile services such as veterinary services for purposes of giving shots;

(d) Push cart vendors. No mechanical, audio or noise-making devices, nor loud shouting or yelling will be permitted to attract attention;

(e) Group retail sales such as swap meets, flea markets, parking lot sales, Saturday Market, auctions, etc.;

(f) Temporary encampments which comply with the conditions outlined in RCDG 20D.190;

(g) The Planning Director may authorize additional temporary uses not listed in this subsection, when it is found that the proposed uses are in compliance with the provisions pursuant to RCDG 20D.190.

(4) Exemptions. The following activities and structures are exempt from requirements to obtain temporary use approval:

(a) A mobile home or travel trailer in the Light Industry and Heavy Industry zones to house watchmen or caretakers when approved by the Administrator;

(b) A mobile home or travel trailer with adequate water and sewer service used as a dwelling

while a residential building on the same lot is being constructed or while a damaged residential building is being repaired;

(c) When elderly or disabled relatives of the occupant of an existing residence require constant supervision and care, a mobile home with adequate water and sewer services located adjacent to such residences may be permitted to house the relatives;

(d) Recycling and collection centers shall meet the following requirements:

(i) Containers and structures shall be located on private property and not on public rights-of-way. The property owner's approval must be obtained, and the Planning Department notified that the structure will be located at that site.

(ii) Structures shall not interfere with traffic circulation or visibility at intersections.

(iii) The owner's name and telephone number shall be clearly posted on the structure or container.

(iv) If located in a parking area, the structures or containers shall take up no more than three parking stalls. One collection structure and associated staff booth are allowed in parking lots of

200 stalls or less and one additional container and staff booth for every additional 200 stalls.

(e) Mobile homes, residences or travel trailers used for occupancy by supervisory and security personnel on the site of an active construction project;

(f) Portable units and mobile homes on school sites or other public facilities when approved by the Administrator;

(g) Guests of Redmond residents in recreational vehicles when in compliance with RCDG20D.130.10.050(2);

(h) Model homes or apartments and related real estate sales and display activities located within the subdivision or residential development to which they pertain;

(i) Contractor's office, storage yard, and equipment parking and servicing on the site of an active construction project;

(j) Home businesses in conformance with RCDG 20C.30.060, Home Businesses;

(k) Garage sales, moving sales, and similar activities for the sale of personal belongings when operated not more than three days in the same week and

not more than twice in the same calendar year. Allowed
in all residential zoning districts;

(l) Fund-raising carwashes;

(m) Vehicular or motorized catering such as
popsicle/ice cream scooters and self-contained lunch
wagons which cater to construction sites or
manufacturing facilities;

(n) Circuses, carnivals, fairs, or similar
transient amusement or recreational activities. Such
uses are subject to Chapter 5.28 RMC, Shows, Carnivals
and Circuses;

(o) Activities, vendors and booths
associated with City of Redmond sponsored or
authorized special events such as the Redmond Derby
Days or Redmond Bike Classic;

(p) On-premises activities or existing
businesses in compliance with outdoor storage
requirements;

(q) Individual booths in an approved
temporary use site for group retail identified under
RCDG 20D.190.10-020(e).

(r) Weekend (Saturday and Sunday) only,
warehouse sales when held no more than once a month in

an existing facility. Allowed in Light Industry, Heavy Industry and Business Park zoning districts.

20D.190.010-030 Decision Criteria.

(1) The [PLANNING—DIRECTOR] Administrator may authorize temporary uses after consultation and coordination with all other applicable City departments and other agencies and only when all of the following determinations can be made:

~~+(1)+~~ (a) The temporary use will not impair the normal, safe, and effective operation of a permanent use on the same site.

~~+(2)+~~ (b) The temporary use will be compatible with uses in the general vicinity and on adjacent properties.

~~+(3)+~~ (c) The temporary use will not significantly impact public health, safety or convenience, or create traffic hazards or congestion, or otherwise interrupt or interfere with the normal conduct or uses and activities in the vicinity.

~~+(4)+~~ (d) The use and associated structures will be conducted and used in a manner compatible with the surrounding area.

~~+(5)+~~ (e) The temporary use shall comply with the goals, policies and standards of the Development Guide.

(2) General Conditions.

(a) A temporary use conducted in a parking facility shall not occupy or remove from availability more than 25 percent of the spaces required for the permanent use.

(b) Each site occupied by a temporary use must provide or have available sufficient parking and vehicular maneuvering area for customers. Such parking need not comply with RCDG 20D.130.10-050, Parking, but must provide safe and efficient interior circulation and ingress and egress to and from public rights-of-way.

(c) The temporary use shall comply with all applicable standards of the Seattle-King County Health Department.

(d) No temporary use shall occupy or use public parks in any manner unless specifically approved by the Parks Department.

(e) No short-term temporary use shall occupy or operate within the City of Redmond for more than six months within any calendar year unless

approved by the City Council under a long-term temporary use permit. A day of operation shall mean any or part of any day in which the business is conducted. The six months need not run consecutively. The six months may occur at any time within a calendar year as long as each day is designated and approved.

(f) All temporary uses shall obtain, prior to occupancy of the site, all applicable City of Redmond permits, licenses and other approvals (i.e., business license, building permit, administrative approvals, etc.).

(g) The applicant for temporary use shall supply written authorization from the owner of property on which the temporary use is located.

(h) Each site occupied by a temporary use shall be left free of debris, litter, or other evidence of the temporary use upon completion of removal of the use.

(i) All materials, structures and products related to the temporary use must be removed from the premises between days of operation on the site; provided, that materials, structures and products related to the temporary use may be left on-site overnight between consecutive days of operation. By

virtue of having been in consistent operation prior to the existence of the ordinance codified in this chapter the open air craft and farmer's market operation, commonly known as the Saturday Market, shall be allowed to store structures on-site between weekend activity of the market, but such structures must be reviewed by the Administrator annually and permission to leave them in place between market sessions may be denied if they become a visual blight, safety, or health problem. They shall be removed at the end of the permit period.

(j) The Administrator may establish such additional conditions as may be deemed necessary to ensure land use compatibility and to minimize potential impacts on nearby uses. These include but are not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirement for screening or enclosure, and guarantees for site restoration and cleanup following temporary uses.

(3) Temporary Encampments must also meet the following criteria:

(a) The applicant shall apply for a temporary use permit at least 30 days before the planned opening of the temporary encampment.

(b) The encampment shall be limited to a maximum of 100 persons. After the encampment reaches its 100 person capacity, individuals who arrive after sundown (and meet all screening criteria) will be allowed to stay for one night, after which they will not be permitted entry until a vacancy is available. Such occurrences shall be logged and reported to the City on a weekly basis.

(c) A temporary encampment shall be limited to a maximum of 110 days within any 365 day time period at one location.

(d) The encampment or the parking of any vehicles associated with the application shall not displace the host site's parking lot in such a way that the host site no longer meets the minimum or required parking of the principle use as required by code or previous approvals unless an alternative parking plan has been approved by the Planning Director.

(e) The Temporary Encampment Managing Organization shall maintain a resident log for all who

are residing at the encampment. Such log shall be kept onsite at the encampment. Prospective encampment residents shall be asked to provide a reasonable form of identification when signing the log.

(f) The Planning Director may impose additional conditions for the purpose of maintaining the health, safety, and welfare of people in and around the temporary encampment, relating but not limited to any or all of the following:

(i) Encampment resident code of conduct;

(ii) The presence of minors in the encampment;

(iii) The provision of transportation to/from the encampment; and,

(iv) Setbacks and screening.

(4) Temporary Encampments shall be processed as a Type I Permit with the following modifications:

(a) A Notice of Application shall be mailed and posted on-site meeting the standards outlined in 20F.30.35-020(1) - 20F.30.35-020(3)(x).

(b) Posting on the Notice of Application shall meet the standards outlined in 20F.30.35-020(4) and (5).

(c) A minimum of one Major Land Use Action Sign shall be posted on-site meeting the requirements outlined in 20F.30.40-030(4)(c).

(d) Prior to the decision on the application for a Temporary Encampment, the Administrator shall require that a neighborhood meeting be held.

(5) Emergencies. The Administrator may waive these requirements when a natural or manmade disaster necessitates the immediate establishment of a temporary encampment.

~~[20D.190.10-040 GENERAL CONDITIONS.~~

~~(1) A TEMPORARY USE CONDUCTED IN A PARKING FACILITY SHALL NOT OCCUPY OR REMOVE FROM AVAILABILITY MORE THAN 25 PERCENT OF THE SPACES REQUIRED FOR THE PERMANENT USE.~~

~~(2) EACH SITE OCCUPIED BY A TEMPORARY USE MUST PROVIDE OR HAVE AVAILABLE SUFFICIENT PARKING AND VEHICULAR MANEUVERING AREA FOR CUSTOMERS. SUCH PARKING NEED NOT COMPLY WITH RCDC 20D.130.10-050, PARKING, BUT MUST PROVIDE SAFE AND EFFICIENT INTERIOR CIRCULATION AND INGRESS AND EGRESS TO AND FROM PUBLIC RIGHTS OF WAY.~~

~~(3) THE TEMPORARY USE SHALL COMPLY WITH ALL APPLICABLE STANDARDS OF THE SEATTLE-KING COUNTY HEALTH DEPARTMENT.~~

~~(4) NO TEMPORARY USE SHALL OCCUPY OR USE PUBLIC PARKS IN ANY MANNER UNLESS SPECIFICALLY APPROVED BY THE PARKS DEPARTMENT.~~

~~(5) NO SHORT TERM TEMPORARY USE SHALL OCCUPY OR OPERATE WITHIN THE CITY OF REDMOND FOR MORE THAN SIX MONTHS WITHIN ANY CALENDAR YEAR UNLESS APPROVED BY THE CITY COUNCIL UNDER A LONG TERM TEMPORARY USE PERMIT. A DAY OF OPERATION SHALL MEAN ANY OR PART OF ANY DAY IN WHICH THE BUSINESS IS CONDUCTED. THE SIX MONTHS NEED NOT RUN CONSECUTIVELY. THE SIX MONTHS MAY OCCUR AT ANY TIME WITHIN A CALENDAR YEAR AS LONG AS EACH DAY IS DESIGNATED AND APPROVED.~~

~~(6) ALL TEMPORARY USES SHALL OBTAIN, PRIOR TO OCCUPANCY OF THE SITE, ALL APPLICABLE CITY OF REDMOND PERMITS, LICENSES AND OTHER APPROVALS (I.E., BUSINESS LICENSE, BUILDING PERMIT, ADMINISTRATIVE APPROVALS, ETC.)~~

~~(7) THE APPLICANT FOR TEMPORARY USE SHALL SUPPLY WRITTEN AUTHORIZATION FROM THE OWNER OF PROPERTY ON WHICH THE TEMPORARY USE IS LOCATED.~~

~~(8) EACH SITE OCCUPIED BY A TEMPORARY USE SHALL BE LEFT FREE OF DEBRIS, LITTER, OR OTHER EVIDENCE OF THE TEMPORARY USE UPON COMPLETION OF REMOVAL OF THE USE.~~

~~(9) ALL MATERIALS, STRUCTURES AND PRODUCTS RELATED TO THE TEMPORARY USE MUST BE REMOVED FROM THE PREMISES BETWEEN DAYS OF OPERATION ON THE SITE, PROVIDED THAT MATERIALS, STRUCTURES AND PRODUCTS RELATED TO THE TEMPORARY USE MAY BE LEFT ON SITE OVERNIGHT BETWEEN CONSECUTIVE DAYS OF OPERATION. BY VIRTUE OF HAVING BEEN IN CONSISTENT OPERATION PRIOR TO THE EXISTENCE OF THE ORDINANCE CODIFIED IN THIS CHAPTER THE OPEN AIR CRAFT AND FARMER'S MARKET OPERATION, COMMONLY KNOWN AS THE SATURDAY MARKET, SHALL BE ALLOWED TO STORE STRUCTURES ON SITE BETWEEN WEEKEND ACTIVITY OF THE MARKET, BUT SUCH STRUCTURES MUST BE REVIEWED BY THE DIRECTOR ANNUALLY AND PERMISSION TO LEAVE THEM IN PLACE BETWEEN MARKET SESSIONS MAY BE DENIED IF THEY BECOME A VISUAL BLIGHT, SAFETY, OR HEALTH PROBLEM. THEY SHALL BE REMOVED AT THE END OF THE PERMIT PERIOD.~~

~~(10) IF THE PLANNING DIRECTOR BELIEVES NOTICE TO ADJACENT PROPERTY OWNERS SHOULD BE MADE PRIOR TO~~

~~APPROVAL, THIS SHALL BE DONE AND THE 10 DAY APPROVAL PERIOD SHALL BE WAIVED.~~

~~(11) THE PLANNING DIRECTOR MAY ESTABLISH SUCH ADDITIONAL CONDITIONS AS MAY BE DEEMED NECESSARY TO ENSURE LAND USE COMPATIBILITY AND TO MINIMIZE POTENTIAL IMPACTS ON NEARBY USES. THESE INCLUDE BUT ARE NOT LIMITED TO, TIME AND FREQUENCY OF OPERATION, TEMPORARY ARRANGEMENTS FOR PARKING AND TRAFFIC CIRCULATION, REQUIREMENT FOR SCREENING OR ENCLOSURE, AND GUARANTEES FOR SITE RESTORATION AND CLEANUP FOLLOWING TEMPORARY USES.]~~

~~20D.190.10-050 ALLOWED TEMPORARY USES.~~

~~THE FOLLOWING TYPES OF TEMPORARY USES, ACTIVITIES AND ASSOCIATED STRUCTURES MAY BE AUTHORIZED, SUBJECT TO SPECIFIC LIMITATIONS NOTED HEREIN AND AS NOTED IN RCDG 20D.190.10-030, 20D.190.10-040, 20D.190.10-060 AND AS MAY BE ESTABLISHED BY THE PLANNING DIRECTOR.~~

~~(1) OUTDOOR ART AND CRAFT SHOWS AND EXHIBITS.~~

~~(2) RETAIL SALES SUCH AS CHRISTMAS TREES, SEASONAL RETAIL SALE OF AGRICULTURAL OR HORTICULTURAL PRODUCTS, FIREWOOD, SEAFOOD, ETC.~~

~~(3) MOBILE SERVICES SUCH AS VETERINARY SERVICES FOR PURPOSES OF GIVING SHOTS.~~

~~(4) PUSH CART VENDORS. NO MECHANICAL AUDIO OR NOISE MAKING DEVICES, NOR LOUD SHOUTING OR YELLING WILL BE PERMITTED TO ATTRACT ATTENTION.~~

~~(5) GROUP RETAIL SALES SUCH AS SWAP MEETS, FLEA MARKETS, PARKING LOT SALES, SATURDAY MARKET, AUCTIONS, ETC.~~

~~(6) THE PLANNING DIRECTOR MAY AUTHORIZE ADDITIONAL TEMPORARY USES NOT LISTED IN THIS SUBSECTION, WHEN IT IS FOUND THAT THE PROPOSED USES ARE IN COMPLIANCE WITH THE PROVISIONS OF THIS SECTION.~~

~~20D.190.10-060 EXEMPTIONS.~~

~~THE FOLLOWING ACTIVITIES AND STRUCTURES ARE EXEMPT FROM REQUIREMENTS TO OBTAIN TEMPORARY USE APPROVAL:~~

~~(1) A MOBILE HOME OR TRAVEL TRAILER IN THE LIGHT INDUSTRY AND HEAVY INDUSTRY ZONES TO HOUSE WATCHMEN OR CARETAKERS WHEN APPROVED BY RCDG 20F.20.20, SITE PLAN REVIEW, AND 20F.20.40, ENVIRONMENTAL REVIEW.~~

~~(2) A MOBILE HOME OR TRAVEL TRAILER WITH ADEQUATE WATER AND SEWER SERVICE USED AS A DWELLING WHILE A RESIDENTIAL BUILDING ON THE SAME LOT IS BEING CONSTRUCTED OR WHILE A DAMAGED RESIDENTIAL BUILDING IS BEING REPAIRED.~~

~~(3) WHEN ELDERLY OR DISABLED RELATIVES OF THE OCCUPANT OF AN EXISTING RESIDENCE REQUIRE CONSTANT SUPERVISION AND CARE, A MOBILE HOME WITH ADEQUATE WATER AND SEWER SERVICES LOCATED ADJACENT TO SUCH RESIDENCES MAY BE PERMITTED TO HOUSE THE RELATIVES.~~

~~(4) MOBILE HOMES, RESIDENCES OR TRAVEL TRAILERS USED FOR OCCUPANCY BY SUPERVISORY AND SECURITY PERSONNEL ON THE SITE OF AN ACTIVE CONSTRUCTION PROJECT.~~

~~(5) PORTABLE UNITS AND MOBILE HOMES ON SCHOOL SITES OR OTHER PUBLIC FACILITIES WHEN APPROVED BY RCDG TITLE 20F, ADMINISTRATION AND PROCEDURES.~~

~~(6) GUESTS OF REDMOND RESIDENTS IN RECREATIONAL VEHICLES WHEN IN COMPLIANCE WITH RCDG 20D.130.10-050(2).~~

~~(7) MODEL HOMES OR APARTMENTS AND RELATED REAL ESTATE SALES AND DISPLAY ACTIVITIES LOCATED WITHIN THE SUBDIVISION OR RESIDENTIAL DEVELOPMENT TO WHICH THEY PERTAIN.~~

~~(8) CONTRACTOR'S OFFICE, STORAGE YARD, AND EQUIPMENT PARKING AND SERVICING ON THE SITE OF AN ACTIVE CONSTRUCTION PROJECT.~~

~~(9) HOME BUSINESSES IN CONFORMANCE WITH RCDG
20C.30.60, HOME BUSINESSES.~~

~~(10) GARAGE SALES, MOVING SALES, AND SIMILAR
ACTIVITIES FOR THE SALE OF PERSONAL BELONGINGS WHEN
OPERATED NOT MORE THAN THREE DAYS IN THE SAME WEEK AND
NOT MORE THAN TWICE IN THE SAME CALENDAR YEAR. ALLOWED
IN ALL RESIDENTIAL ZONING DISTRICTS.~~

~~(11) FUND RAISING CARWASHES.~~

~~(12) VEHICULAR OR MOTORIZED CATERING SUCH AS
POPSICLE/ICE CREAM SCOOTERS AND SELF-CONTAINED LUNCH
WAGONS WHICH CATER TO CONSTRUCTION SITES OR
MANUFACTURING FACILITIES.~~

~~(13) CIRCUSES, CARNIVALS, FAIRS, OR SIMILAR
TRANSIENT AMUSEMENT OR RECREATIONAL ACTIVITIES. SUCH
USES ARE SUBJECT TO CHAPTER 5.28 RMC, SHOWS, CARNIVALS
AND CIRCUSES.~~

~~(14) ACTIVITIES, VENDORS AND BOOTH ASSOCIATED
WITH CITY OF REDMOND SPONSORED OR AUTHORIZED SPECIAL
EVENTS SUCH AS THE REDMOND DERBY DAYS OR REDMOND BIKE
CLASSIC.~~

~~(15) ON PREMISES ACTIVITIES OR EXISTING
BUSINESSES IN COMPLIANCE WITH OUTDOOR STORAGE
REQUIREMENTS.~~

~~(16) INDIVIDUAL BOOTHS IN AN APPROVED TEMPORARY USE SITE FOR GROUP RETAIL IDENTIFIED UNDER RCDC 20D.190.10 050(5).~~

~~(17) WEEKEND (SATURDAY AND SUNDAY) ONLY, WAREHOUSE SALES WHEN HELD NO MORE THAN ONCE A MONTH IN AN EXISTING FACILITY. ALLOWED IN LIGHT INDUSTRY, HEAVY INDUSTRY AND BUSINESS PARK ZONING DISTRICTS.~~

~~(18) RECYCLING AND COLLECTION CENTERS SHALL MEET THE FOLLOWING REQUIREMENTS:~~

~~(A) CONTAINERS AND STRUCTURES SHALL BE LOCATED ON PRIVATE PROPERTY AND NOT ON PUBLIC RIGHTS OF WAY. THE PROPERTY OWNER'S APPROVAL MUST BE OBTAINED, AND THE PLANNING DEPARTMENT NOTIFIED THAT THE STRUCTURE WILL BE LOCATED AT THAT SITE.~~

~~(B) STRUCTURES SHALL NOT INTERFERE WITH TRAFFIC CIRCULATION OR VISIBILITY AT INTERSECTIONS.~~

~~(C) THE OWNER'S NAME AND TELEPHONE NUMBER SHALL BE CLEARLY POSTED ON THE STRUCTURE OR CONTAINER.~~

~~(D) IF LOCATED IN A PARKING AREA, THE STRUCTURES OR CONTAINERS SHALL TAKE UP NO MORE THAN THREE PARKING STALLS. ONE COLLECTION STRUCTURE AND ASSOCIATED STAFF BOOTH ARE ALLOWED IN PARKING LOTS OF~~

~~200 STALLS OR LESS AND ONE ADDITIONAL CONTAINER AND STAFF BOOTH FOR EVERY ADDITIONAL 200 STALLS.~~

~~(19) FIREWORKS STANDS, WHICH COMPLY WITH CHAPTER 9.26 RMC, FIREWORKS, AND SHALL MEET THE FOLLOWING REQUIREMENTS:~~

~~(A) ONLY ONE SIGN IS ALLOWED.~~

~~(B) SIGNAGE MUST BE ATTACHED TO THE FIREWORK STAND.~~

~~(C) NO "SANDWICH" BOARD TYPE SIGNS ARE ALLOWED.~~

~~(D) ALL FIREWORK STAND OPERATIONS AND SALES MUST TAKE PLACE OUTSIDE OF LANDSCAPED AREAS AND PUBLIC RIGHTS OF WAY. (FORMERLY 20C.20.245(30))~~

~~20D.190.10 070 VARIATIONS FROM PERMITTED LAND USES CHART.~~

~~(1) ALL TEMPORARY USES SHALL CONFORM TO THE PERMITTED LAND USES CHART EXCEPT AS ALREADY PROVIDED FOR ELSEWHERE IN THESE REGULATIONS.~~

~~(2) EXCEPT, THE CITY COUNCIL MAY AUTHORIZE A TEMPORARY USE IN VIOLATION OF THE PERMITTED LAND USES CHART AFTER (A) REVIEWING A RECOMMENDATION FROM THE TECHNICAL COMMITTEE, (B) HOLDING A PUBLIC HEARING, (C)~~

~~FINDING AN UNDUE HARDSHIP, AND (D) SPECIFYING A
SPECIFIC DATE FOR TERMINATION. }~~

Section 5. Amendment of Section. RCDG 20F.40.170,
Additional Temporary Use Regulations, is hereby amended to read
as follows:

20F.40.170 Temporary Use.

20F.40.170-010 Purpose.

~~[THE FOLLOWING PROVISIONS AUTHORIZING AND REGULATING
CERTAIN TEMPORARY USES ARE INTENDED TO PERMIT
TEMPORARY USES AND STRUCTURES WHEN CONSISTENT WITH THE
DEVELOPMENT GUIDE AND WHEN SAFE AND COMPATIBLE WITH
THE GENERAL VICINITY AND ADJACENT USES.]~~ This section
establishes the criteria that the City will use in
making a decision upon an application for a temporary
use.

20F.40.170.020 Scope.

Temporary uses are intended to permit certain uses and
structures on a temporary basis when consistent with
the Development guide and when safe and compatible
with the general vicinity and adjacent uses.

~~[(1) A SHORT TERM TEMPORARY USE PERMIT MAY ONLY
BE VALID FOR A MAXIMUM OF SIX MONTHS.~~

~~(2) A LONG TERM TEMPORARY USE PERMIT MAY ONLY BE VALID FOR THE TIME PERIOD SPECIFIED BY THE CITY COUNCIL. IF THE PERMIT MUST BE RENEWED, THE APPLICANT MUST APPLY FOR A NEW TEMPORARY USE PERMIT.~~

~~(3) THE FOLLOWING TYPES OF TEMPORARY USES, ACTIVITIES AND ASSOCIATED STRUCTURES MAY BE AUTHORIZED, SUBJECT TO SPECIFIC LIMITATIONS NOTED HEREIN AND AS NOTED IN RCDC 20F.40.170-040(2) AND AS MAY BE ESTABLISHED BY THE ADMINISTRATOR.~~

~~(A) OUTDOOR ART AND CRAFT SHOWS AND EXHIBITS,~~

~~(B) RETAIL SALES SUCH AS CHRISTMAS TREES, SEASONAL RETAIL SALE OF AGRICULTURAL OR HORTICULTURAL PRODUCTS, FIREWOOD, SEAFOOD, ETC,~~

~~(C) MOBILE SERVICES SUCH AS VETERINARY SERVICES FOR PURPOSES OF GIVING SHOTS,~~

~~(D) PUSH CART VENDORS. NO MECHANICAL, AUDIO OR NOISE MAKING DEVICES, NOR LOUD SHOUTING OR YELLING WILL BE PERMITTED TO ATTRACT ATTENTION,~~

~~(E) GROUP RETAIL SALES SUCH AS SWAP MEETS, FLEA MARKETS, PARKING LOT SALES, SATURDAY MARKET, AUCTIONS, ETC.~~

~~(F) THE PLANNING DIRECTOR MAY AUTHORIZE
ADDITIONAL TEMPORARY USES NOT LISTED IN THIS
SUBSECTION, WHEN IT IS FOUND THAT THE PROPOSED USES
ARE IN COMPLIANCE WITH THE PROVISIONS OF THIS SECTION.~~

~~(4) EXEMPTIONS. THE FOLLOWING ACTIVITIES AND
STRUCTURES ARE EXEMPT FROM REQUIREMENTS TO OBTAIN
TEMPORARY USE APPROVAL:~~

~~(A) A MOBILE HOME OR TRAVEL TRAILER IN THE
LIGHT INDUSTRY AND HEAVY INDUSTRY ZONES TO HOUSE
WATCHMEN OR CARETAKERS WHEN APPROVED BY THE
ADMINISTRATOR;~~

~~(B) A MOBILE HOME OR TRAVEL TRAILER WITH
ADEQUATE WATER AND SEWER SERVICE USED AS A DWELLING
WHILE A RESIDENTIAL BUILDING ON THE SAME LOT IS BEING
CONSTRUCTED OR WHILE A DAMAGED RESIDENTIAL BUILDING IS
BEING REPAIRED;~~

~~(C) MOBILE HOMES, RESIDENCES OR TRAVEL
TRAILERS USED FOR OCCUPANCY BY SUPERVISORY AND
SECURITY PERSONNEL ON THE SITE OF AN ACTIVE
CONSTRUCTION PROJECT;~~

~~(D) PORTABLE UNITS AND MOBILE HOMES ON
SCHOOL SITES OR OTHER PUBLIC FACILITIES WHEN APPROVED
BY THE ADMINISTRATOR;~~

~~(E) GUESTS OF REDMOND RESIDENTS IN RECREATIONAL VEHICLES WHEN IN COMPLIANCE WITH RCDG 20D.130.10-050(2);~~

~~(F) MODEL HOMES OR APARTMENTS AND RELATED REAL ESTATE SALES AND DISPLAY ACTIVITIES LOCATED WITHIN THE SUBDIVISION OR RESIDENTIAL DEVELOPMENT TO WHICH THEY PERTAIN;~~

~~(G) CONTRACTOR'S OFFICE, STORAGE YARD, AND EQUIPMENT PARKING AND SERVICING ON THE SITE OF AN ACTIVE CONSTRUCTION PROJECT;~~

~~(H) HOME BUSINESSES IN CONFORMANCE WITH RCDG 20C.30.60, HOME BUSINESSES;~~

~~(I) GARAGE SALES, MOVING SALES, AND SIMILAR ACTIVITIES FOR THE SALE OF PERSONAL BELONGINGS WHEN OPERATED NOT MORE THAN THREE DAYS IN THE SAME WEEK AND NOT MORE THAN TWICE IN THE SAME CALENDAR YEAR. ALLOWED IN ALL RESIDENTIAL ZONING DISTRICTS;~~

~~(J) FUND-RAISING CARWASHES;~~

~~(K) VEHICULAR OR MOTORIZED CATERING SUCH AS POPSICLE/ICE CREAM SCOOTERS AND SELF-CONTAINED LUNCH WAGONS WHICH CATER TO CONSTRUCTION SITES OR MANUFACTURING FACILITIES;~~

~~(L) CIRCUSES, CARNIVALS, FAIRS, OR SIMILAR
TRANSIENT AMUSEMENT OR RECREATIONAL ACTIVITIES. SUCH
USES ARE SUBJECT TO CHAPTER 5.28 RMC, SHOWS, CARNIVALS
AND CIRCUSES;~~

~~(M) ACTIVITIES, VENDORS AND BOOTHS
ASSOCIATED WITH CITY OF REDMOND SPONSORED OR
AUTHORIZED SPECIAL EVENTS SUCH AS THE REDMOND DERBY
DAYS OR REDMOND BIKE CLASSIC;~~

~~(N) ON PREMISES ACTIVITIES OR EXISTING
BUSINESSES IN COMPLIANCE WITH OUTDOOR STORAGE
REQUIREMENTS;~~

~~(O) INDIVIDUAL BOOTHS IN AN APPROVED
TEMPORARY USE SITE FOR GROUP RETAIL IDENTIFIED UNDER
RCDC 20D.190.10-050(5);~~

~~(P) WEEKEND (SATURDAY AND SUNDAY) ONLY,
WAREHOUSE SALES WHEN HELD NO MORE THAN ONCE A MONTH IN
AN EXISTING FACILITY. ALLOWED IN LIGHT INDUSTRY, HEAVY
INDUSTRY AND BUSINESS PARK ZONING DISTRICTS.]~~

20F.40.170-030 Procedure.

(1) Applications for a short-term temporary use permit (six months or less) shall follow the

procedures for a Type I review pursuant to RCDG 20F.30.30.

(2) Applications for a long-term temporary use permit (longer than six months) shall follow the procedures for a Type V review pursuant to RCDG 20F.30.50.

(3) Application shall be made prior to the requested date for commencement of the temporary use.

20F.40.170-040 Decision Criteria.

Decision criteria for a temporary use are outlined in RCDG 20D.190.

~~{(1) THE ADMINISTRATOR MAY AUTHORIZE TEMPORARY USES AFTER CONSULTATION AND COORDINATION WITH ALL OTHER APPLICABLE CITY DEPARTMENTS AND OTHER AGENCIES AND ONLY WHEN ALL THE FOLLOWING DETERMINATIONS CAN BE MADE:~~

~~(A) THE TEMPORARY USE WILL NOT IMPAIR THE NORMAL, SAFE, AND EFFECTIVE OPERATION OF A PERMANENT USE ON THE SAME SITE.~~

~~(B) THE TEMPORARY USE WILL BE COMPATIBLE WITH USES IN THE GENERAL VICINITY AND ON ADJACENT PROPERTIES.~~

~~(C) THE TEMPORARY USE WILL NOT SIGNIFICANTLY IMPACT PUBLIC HEALTH, SAFETY OR CONVENIENCE, OR CREATE TRAFFIC HAZARDS OR CONGESTION, OR OTHERWISE INTERRUPT OR INTERFERE WITH THE NORMAL CONDUCT OR USES AND ACTIVITIES IN THE VICINITY.~~

~~(D) THE USE AND ASSOCIATED STRUCTURES WILL BE CONDUCTED AND USED IN A MANNER COMPATIBLE WITH THE SURROUNDING AREA.~~

~~(E) THE TEMPORARY USE SHALL COMPLY WITH THE GOALS, POLICIES AND STANDARDS OF THE DEVELOPMENT GUIDE.~~

~~(2) GENERAL CONDITIONS.~~

~~(A) A TEMPORARY USE CONDUCTED IN A PARKING FACILITY SHALL NOT OCCUPY OR REMOVE FROM AVAILABILITY MORE THAN 25 PERCENT OF THE SPACES REQUIRED FOR THE PERMANENT USE.~~

~~(B) EACH SITE OCCUPIED BY A TEMPORARY USE MUST PROVIDE OR HAVE AVAILABLE SUFFICIENT PARKING AND VEHICULAR MANEUVERING AREA FOR CUSTOMERS. SUCH PARKING NEED NOT COMPLY WITH RCDG 20D.130.10-050, PARKING, BUT MUST PROVIDE SAFE AND EFFICIENT INTERIOR CIRCULATION AND INGRESS AND EGRESS TO AND FROM PUBLIC RIGHTS OF WAY.~~

~~(C) THE TEMPORARY USE SHALL COMPLY WITH ALL APPLICABLE STANDARDS OF THE SEATTLE KING COUNTY HEALTH DEPARTMENT.~~

~~(D) NO TEMPORARY USE SHALL OCCUPY OR USE PUBLIC PARKS IN ANY MANNER UNLESS SPECIFICALLY APPROVED BY THE PARKS DEPARTMENT.~~

~~(E) NO SHORT TERM TEMPORARY USE SHALL OCCUPY OR OPERATE WITHIN THE CITY OF REDMOND FOR MORE THAN SIX MONTHS WITHIN ANY CALENDAR YEAR UNLESS APPROVED BY THE TECHNICAL COMMITTEE UNDER A LONG TERM TEMPORARY USE PERMIT OR BY THE CITY COUNCIL FOR AN EXTENDED TERM TEMPORARY USE PERMIT. A DAY OF OPERATION SHALL MEAN ANY OR PART OF ANY DAY IN WHICH THE BUSINESS IS CONDUCTED. THE SIX MONTHS NEED NOT RUN CONSECUTIVELY. THE SIX MONTHS MAY OCCUR AT ANY TIME WITHIN A CALENDAR YEAR AS LONG AS EACH DAY IS DESIGNATED AND APPROVED.~~

~~(F) ALL TEMPORARY USES SHALL OBTAIN, PRIOR TO OCCUPANCY OF THE SITE, ALL APPLICABLE CITY OF REDMOND PERMITS, LICENSES AND OTHER APPROVALS (I.E., BUSINESS LICENSE, BUILDING PERMIT, ADMINISTRATIVE APPROVALS, ETC.).~~

~~(G) THE APPLICANT FOR TEMPORARY USE SHALL SUPPLY WRITTEN AUTHORIZATION FROM THE OWNER OF PROPERTY ON WHICH THE TEMPORARY USE IS LOCATED.~~

~~(H) EACH SITE OCCUPIED BY A TEMPORARY USE SHALL BE LEFT FREE OF DEBRIS, LITTER, OR OTHER EVIDENCE OF THE TEMPORARY USE UPON COMPLETION OF REMOVAL OF THE USE.~~

~~(I) ALL MATERIALS, STRUCTURES AND PRODUCTS RELATED TO THE TEMPORARY USE MUST BE REMOVED FROM THE PREMISES BETWEEN DAYS OF OPERATION ON THE SITE; PROVIDED, THAT MATERIALS, STRUCTURES AND PRODUCTS RELATED TO THE TEMPORARY USE MAY BE LEFT ON-SITE OVERNIGHT BETWEEN CONSECUTIVE DAYS OF OPERATION. BY VIRTUE OF HAVING BEEN IN CONSISTENT OPERATION PRIOR TO THE EXISTENCE OF THE ORDINANCE CODIFIED IN THIS CHAPTER THE OPEN AIR CRAFT AND FARMER'S MARKET OPERATION, COMMONLY KNOWN AS THE SATURDAY MARKET, SHALL BE ALLOWED TO STORE STRUCTURES ON-SITE BETWEEN WEEKEND ACTIVITY OF THE MARKET, BUT SUCH STRUCTURES MUST BE REVIEWED BY THE ADMINISTRATOR ANNUALLY AND PERMISSION TO LEAVE THEM IN PLACE BETWEEN MARKET SESSIONS MAY BE DENIED IF THEY BECOME A VISUAL BLIGHT, SAFETY, OR HEALTH PROBLEM. THEY SHALL BE REMOVED AT THE END OF THE PERMIT PERIOD.~~

~~(J) THE ADMINISTRATOR MAY ESTABLISH SUCH ADDITIONAL CONDITIONS AS MAY BE DEEMED NECESSARY TO ENSURE LAND USE COMPATIBILITY AND TO MINIMIZE POTENTIAL IMPACTS ON NEARBY USES. THESE INCLUDE BUT ARE NOT LIMITED TO, TIME AND FREQUENCY OF OPERATION, TEMPORARY ARRANGEMENTS FOR PARKING AND TRAFFIC CIRCULATION, REQUIREMENT FOR SCREENING OR ENCLOSURE, AND GUARANTEES FOR SITE RESTORATION AND CLEANUP FOLLOWING TEMPORARY USES.~~

~~(3) VARIATIONS FROM PERMITTED LAND USES CHART.~~

~~(A) ALL TEMPORARY USES SHALL CONFORM TO THE PERMITTED LAND USES CHART EXCEPT AS ALREADY PROVIDED FOR ELSEWHERE IN THESE REGULATIONS AND EXCEPT AS PROVIDED BELOW.~~

~~(B) THE CITY COUNCIL MAY AUTHORIZE A TEMPORARY USE THAT DOES NOT CONFORM TO THE PERMITTED LAND USES CHART AFTER:~~

~~(I) REVIEWING A RECOMMENDATION FROM THE TECHNICAL COMMITTEE;~~

~~(II) HOLDING A PUBLIC HEARING;~~

~~(III) FINDING AN UNDUE HARDSHIP, AND~~

~~(IV) SPECIFYING A SPECIFIC DATE FOR TERMINATION.~~

Section 6. Severability. If any section, sentence, clause or phrase of this ordinance or any municipal code section amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance or the amended code section.

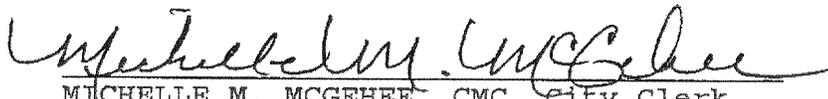
Section 7. Effective date. This ordinance shall take effect and be in full force five days after its passage and publication of a summary as provided by law.

ADOPTED by the Redmond City Council this 3rd day of November, 2008.



JOHN MARCHIONE, Mayor

ATTEST:



MICHELLE M. MCGEHEE, CMC, City Clerk (SEAL)

Approved as to form:



James E. Haney, City Attorney

FILED WITH THE CITY CLERK: October 28, 2008
PASSED BY THE CITY COUNCIL: November 3, 2008
PUBLISHED: November 10, 2008
EFFECTIVE DATE: November 15, 2008
ORDINANCE NO. 2424

20D.190.10 Temporary Uses.

20D.190.10-010 Purpose.

The following provisions authorizing and regulating certain temporary uses are intended to permit temporary uses and structures when consistent with the Development Guide and when safe and compatible with the general vicinity and adjacent uses. (Ord. 2424. Formerly 20C.20.245(05))

20D.190.10-025 Scope.

(1) A short-term temporary use permit may only be valid for a maximum of six months. Applications for a short-term temporary use permit (six months or less) shall follow the procedures for a Type I review pursuant to RCDG 20F.30.30 or as modified herein.

(2) A long-term temporary use permit may only be valid for the time period specified by the City Council. If the permit must be renewed, the applicant must apply for a new temporary use permit. Applications for a long-term temporary use permit (longer than six months) shall follow the procedures for a Type V review pursuant to RCDG 20F.30.50.

(3) The following types of temporary uses, activities and associated structures may be authorized, subject to specific limitations noted herein and as noted in RCDG 20D.190.10-030 and as may be established by the Administrator:

- (a) Outdoor art and craft shows and exhibits;
- (b) Retail sales such as Christmas trees, seasonal retail sale of agricultural or horticultural products, firewood, seafood, etc.;
- (c) Mobile services such as veterinary services for purposes of giving shots;
- (d) Push cart vendors. No mechanical, audio or noise-making devices, nor loud shouting or yelling, will be permitted to attract attention;
- (e) Group retail sales such as swap meets, flea markets, parking lot sales, Saturday Market, auctions, etc.;
- (f) Temporary encampments which comply with the conditions outlined in this chapter;

(g) The Planning Director may authorize additional temporary uses not listed in this subsection, when it is found that the proposed uses are in compliance with the provisions pursuant to this chapter.

(4) Exemptions. The following activities and structures are exempt from requirements to obtain temporary use approval:

(a) A mobile home or travel trailer in the Light Industry and Heavy Industry zones to house watchmen or caretakers when approved by the Administrator;

(b) A mobile home or travel trailer with adequate water and sewer service used as a dwelling while a residential building on the same lot is being constructed or while a damaged residential building is being repaired;

(c) When elderly or disabled relatives of the occupant of an existing residence require constant supervision and care, a mobile home with adequate water and sewer services located adjacent to such residences may be permitted to house the relatives;

(d) Recycling and collection centers shall meet the following requirements:

(i) Containers and structures shall be located on private property and not on public rights-of-way. The property owner's approval must be obtained, and the Planning Department notified that the structure will be located at that site;

(ii) Structures shall not interfere with traffic circulation or visibility at intersections;

(iii) The owner's name and telephone number shall be clearly posted on the structure or container;

(iv) If located in a parking area, the structures or containers shall take up no more than three parking stalls. One collection structure and associated staff booth are allowed in parking lots of 200 stalls or less and one additional container and staff booth for every additional 200 stalls;

(e) Mobile homes, residences or travel trailers used for occupancy by supervisory and security personnel on the site of an active construction project;

- (f) Portable units and mobile homes on school sites or other public facilities when approved by the Administrator;
- (g) Guests of Redmond residents in recreational vehicles when in compliance with RCDG 20D.130.10-050(2);
- (h) Model homes or apartments and related real estate sales and display activities located within the subdivision or residential development to which they pertain;
- (i) Contractor's office, storage yard, and equipment parking and servicing on the site of an active construction project;
- (j) Home businesses in conformance with RCDG 20C.30.60, Home Business;
- (k) Garage sales, moving sales, and similar activities for the sale of personal belongings when operated not more than three days in the same week and not more than twice in the same calendar year. Allowed in all residential zoning districts;
- (l) Fund raising carwashes;
- (m) Vehicular or motorized catering such as popsicle/ice cream scooters and self-contained lunch wagons which cater to construction sites or manufacturing facilities;
- (n) Circuses, carnivals, fairs, or similar transient amusement or recreational activities. Such uses are subject to Chapter 5.28 RMC, Shows, Carnivals and Circuses;
- (o) Activities, vendors and booths associated with City of Redmond sponsored or authorized special events such as the Redmond Derby Days or Redmond Bike Classic;
- (p) On-premises activities or existing businesses in compliance with outdoor storage requirements;
- (q) Individual booths in an approved temporary use site for group retail identified under subsection (3)(e) of this section;
- (r) Weekend (Saturday and Sunday) only, warehouse sales when held no more than once a month in an existing facility. Allowed in Light Industry, Heavy Industry and Business Park zoning districts. (Ord. 2424)

20D.190.10-030 Decision Criteria.

(1) The Administrator may authorize temporary uses after consultation and coordination with all other applicable City departments and other agencies and only when all the following determinations can be made:

- (a) The temporary use will not impair the normal, safe, and effective operation of a permanent use on the same site.
- (b) The temporary use will be compatible with uses in the general vicinity and on adjacent properties.
- (c) The temporary use will not significantly impact public health, safety or convenience, or create traffic hazards or congestion, or otherwise interrupt or interfere with the normal conduct or uses and activities in the vicinity.
- (d) The use and associated structures will be conducted and used in a manner compatible with the surrounding area.
- (e) The temporary use shall comply with the goals, policies and standards of the Development Guide.

(2) General Conditions.

- (a) A temporary use conducted in a parking facility shall not occupy or remove from availability more than 25 percent of the spaces required for the permanent use.
- (b) Each site occupied by a temporary use must provide or have available sufficient parking and vehicular maneuvering area for customers. Such parking need not comply with RCDG 20D.130.10-050, parking, but must provide safe and efficient interior circulation and ingress and egress to and from public rights-of-way.
- (c) The temporary use shall comply with all applicable standards of the Seattle-King County Health Department.
- (d) No temporary use shall occupy or use public parks in any manner unless specifically approved by the Parks Department.
- (e) No short-term temporary use shall occupy or operate within the City of Redmond for more than six months within any calendar year unless approved by the City Council under a long-term temporary use permit. A day of operation shall mean any or part of any day in which the business is conducted. The six months need not run

consecutively. The six months may occur at any time within a calendar year as long as each day is designated and approved.

(f) All temporary uses shall obtain, prior to occupancy of the site, all applicable City of Redmond permits, licenses and other approvals (i.e., business license, building permit, administrative approvals, etc.).

(g) The applicant for a temporary use shall supply written authorization from the owner of the property on which the temporary use is located.

(h) Each site occupied by a temporary use shall be left free of debris, litter, or other evidence of the temporary use upon completion of removal of the use.

(i) All materials, structures and products related to the temporary use must be removed from the premises between days of operation on the site, provided that materials, structures and products related to the temporary use may be left on site overnight between consecutive days of operation. By virtue of having been in consistent operation prior to the existence of the ordinance codified in this chapter, the open air craft and farmer's market operation, commonly known as the Saturday Market, shall be allowed to store structures on site between weekend activity of the market, but such structures must be reviewed by the Administrator annually and permission to leave them in place between market sessions may be denied if they become a visual blight, safety, or health problem. They shall be removed at the end of the permit period.

(j) The Administrator may establish such additional conditions as may be deemed necessary to ensure land use compatibility and to minimize potential impacts on nearby uses. These include, but are not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirement for screening or enclosure, and guarantees for site restoration and cleanup following temporary uses.

(3) Temporary encampments must also meet the following criteria:

(a) The applicant shall apply for a temporary use permit at least 30 days before the planned opening of the temporary encampment.

(b) The encampment shall be limited to a maximum of 100 persons. After the encampment reaches its 100-person capacity,

individuals who arrive after sundown (and meet all screening criteria) will be allowed to stay for one night, after which they will not be permitted entry until a vacancy is available. Such occurrences shall be logged and reported to the City on a weekly basis.

(c) A temporary encampment shall be limited to a maximum of 110 days within any 365-day time period at one location.

(d) The encampment or the parking of any vehicles associated with the application shall not displace the host site's parking lot in such a way that the host site no longer meets the minimum or required parking of the principle use as required by code or previous approvals unless an alternative parking plan has been approved by the Planning Director.

(e) The temporary encampment managing organization shall maintain a resident log for all who are residing at the encampment. Such log shall be kept on site at the encampment. Prospective encampment residents shall be asked to provide a reasonable form of identification when signing the log.

(f) The Planning Director may impose additional conditions for the purpose of maintaining the health, safety, and welfare of people in and around the temporary encampment, relating but not limited to any or all of the following:

- (i) Encampment resident code of conduct;
- (ii) The presence of minors in the encampment;
- (iii) The provision of transportation to/from the encampment;
and
- (iv) Setbacks and screening.

(4) Temporary encampments shall be processed as a Type I Permit with the following modifications:

(a) A Notice of Application shall be mailed and posted on site meeting the standards outlined in RCDG 20F.30.35-020(1) through 20F.30.35-020(3)(x).

(b) Posting of the Notice of Application shall meet the standards outlined in RCDG 20F.30.35-020(4) and (5).

(c) A minimum of one Major Land Use Action Sign shall be posted on site meeting the requirements outlined in RCDG 20F.30.40-020 (4)(c).

(d) Prior to the decision on the application for a temporary encampment, the Administrator shall require that a neighborhood meeting be held.

(5) Emergencies. The Administrator may waive these requirements when a natural or manmade disaster necessitates the immediate establishment of a temporary encampment. (Ord. 2424; Ord. 2118)

This version of the Redmond Community Development Guide is effective through April 15, 2011.

The new Zoning Code, effective April 16, 2011, is available here:
<http://www.redmond.gov/cms/one.aspx?objectId=3466>
(<http://www.redmond.gov/cms/one.aspx?objectId=3466>)

City Website: <http://www.redmond.gov/>
(<http://www.redmond.gov/>)
Telephone number: (425) 556-2191
Code Publishing Company
(<http://www.codepublishing.com/>)



Tent City Code of Conduct

We, the people of SHARE/WHEEL, in order to keep a more harmonious community, ask that you observe the following code of conduct:

- SHARE/WHEEL's Tent City 4 is a drug and alcohol free zone. Those caught drinking or using drugs will be asked to leave. Sobriety is required.
- No weapons are allowed. Knives over 3 1/2 inches must be checked in.
- Violence will not be tolerated. Please attempt to resolve any conflict in a creative, non-violent manner.
- Degrading ethnic, racist, sexist or homophobic remarks are not acceptable. No physical punishment, verbal abuse or intimidation will be tolerated.
- We are a community. Please respect the rights and privacy of your fellow citizens.
- No men in the women's tents. No women in the men's tents.
- No open flames.
- No loitering or disturbing neighbors. No trespassing.
- Attendance of at least one of the several community meetings held through the week is required. Days and times will be posted so that you may work it into your schedule.

Any of the following are grounds for being permanently barred from Tent City 4:

- Alcohol in camp
- Illegal drugs in camp
- Violence or threats of violence
- Sexual harassment
- Theft (of any resident's property or TC4 community property)
- Anything that causes a 911 call to be placed (other than a legitimate medical emergency)
- Open flames or smoking in tents
- Repeated write-ups for minor infractions
- Violating any of our specific agreements with the current host church and/or host city (ask any executive committee member if in doubt as to these agreements)

If these rules are not respected and enforced, Tent City 4 may be permanently closed.



Tent City 4 (TC4) Frequently Asked Questions

What is Tent City?

Tent City 4 is a self-governed homeless encampment modeled after similar encampments that have operated in Seattle for many years, moving to the Eastside in the spring of 2004. Tent City allows up to 100 adult residents. Children are not permitted.

Who sponsors Tent City?

Tent City 4 (TC4) is sponsored and managed by the non-profit organizations Seattle Housing and Resource Effort (SHARE) and Women's Housing Equality and Enhancement League (WHEEL). SHARE/WHEEL operates 15 fixed site shelters and two Tent City locations. SHARE/WHEEL manages 350 indoor shelter beds in the Seattle area, making it the largest shelter-providing organization in the Pacific Northwest. SHARE/WHEEL has been operating fixed site shelters for 15 years and operating Tent Cities for five years.

Who are the people living in Tent City 4?

Homeless adults: single men, women and couples. Children are not allowed in Tent City. Their numbers vary, but the average is 60 to the maximum allowed 100.

How many Tent City residents are employed?

The percentage varies with the TC4 population. Many of the residents are employed, either permanently or temporarily. Tent City residents will most likely be seen at the bus stop very early in the morning in order to be at Labor Ready by 5:30am to get day-labor jobs. Other residents are in educational programs to improve job skills. There are a few people with disabilities that prevent them from getting a job; many of those are on waiting lists for permanent disability housing.

Has there been an increase in crime associated with Tent City?

There is no correlation between Tent City and any crime rates rising in the areas where Tent Cities are located.

What presence will the police have at the site?

The City's goal is to ensure public safety for all of our citizens. We will apply city resources to properly monitor and respond to issues. Redmond police officers will make regular, routine visits to the Tent City site so that they are familiar with the residents and the routines of camp.

How does Tent City operate?

Tent City 4 has historically maintained its commitment to self-police and self-manage its residents in accordance with its Code of Conduct that prohibits alcohol, drugs, weapons, fighting abuse of any kind, littering or disturbing neighbors. All residents must sign an agreement to abide by this code of conduct and failure to do so can be cause for immediate

expulsion. Residents form an Executive Committee that is responsible for site security, resident identification and donations management.

What happens when an individual is rejected or when a resident is required to leave Tent City because they have violated the Code of Conduct?

If the permit is approved, the City of Redmond will require that the encampment take all reasonable and legal steps to obtain verifiable identification from prospective encampment residents and use the identification to obtain sex offender and warrant checks from the Redmond Police Department. If an individual who applies for admittance to Tent City has an active warrant or a match on the sex offender check, the encampment will immediately contact the Redmond Police Department. If a resident is required to leave the encampment, the individual will be given a bus ticket, escorted to the transit center and placed on a bus to Seattle where there are more resources available. If, in the opinion of the encampment, any rejected/ejected individual poses a potential threat to the community, the police will be contacted immediately.

How does Tent City handle security?

Tent City 4 is in a fenced area, with a single entry/exit point that is staffed by members of the Tent City Executive Committee and two security workers patrol inside and outside of camp 24 hours per day. Potential residents must have, or obtain, a photo ID. With the help of the Redmond Police Department, a background check will be performed for each applicant. The applicant's name will be checked against the Washington Criminal Information Center (WACIC) and the National Crime Information Center (NCIC) for outstanding warrants and sex offender status. All Tent City 4 residents must agree to abide by a code of conduct which includes rules that make the area a drug-alcohol-and weapon-free zone.

What happens to residents who violate the Tent City Code of Conduct?

Illegal activities are referred to law enforcement. In fact, the police drop by Tent City at unannounced intervals through the day and night. They get to know the Tent City residents and work together with them to maintain a peaceful camp. The Code of Conduct includes consequences for other violations. Repeated or serious offenses will result in the resident being barred from Tent City. There is no incidence of violations in previous communities

Does Tent City pose a threat to its neighbors or to school children?

According to Sergeant John Urquhart, spokesman for the King County Sheriff's office, "Tent City has not presented any significant increase in crime or increased service demands in any of the areas they've located in King County or unincorporated King County. As far as we're concerned, they've been good neighbors. They are welcome anywhere in our jurisdictions."

Has a Tent City ever been located in a residential area or near schools?

Yes. Because the host is usually a church, Tent Cities have normally been in residential neighborhoods. On the Eastside, Tent City 4 has now been located near or beside schools in about half of its nine sites over the past two years. School officials have not reported any incidents of Tent City residents having contact with schools or their children, except to lessen the amount of litter in the area. Furthermore, according to area police reports, during the entire history of all Tent Cities, not a single child or other neighbor has been harmed by any Tent City resident.

In Redmond, St. Jude's Church has hosted Tent City on four separate occasions since 2006 with no reported problems with the surrounding neighbors or school children. St. Jude's Church is located near Redmond Middle School and Horace Mann Elementary School where many of the children walk to and from school.

Are neighborhood schools and children safe from possible intruders?

Schools already have procedures in place to deal with unauthorized persons in their buildings and on their grounds. For specific information, contact the schools directly.

Has there been an increase in crime where Tent Cities have been located?

According to the police in King County, Seattle, Shoreline, Tukwila, Bothell, Kirkland, Bellevue and Woodinville, there has been no measurable increase of crime in neighborhoods anywhere near any Tent City. On May 21, 2004, the Seattle Times published an independent investigation which found that SHARE/WHEEL's Tent Cities do not affect crime rates.

How is transportation for residents handled?

SHARE/WHEEL provides two bus tickets per day so that TC4 residents can get to their jobs, to job interviews, and to medical appointments. When bus service is reduced (on weekends and holidays), taxi scrip is available. Also, typically, a regular "shuttle service" manned by host/resident volunteers, will operate on Sundays. Church and resident volunteers are on an evening stand-by rotation to bring any later-bus-arrivals back to Tent City.

Does Tent City 4 have toilet and shower facilities?

TC4 has portable toilets that are serviced three times per week. A portable shower on a trailer is transported to the site. Drainage from the shower and sinks is piped into the sewer system at the church. The plumbing setup is inspected before and during the stay by city inspectors to ensure public health and environmental conditions are maintained.

What about garbage and laundry?

TC4's garbage dumpsters are emptied twice a week. Residents perform litter patrol of TC4 and surrounding areas. Volunteers will help remove recyclables regularly. Blankets and sleeping bags are laundered once a week at Everett Overall Laundry free of charge. Personal laundry is handled by each resident, usually at a laundromat.

How does Tent City get hot meals?

Usually a hot dinner is provided by a church or other charitable organization. Other food is donated, but refrigeration facilities are limited. TC4 includes a kitchen with a microwave oven for food preparation, but there are no electrical burners or open flames allowed. The Host Congregation is not expected to, but may choose to provide meals or any assistance they deem necessary for the well-being of the Tent City residents. Over the past two years, more than 50 religious and secular organizations have served at least 35,000 hot suppers at Tent City, for an estimated value of over \$92,000.

Where does Tent City get blankets, food and other necessities?

Many tents, blankets and other supplies, including food and clothing, are donated by community support from local businesses, parishioners from the host church and other church congregations, and by residents of the surrounding neighborhood.

What measures are proposed to ensure protection of public health and safety of local neighbors as well as temporary residents of any proposed Tent City?

Public Health - Seattle & King County provides environmental health-related services to Tent Cities in order to promote a safe and healthy living environment for the residents of Tent City and the surrounding neighborhoods. A Public Health nurse with the Health Care for the Homeless Network provides health-related education and consultation to Tent City residents

and host organizations, including information on how to link Tent City residents to community health care services. The nurse makes periodic on-site visits to Tent City to assess overall health conditions, and provides follow-up technical assistance as needed. Public Health Environmental Health inspectors are available to consult on issues relating to toilet facilities, garbage disposal, portable water, hygiene and hand washing, and safe food handling.

Are open fires allowed? Is fire prevention equipment available on site?

No open fires are allowed at a Tent City site. Fire extinguishers are on site and posted according to the directives of the local fire departments. The Redmond Fire department is welcome to visit Tent City at any time to monitor safety conditions.

What is Redmond doing about homelessness in the region?

The City has a long history of providing funding to local human service agencies, serving low-income individuals and families on the Eastside. These resources support a range of services to youth, adults and families who are already homeless as well as efforts to prevent individuals and families from becoming homeless. City staff continues to be actively involved in a number of regional initiatives and activities -- working to develop long-term strategies to increase the number of homeless housing units in East King County, aligning funding priorities with those of King County's Ten Year Plan to End Homelessness, and participating on the Eastside Homelessness Advisory Committee, made up of funders, providers, faith organizations, and other stakeholders. Currently, the City is exploring options for a sustainable solution to winter shelter needs.



Notice of Application and Public Meeting CITY OF REDMOND

The City of Redmond will be holding a Public Meeting **Monday, June 24** beginning at **7PM at the Church of the Holy Cross (11526 162nd Avenue NE)** to take comment on this proposal.

Project Name: Share/Wheel Tent City at Redwood Family Church File Number: LAND-2013-00929

Description of Proposed Development: Redwood Family Church proposes to host Tent City for an approximately three month time period beginning on July 13, 2013. This proposal would provide emergency shelter for up to 100 persons.

Location of Subject Area: 11500 Redmond-Woodinville Road

Applicant's Name: Todd Puckett, Redwood Family Church
Address: 11500 Redmond-Woodinville Road, Redmond

Date of Application: 05/28/2013 Date Application was Complete: 05/28/2013

Applicable Project Permits: Short Term Temporary Use Permit Permit Type: I

Applicable Development Regulations: Redmond Zoning Code, Section 21.46

Written comments on this proposal will be accepted until 5:00 PM on June 25, 2013. In addition, persons who want to be informed of future actions or the final decision on this proposal should provide their name and address to the project planner, noted below. The final decision on this proposal may be appealed according to the City appeal provisions specified in the Redmond Zoning Code, Section 21.76.060(I), Appeals to Hearing Examiner on Type I and Type II Permits. For more information call the project planner at the City of Redmond Planning Department. Submit written comments or name and address to be added as a party-of-record to:

Steven Fischer, Principal Planner, (425) 556-2432, City of Redmond, Planning Department, Permit Center, 15670 NE 85th Street, Redmond, WA 98052 or e-mail sfischer@redmond.gov

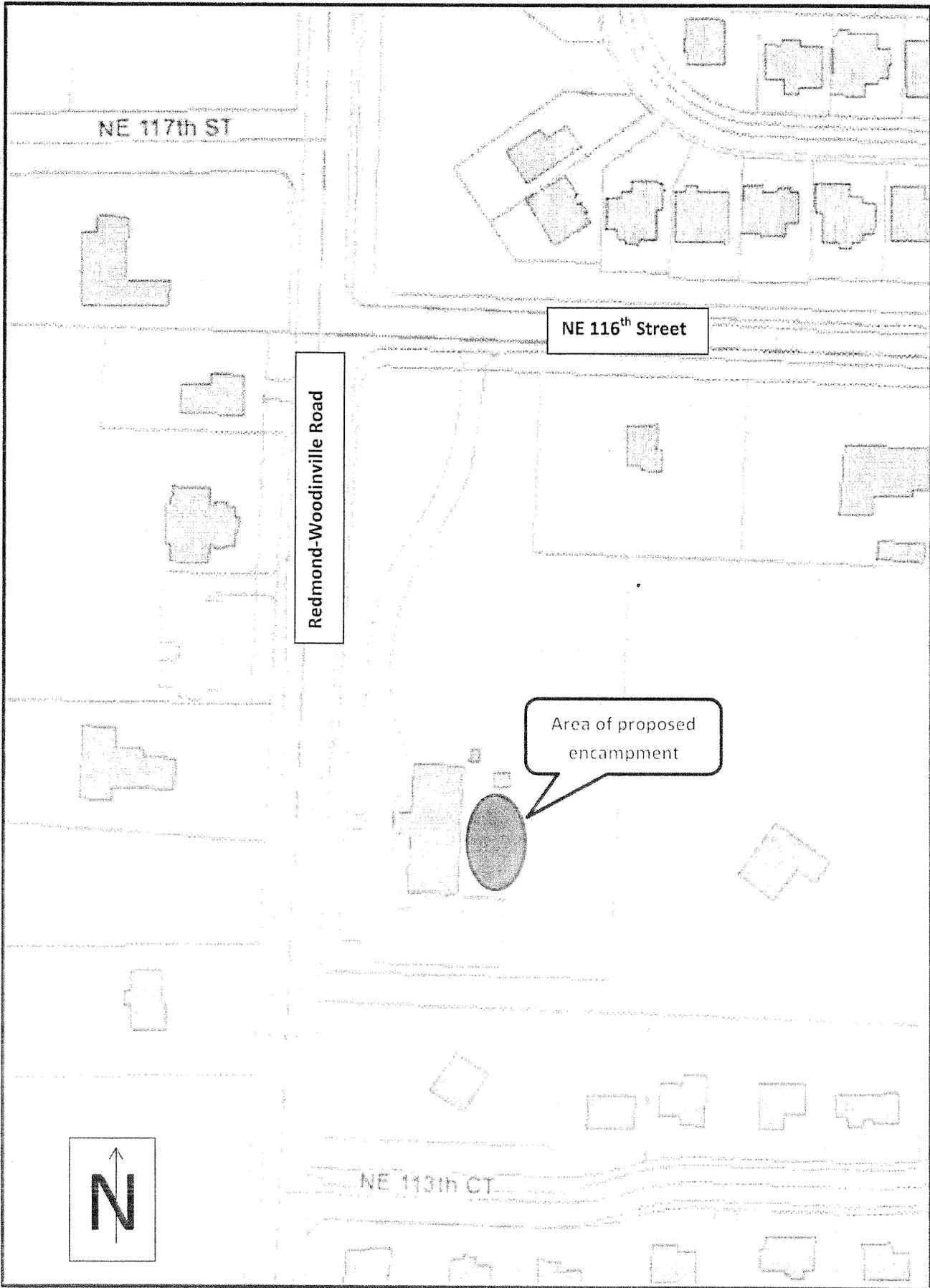
June 3, 2013
Date of Notice

Robert G. Belle
Planning Director

COMMENT FORM

Project Name: Share/Wheel Tent City at Redwood Family Church File Number: LAND-2013-00929
Name and Address (please print) _____

Comments (attach additional sheets if necessary): _____



NE 117th ST

NE 116th Street

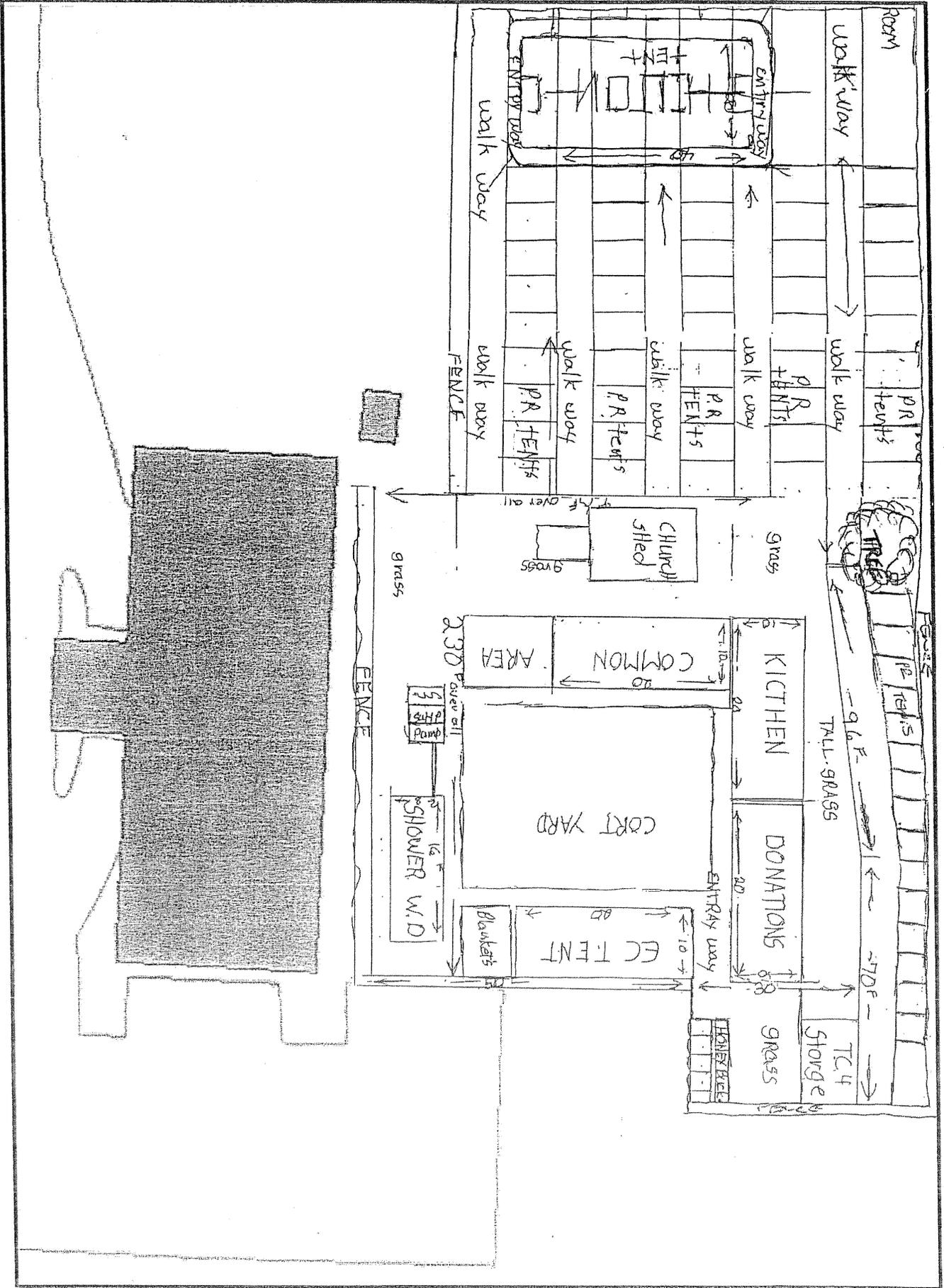
Redmond-Woodinville Road

Area of proposed encampment



NE 113th CT

Redwood Family Church





CITY OF REDMOND NOTICE OF APPEAL HEARING

For more information about this project visit www.redmond.gov/landuseapps

PROJECT INFORMATION:

PROJECT NAME: TENT CITY APPEAL

FILE NUMBER: LAND-2013-01289

PROJECT DESCRIPTION: APPEAL OF A TYPE I DEPARTMENTAL DIRECTOR DECISION REGARDING: TENT CITY TEMPORARY USE PERMIT, LAND-2013-00929

PROJECT LOCATION: 11500 RED-WOOD ROAD NE, REDMOND

PARCEL No.: 3526059094

NEIGHBORHOOD: NORTH REDMOND

SIZE OF SUBJECT AREA: SQFT: 154,576 / ACRES: 3.54

APPELLANT: JOHN BAUMANN

APPLICANT: SHARE/WHEEL, TODD MORROW

APPLICANT/PROPERTY OWNER: REDWOOD FAMILY CHURCH,
PASTOR TODD PUCKETT

PROCESS TYPE: I, APPEAL OF DEPT. DIRECTOR DECISION

IMPORTANT DATES

APPLICATION DATE: 05/28/2013

ISSUE DATE: 06/27/2013

APPEAL FILED: 07/11/2013

APPEAL HEARING DATE & TIME: AUGUST 7, 2013, 1PM

PLACE: CITY COUNCIL CHAMBERS, CITY HALL
15670 NE 85TH STREET, REDMOND WA 98052

BY: HEARING EXAMINER, SHARON RICE,
THE OFFICES OF SHARON RICE HEARING EXAMINER, PLLC

DATE OF NOTICE: JULY 24, 2013

ATTENDANCE AT APPEAL HEARINGS: PER RZC 21.76.060(i)

THE APPELLANT, APPLICANT, OWNER(S) OF PROPERTY SUBJECT TO THE APPLICATION, AND THE CITY SHALL BE DESIGNATED PARTIES TO THE APPEAL. EACH PARTY MAY PARTICIPATE IN THE APPEAL HEARING BY PRESENTING TESTIMONY OR CALLING WITNESSES TO PRESENT TESTIMONY. ALL INTERESTED PERSONS ARE INVITED TO ATTEND THE HEARING ON AUGUST 7, 2013, TO OBSERVE THE PROCEEDINGS. INTERESTED PERSONS, GROUPS, ASSOCIATIONS, OR OTHER ENTITIES WHO HAVE NOT APPEALED MAY PARTICIPATE ONLY IF CALLED BY ONE OF THE PARTIES TO PRESENT INFORMATION. THE HEARING EXAMINER'S RESOLUTION OF THIS APPEAL MAY RESULT IN MODIFICATION OF PROJECT CONDITIONS.

INFORMATION AVAILABLE: A COPY OF THE STAFF REPORT TO THE

HEARING EXAMINER, IF SUCH A REPORT IS PREPARED, WILL BE AVAILABLE FOR REVIEW AT LEAST 14 DAYS PRIOR TO THE HEARING, AND COPIES WILL BE PROVIDED AT THE REQUESTOR'S COST. THE APPLICATION AND ALL DOCUMENTS FILED BY THE APPELLANT ARE AVAILABLE FOR INSPECTION OR COPYING (AT THE COST OF THE REQUESTOR) AND ARE ON FILE IN THE DEVELOPMENT SERVICES CENTER. THE FILE MAY BE EXAMINED AT THE DEVELOPMENT SERVICES CENTER DURING BUSINESS HOURS; AND IS LOCATED AT 15670 NE. 85TH STREET, REDMOND, WA 98073-9710 (556-2473).

FOLLOWING THE HEARING TO BE HELD ON AUGUST 7, 2013, A COPY OF THE HEARING EXAMINER'S DECISION WILL BE SENT TO PARTIES TO THE APPEAL, AND CAN BE OBTAINED BY CONTACTING THE OFFICE OF THE HEARING EXAMINER, CITY OF REDMOND, MS: 3NFN, P.O. BOX 97010, REDMOND, WA 98073-9710 PHONE: (425) 556-2191. THE APPEAL PROCEDURES WILL BE SET FORTH IN THE HEARING EXAMINER'S REPORT ISSUED IN THIS MATTER. IF YOU ARE HEARING OR VISUALLY IMPAIRED, NOTIFY THE OFFICE OF THE HEARING EXAMINER AT 425-556-2191 ONE WEEK IN ADVANCE OF THE HEARING IN ORDER TO BE PROVIDED ASSISTANCE.

CITY CONTACT INFORMATION:

PROJECT PLANNER NAME: STEVEN FISCHER

PHONE NUMBER: 425-556-2432

EMAIL: SFISCHER@REDMOND.GOV

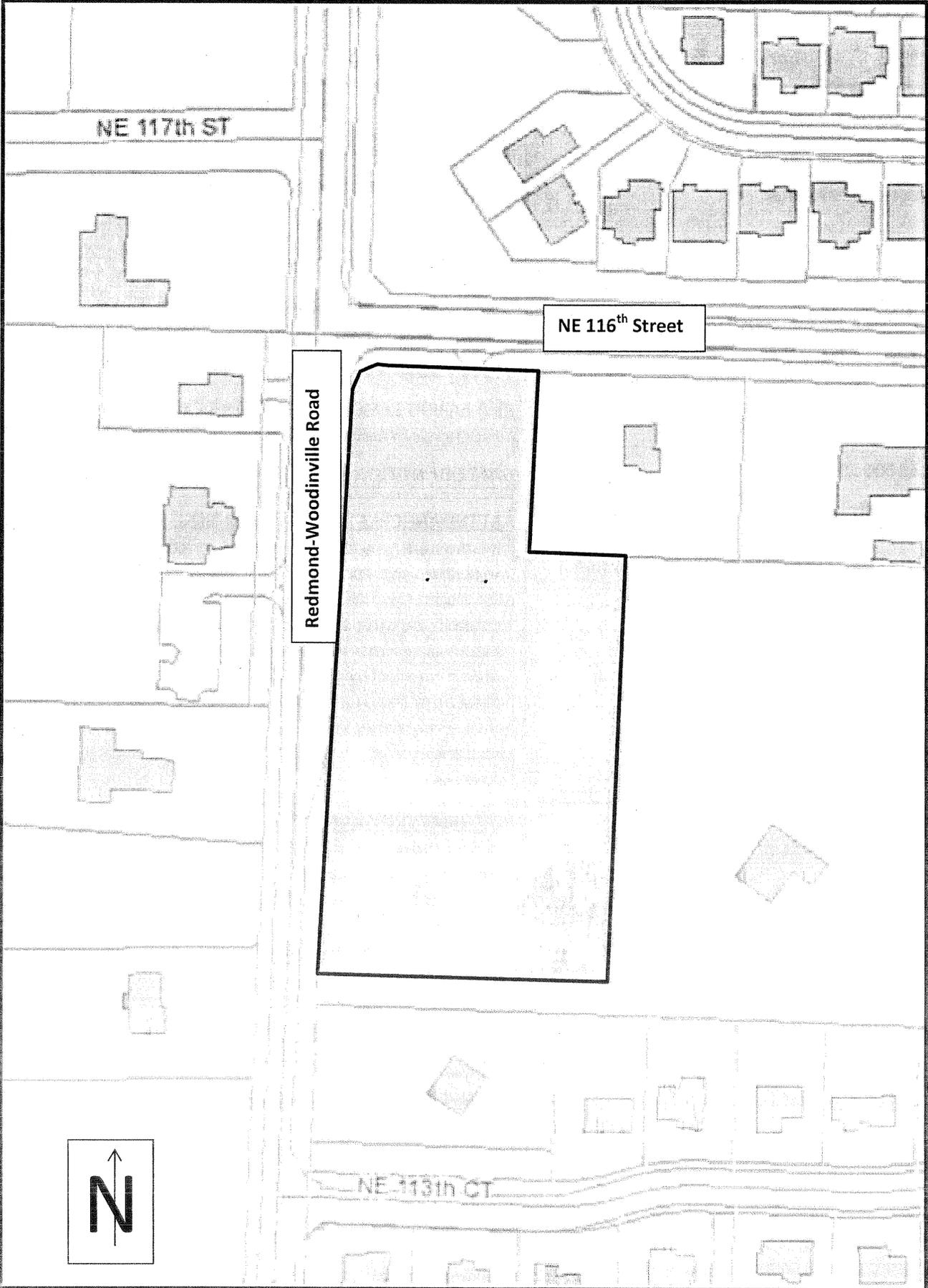
REGULATORY INFORMATION

ZONING: R-4

COMPREHENSIVE PLAN DESIGNATION: RESIDENTIAL

CONSISTENT WITH COMPREHENSIVE PLAN: YES

APPLICABLE DEVELOPMENT REGULATIONS:
REDMOND MUNICIPAL CODE & ZONING CODE



NE 117th ST

NE 116th Street

Redmond-Woodinville Road

NE 113th CT





City of Redmond
Notice of Decision

June 27, 2013

Redwood Family Church
c/o Pastor Todd Puckett
11500 Red-Wood Road
Redmond, WA 98052

Scott Morrow
SHARE/WHEEL
Post Office Box 2548
Seattle, WA 98111

SUBJECT: **Short Term Temporary Use Permit for Share/Wheel Tent City at the Redwood Family Church**
File Number LAND-2013-00929

Location: *11500 Red-Wood Road, Parcel Number: 352605-9094*

Dear Pastor Puckett and Mr. Morrow:

As Code Administrator for the City of Redmond I have reviewed and approved your proposal. The approval is subject to the conditions of approval for this permit.

Approval of this application shall be for no more than 110 days, approximately from July 13, 2013 to no later than October 30, 2013 and is subject to the conditions attached within this letter. Once the approval period has expired this approval shall terminate and the application shall be void and deemed withdrawn.

Copies of this decision will be mailed to all parties of record associated with this permit. Decisions of the Code Administrator may be appealed to the Hearing Examiner pursuant to the Redmond Community Development Guide by filing an appeal with the Planning Department within 14 calendar days of the date of this letter. Appeal forms are available at the Permit Center or on line at www.redmond.gov.

A complete appeal form must be submitted on or before the last day of the appeal period. If you have any questions, please contact Steven Fischer, Principal Planner, at sfischer@redmond.gov or (425) 556-2432. Should you have any questions regarding the conditions of this permit please contact the planner above.

Sincerely,



ROBERT G. ODLE
Planning Director
Department of Planning and Community
Development

Attachments and Enclosures:

- Attachment A – Conditions of Approval
- Attachment B – Finds of Fact

CC: Parties of Record

ATTACHMENT A APPROVAL CONDITIONS

This attachment identifies the Conditions that must be met for your proposal. Please be advised that unless otherwise stated herein, the proposal shall comply with all applicable regulations, including, but not limited to, the Redmond Comprehensive Plan, and the Redmond Community Development Guide. If you have questions regarding these conditions, please contact the staff person for that City department. The contact information is listed under each Department/Division title.

I. Approved Plan Set and Supporting Material

- A. The following table identifies those materials that are approved with conditions by this Notice of Decision. The "Date Received" is the date that is stamped as "Received" by the Redmond Permit Center.

<u>Item</u>	<u>Date Received</u>	<u>Notes</u>
Conceptual Site Plans Exhibit A	5/28/2013	<i>and as conditioned herein.</i>
Code of Conduct Exhibit B	5/28/2013	<i>and as conditioned herein</i>

II. Approval Conditions

- 1) The approval shall be for a maximum of 110 days beginning on approximately July 13, 2013 and allow up to 100 persons to be housed at this location.
- 2) The encampment area shall be located on the pervious surface area located east of the church building as depicted in the site plan that was submitted with the application, see attached Exhibit A. All Tent City facilities shall be screened with fencing.
- 3) The placement of tents, portable toilets, or other such non-motorized equipment shall not be placed within the parking lot.
- 4) No more than five (5) vehicles associated with Tent City shall be parked within the church surface parking lot. No vehicles associated with Tent City will be parked within the surrounding neighborhoods.
- 5) The use shall comply with all applicable standards of the Seattle-King County Health Department.
- 6) The applicant shall obtain, prior to occupancy of the site, all applicable City of Redmond permits, licenses and other approvals (i.e., business license, building permit, administrative approvals, etc.).
- 7) The applicant shall contact the City of Redmond Development Services Center and obtain, if necessary, a Temporary Electrical Power Permit. Please contact the City of Redmond at 425-556-2473.
- 8) No children under the age of 18 are allowed to stay overnight at the temporary encampment. If a child under the age of 18 attempts to stay overnight at Tent City then the encampment manager shall contact SHARE/WHEEL and SHARE/WHEEL shall contact Child Protective Services.

- 9) Tent City 4 shall maintain a resident log for all members who are residing at the encampment while it is located at the Redwood Family Church site. Such log shall be kept onsite at the encampment and all encampment residents shall be asked to provide a reasonable form of identification when signing the log.
- 10) Tent City 4 shall obtain warrant and sex offender checks from the appropriate agency for all new prospective encampment residents. Tent City 4 shall report any positive results of sex offenders or warrant checks to the Redmond Police Department.
- 11) The residents of Tent City 4 shall abide by the Code of Conduct and attached hereto as Exhibit B.
- 12) The encampment shall observe a quiet time each evening from 9pm to 6am. The encampment shall be free of loud conversation and other loud noise.
- 13) The site occupied by Tent City shall be left free of debris, litter, or other evidence of the temporary use upon completion of removal of the use.

ATTACHMENT B
Findings of Fact

BACKGROUND

Applicant: Pastor Todd Puckett
Redwood Family Church
11500 Red-Wood Road
Redmond, WA 98052

Scott Morrow
Share/Wheel
Post Office Box 2548
Seattle, WA 98111

Application Date: File LAND-2013-00929, May 28, 2013

Date Application Determined Complete/Vested: File LAND-2013-00929, May 28, 2013

Project review authority and procedures: Pursuant to the Redmond Zoning Code (RZC) Section 21.46, Temporary Uses, certain temporary uses are intended to be permitted when they are found to be consistent with the Zoning Code and when safe and compatible with adjacent uses. Temporary Uses are classified as a Type I Permit (RZC Section 21.76.050) which establishes the Planning Director (Code Administrator) as the decision maker for this permit.

Code Administrator: Pursuant to RMC Chapter 2.09, Code Administrator the Code Administrator shall “enforce and administer the Redmond Zoning Code unless otherwise specified” and to “investigate complaints and initiate appropriate action.”

Project Location/Description: Redwood Family Church is located at 11500 Red-Wood Road at the southeast corner of the intersection of Red-Wood Road and NE 116th Street. The church proposes to host Tent City 4 for approximately 94 days beginning on July 13, 2013 and provide shelter for up to 100 adults.

SHARE/WHEEL will manage Tent City 4 and provide tent shelters and logistical support including a kitchen, common area with library and TV, shower, dumpsters, toilets, donation management, bicycles, bus and taxi passes. Dumpsters will be emptied twice a week and portable toilets will be emptied three times a week. Redwood Family Church will provide access to water, and grey water drain for the shower, and access to electrical power.

Neighborhood: The Redwood Family Church is located within the North Redmond Neighborhood as identified within the 2011 Comprehensive Plan.

Land Use Designation: The land use designation is Single Family Urban, as described in Comprehensive Plan Policy LU-33. This designation allows for residential densities between four and eight units per gross acre.

Zoning Designation: The site is zoned R-4 and is referred to as Single Family Urban Residential.

Surrounding Land Use and Zoning: The site is currently developed containing the existing Redwood Family church, administrative offices, and surface parking areas. Surrounding land use and zoning are as follows:

	<u>Zoning</u>	<u>Land Uses</u>
Northwest	R-4	Single-Family Residential
North:	R-4	Single-Family Residential
Northeast	R-4	Single-Family Residential
East:	R-4	Single-Family Residential
Southeast	R-4	Single-Family Residential
South:	R-4	Single-Family Residential
Southwest	R-4	Single-Family Residential
West:	R-4	Single-Family Residential and the Armenian Church

Access: Vehicular access to the existing church on this site is currently provided by means of a single paved driveway out to NE 116th Street. This entry is connected to a surface parking lot located along the west and southern portions of the church building.

Topography: The site generally slopes from east to west with approximately 20 feet of grade drop within the 154,576 square foot property.

Vegetation: The site consists of a tree lined drive from NE 116th Street leading to the church building and perimeter landscaping. A stand of evergreen trees exist along the southern property line and a row of evergreen trees is located along the eastern property line extending north from the southeast property corner approximately 210 feet providing further buffering. A second planting of evergreen trees is also located along Red-Wood Road extending north from the southwest corner of the

property approximately 275 feet. Lawn and a combination of native and ornamental plant material surround the church buildings on this site.

Public Input: The Redmond Zoning Code, Section 21.46.030D does require a public comment period for temporary encampments. The form of the notice shall include a mailed and posted Notice of Application, the posting of a Major Land Use Action Sign on the encampment site, and a required neighborhood meeting. The Major Land Use Sign was installed and the Notice of Application was mailed to all property owners within 500-feet of the project site and posted on June 3, 2013. On June 24, 2013 the required neighborhood meeting was held at the Church of the Holy Cross. Approximately 30 individuals attended this meeting. Several questions were asked by the public including: how the permit process works; how Share/Wheel is operated; what are the rules of the encampment; frequency of Tent City coming to Redmond; concern about noise coming from the encampment; crime and personal safety in neighborhoods with Tent City; and the loss of property value to surrounding properties due to Tent City. During the 21-day public comment period provided through the Notice of Application, the City of Redmond has received no written/mailed comments and 27 email from 18 individuals on this application. Three of the emails were supportive of the application. The remainder of the email expressed concerns such as: noise, lack of public transportation, concerns about increased crime, loss of property value, not an appropriate use in a residential neighborhood, and the frequency of Tent City being in Redmond.

V. TEMPORARY USE PERMIT STANDARDS

Temporary Use Permits are a mechanism by which the City may authorize certain temporary uses when they are consistent with the Development Guide and when they are safe and compatible with adjacent uses. The following section discusses the Redwood Family Church's application compatibility with the Temporary Use Permit decision criteria.

1. Allowed Use:

The RZC restricts the type of uses which may be authorized as a temporary use. Section 21.46.020.E.6 allows temporary encampments as an allowed temporary use with the provision that the application complies with the conditions contained in this section that address encampments.

2. Decision Criteria:

The decision criteria for reviewing temporary use permits are located in RZC Section 21.46.030– Decision Criteria. The Administrator may approve or approve with conditions a temporary use permit after consultation with all other applicable city departments and other agencies only when all of the following applicable determinations can be made:

- (a) The temporary use will not impair the normal, safe, and effective operation of a permanent use on the same site.

The proposed tent city encampment will not impact the normal operation of the Redwood Family Church. The encampment will take place on the lawn portions of the site and will

not cause the loss of on-site vehicular parking except for the five parking stalls which represent approximately eight percent of the 61 available on site parking.

- (b) The temporary use will not significantly impact public health, safety or convenience, or create traffic hazards or congestion, or otherwise interrupt or interfere with the normal conduct or uses and activities in the vicinity.

The proposed tent city will not significantly impact the Church's ability to use its parking lot and thus create a parking problem within the surrounding neighborhood.

SHARE/WHEEL will provide portable toilets, showers, and dumpsters for the members of the encampment. Dumpsters are to be emptied twice a week and the portable toilets emptied three times a week. The Redwood Family Church will provide access to water and electricity as well as the disposal of water from the showers.

- (c) The use and associated structures will be conducted and used in a manner compatible with the surrounding area.

As approved, the tent city encampment shall be located to the east and northeast of the existing church building which will help provide screening from Red-Wood Road. Additional screening will be provided by existing trees along the eastern and western property lines as well as screening around the perimeter of the encampment that will be installed as a condition of approval. The use as proposed and conditioned will be compatible with the uses in the general vicinity. Churches are permitted in all residential zones as a conditional or special use. Providing social services to the community, such as establishing food banks or caring for the homeless, is a typical associated use for many churches. As conditioned, this proposal will be compatible with the surrounding residential uses.

2. General Conditions.

- (a) A temporary use conducted in a parking facility shall not occupy or remove from availability more than 25 percent of the spaces required for the permanent use.

The tent city encampment will not take place within the parking area of the Redwood Family Church. In order to provide parking of vehicles for the residents of the encampment, up to five (5) parking spaces have been allowed through this permit to be used by the residents of Tent City. This proposal meets this condition.

- (b) Each site occupied by a temporary use must provide or have available sufficient parking and vehicular maneuvering area for customers or other users. Such parking need not comply with RZC 21.40.010.G, Parking and Storage of Recreational, Utility, and Commercial Vehicles and Vessels in Residential Neighborhoods, but must provide safe and efficient interior circulation and ingress and egress to and from public rights-of-way.

All activities of the tent city encampment will take place outside of the existing surface parking lot that serves the Redwood Family Church. Additionally, the residents staying at the tent city encampment typically have between two to five vehicles. The parking of five

(5) cars within the church's surface parking lot will not adversely impact the parking of churchmembers. This proposal meets this condition.

- (c) The temporary use shall comply with all applicable standards of the Seattle-King County Health Department.

The Short Term Temporary Use shall be conditioned that it meet all applicable Health Department standards. The Seattle King County Health Department will periodically monitor the site as they have done with previous encampments.

- (d) No temporary use shall occupy or use public parks in any manner unless specifically approved by the Parks Department.

The proposal calls for the temporary use to be located on private property owned by the Redwood Family Church. No activity is requested to be held within, nor is any activity permitted within any public park or right-of-way.

- (e) All temporary uses shall obtain, prior to occupancy of the site, all applicable City of Redmond permits, licenses and other approvals (i.e., business license, building permit, administrative approvals, etc.).

The Short Term Temporary Use is the only City land use approval necessary. The applicant shall contact the City of Redmond Development Services Center and obtain, if necessary, a Temporary Electrical Power Permit and any other permit needed.

- (f) The applicant for temporary use shall supply written authorization from the owner of property on which the temporary use is located.

The co-applicant, in this case, is the property owner. The proposal meets this condition.

- (g) Each site occupied by a temporary use shall be left free of debris, litter, or other evidence of the temporary use upon completion of removal of the use.

The project shall be conditioned that the site be free of any litter upon completion of the temporary use. Following the encampment at St. Jude's Church in 2007, 2009, 2011, and 2013 the site was left clean of debris and litter.

- (i) All materials, structures, and products related to the temporary use must be removed from the premises between days of operation on the site, provided that materials, structures, and products related to the temporary use may be left on-site overnight between consecutive days of operation. By virtue of having been in consistent operation prior to the existence of the ordinance codified in this chapter, the open air craft and farmers market operation, commonly known as the Saturday Market, shall be allowed to store structures on-site between weekly activity of the market, but such structures must be reviewed by the Administrator annually and permission to leave them in place between market sessions

may be denied if they become a visual blight, safety, or health problem. They shall be removed at the end of the permit period.

The co-applicants shall remove or cause to be removed all material and structures associated with this temporary use from the site upon the conclusion of the Tent City encampment.

- (j) Additional conditions may be established as necessary to ensure land use compatibility and to minimize potential impacts on nearby uses. These include, but are not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirement for screening or enclosure, and guarantees for site restoration and cleanup following temporary uses.

The Administrator has placed additional conditions on this application to ensure compatibility with the surrounding properties and address concerns of public safety.

3. Conditions Specific to Temporary Encampments.

- (a) The applicant shall apply for a temporary use permit at least 30 days before the planned opening of the temporary encampment.

The application was filed on May 28, 2013 or 45 days prior to the opening of Tent City. This condition has been met.

- (b) The encampment shall be limited to a maximum of 100 persons. After the encampment reaches its 100 person capacity, individuals who arrive after sundown (and meet all screening criteria) will be allowed to stay for one night, after which they will not be permitted entry until a vacancy is available. Such occurrences shall be logged and reported to the City on a weekly basis.

The request is for no more than 100 residents. This condition has been met.

- (c) A temporary encampment shall be limited to a maximum of 110 days within any 365-day time period at one location. This 110-day time limit shall control over the six-month time limit specified for short-term temporary uses in RZC 21.46.020.A.

The request is for the Tent City encampment is for approximately 94 days. The Redwood Family Church has never hosted an encampment prior to this application. This condition has been met.

- (d) The encampment or the parking of any vehicles associated with the application shall not displace the host site's parking lot in such a way that the host site no longer meets the minimum or required parking of the principle use as required by code or previous approvals unless an alternative parking plan has been approved by the Administrator.

The tent city encampment will not take place within the parking area of Redwood Family Church. In order to provide parking of vehicles for the residents of the encampment, up to five (5) parking spaces have been allowed through this permit to be used by the residents of Tent City. This condition has been met.

- (e) The temporary encampment managing organization shall maintain a resident log for all who are residing at the encampment. Such log shall be kept onsite at the encampment. Prospective encampment residents shall be asked to provide a reasonable form of identification when signing the log.

The project has been conditioned to require that a log meeting these standards be maintained while Tent City 4 is located at the Redwood Family Church site.

- (f) The Planning Director may impose additional conditions for the purpose of maintaining the health, safety, and welfare of people in and around the temporary encampment, relating but not limited to any or all of the following:
 - (i) Encampment resident code of conduct;
 - (ii) The presence of minors in the encampment;
 - (iii) The provision of transportation to/from the encampment; and,
 - (iv) Setbacks and screening.

The permit includes conditions of that the code of conduct be enforced, that no minors are permitted, and that the areas of the encampment be screened.

- (4) Temporary Encampments shall be processed as a Type I Permit with the following modifications

- (a) A Notice of Application shall be mailed and posted on-site meeting the standards outlined in RZC 21.76.080.B, Notice of Application.

A notice was mailed to all property owners within 500 feet of the site and the notice was posted on the Redwood Family Church site.

- (b) A minimum of one Major Land Use Action Sign shall be posted on-site meeting the requirements outlined in RZC Appendix 6, *Extraordinary Notice Requirements*.

Notice was posted on site and at City Hall.

- (c) A minimum of one Major Land Use Action Sign shall be posted onsite meeting the requirements outlined in 20F.30.40-030(4)(c).

Two Major Land Use Action Signs were posted at the Redwood Family Church property on June 3, 2013.

- (d) Prior to the decision on the application for a Temporary Encampment, the Administrator shall require that a neighborhood meeting be held.

A Public Comment meeting was held on June 24, 2013 at the Church of the Holy Cross. Approximately thirty individuals attended this meeting. City staff explained the application process, public comment and appeal opportunities, and the proposed site configuration for Tent City at the Redwood Family Church.

A Notice of Application shall be mailed and posted on-site meeting the standards outlined in RZC 21.76.080.B, Notice of Application.

CONCLUSIONS IN SUPPORT OF RECOMMENDATION

The Redwood Family Church Tent City application appears to satisfy the Redmond Community Development Guide's standards for Temporary Uses provided that the additional conditions placed on this proposal are met.



www.redmond.gov/ZoningCode



Temporary Use

DR019

What is a Temporary Use Permit?

A temporary use permit is a mechanism by which the City may permit a use or structure to temporarily locate within the City (on private property or the public rights-of-way) on an interim or seasonal basis as long as it is safe and compatible with other uses in the area.

In Redmond, a Temporary Use Permit can be issued for:

- Outdoor art and craft shows and exhibits
- Retail sales such as Christmas trees, seasonal or agricultural sales, firewood, seafood, etc.
- Mobile services such as veterinary services
- Vending carts

- Group retail sales such as swap meets, parking lot sales
- Temporary Encampments
- Temporary parking lots used during construction

Other temporary uses may be authorized by the Planning Director if the proposed use complies with the provisions in the Temporary Use code.

Temporary Use Permits can be granted on a Short-Term (less than 6 months) or Long-Term (up to two years) basis. All applications for a Temporary Use Permit must meet the City's decision criteria. Please see the Redmond Zoning Code 21.46.030 for the listing of the decision criteria and general conditions.

Decision Criteria

The temporary use will not:

- impair the normal, safe, and effective operation of a permanent use on the site
- significantly impact public health, safety or convenience, or create traffic hazards or congestion, or otherwise interrupt or interfere with the normal conduct or uses and activities in the vicinity
- be materially detrimental to the surrounding uses

Do I Need A Permit?

If you have a question or think you might need a Temporary Use Permit please do not hesitate to contact the Planner On Call at 425-556-2494 or visit us in person at the Development Services Center at City Hall between 8am and 5pm weekdays

Short-Term vs. Long-Term Permits

So you want a Temporary Use Permit....what does "temporary" mean?

A Short-Term Temporary Use permit is for activities that will last six months or less. These permits are reviewed and approved administratively within one to two weeks.

Long-Term Temporary Use permits are for longer duration events that will last for a time period of up to two years. These permits are reviewed administratively and a

recommendation is then forwarded on to City Council who then hold a public hearing and then make the final decision on the permit. The review and approval process for these permits take approximately two months.

An applicant can seek a **renewal to a Long-Term Temporary Use permit** for an additional two year time period provided that:

- The request for renewal is made in advance of the original permit expiring
- That the request still meets the decision criteria for a temporary use

The City may condition a renewal for the construction or installation of improvements necessary to serve the use. The review process for a request of a **renewal** to a Long-Term temporary use follows the same process for the Long-Term temporary use permit.

When a Temporary Use Permit is Not Necessary

The following activities and structures are **exempt** from requirements to obtain temporary use approval:

- (1) Portable units or modular structures when used to provide temporary classrooms at schools.
- (2) Manufactured homes, portable units, modular structures, travel trailers when used as a dwelling while a residential building on the same lot is being constructed or when a damaged residential building is being repaired.
- (3) Manufactured homes when used for housing elderly or disabled relatives of the occupant of an existing residence, when such relatives require constant supervision and care.
- (4) Manufactured homes, portable units, modular structures, or travel trailers when used to support construction or site development.
- (5) Guests of Redmond residents in recreational vehicles.
- (6) Recycling and collection centers that meet certain requirements.
- (7) Model homes or apartments and related real estate sales
- (8) Garage sales, moving sales, and similar activities for the sale of personal belongings when operated not more than three days in the same week and not more than twice in the same calendar year.
- (9) Fund-raising car washes that meet the requirements for discharge of wastewater established by the City of Redmond Natural Resources Division;
- (10) Motorized catering, such as popsicle/ice cream scooters and self-contained lunch wagons that remain at one location for no more than three hours per day;
- (11) Circuses, carnivals, fairs, or similar transient amusement or recreational activities.
- (12) Activities, vendors and booths associated with City of Redmond sponsored or authorized special events;
- (13) Individual booths in an approved temporary use site for group retail
- (14) Weekend (Saturday and Sunday) only, warehouse sales in Business Park, Manufacturing Park, and Industry zones, when held no more than once a month in an existing

Additional questions or assistance filing out paperwork

If you need additional assistance, please do not hesitate to contact the Planner On Call at 425-556-2494 or via email at planneroncall@redmond.gov. You can also visit us in person in the Development Services Center on the 2nd floor of City Hall between 8:00 am. to 5:00 p.m. Monday through Friday.

The RZC can be accessed online at: www.redmond.gov/DSC

NOTE: This handout is for informational use only and is not to be substituted for the Redmond Zoning Code

Applicable Code Sections
RZC 21.46 Temporary Uses

Questions: 425-556-2494 or planneroncall@redmond.gov.

You can also visit us in person in the Development Services Center on the 2nd floor of City Hall between 8:00 am. to 5:00 p.m. Monday through Friday.

Development Services Center
15670 NE 85th St PO BOX 97010
Redmond, WA 98073



Police Calls

Tent City Calls for Services

The City of Redmond and the Redmond Police Department are pleased to provide the following police related call information regarding Tent City. RPD receives approximately 1,800 calls per month. In 2007, RPD received an average of 8 calls per month with most involving warrant checks, which is a requirement for any new participant checking in to Tent City.

The following information below is the list of police calls received during the 2013 Tent City encampment at St. Jude's.

Date Time	Case Nbr.	Type of Call	Call Information
1-25 8:33p	001452	Unwanted Person	Request to trespass verbally abusive resident
1-31 9:51p	001798	Paper Service	Paper service on resident
2-03 1:48a	001924	Unwanted Person	Resident causing a disturbance, asked to leave
2-15 1:10a	002678	Disturbance	Intoxicated male trespassed from TC
2-20 10:03a	002978	Assault	TC resident assaulted another resident, she was barred from TC
3-02 6:58p	003706	Fugitive Arrest	Outstanding warrant for prospective resident
3-26 9:22p	005206	Agency Assist	Missing person located at TC
4-02 3:20p	005605	Fugitive Arrest	Outstanding warrant for prospective resident

What happens to residents who violate the Tent City Code of Conduct?

Illegal activities are referred to law enforcement. In fact, the police drop by Tent City at unannounced intervals through the day and night. They get to know the Tent City residents and work together with them to maintain a peaceful camp. The Code of Conduct includes consequences for other violations. Repeated or serious offenses will result in the resident being barred from Tent City. There is no incidence of violations in previous communities

Does Tent City pose a threat to its neighbors or to school children?

According to Sergeant John Urquhart, spokesman for the King County Sheriff's office, "Tent City has not presented any significant increase in crime or increased service demands in any of the areas they've located in King County or unincorporated King County. As far as we're concerned, they've been good neighbors. They are welcome anywhere in our jurisdictions."

Has a Tent City ever been located in a residential area or near schools?

Yes. Because the host is usually a church, Tent Cities have normally been in residential neighborhoods. On the Eastside, Tent City 4 has now been located near or beside schools in about half of its nine sites over the past two years. School officials have not reported any incidents of Tent City residents having contact with schools or their children, except to lessen the amount of litter in the area. Furthermore, according to area police reports, during the entire history of all Tent Cities, not a single child or other neighbor has been harmed by any Tent City resident.

In Redmond, St. Jude's Church has hosted Tent City on four separate occasions since 2006 with no reported problems with the surrounding neighbors or school children. St. Jude's Church is located near Redmond Middle School and Horace Mann Elementary School where many of the children walk to and from school.

Are neighborhood schools and children safe from possible intruders?

Schools already have procedures in place to deal with unauthorized persons in their buildings and on their grounds. For specific information, contact the schools directly.

Has there been an increase in crime where Tent Cities have been located?

According to the police in King County, Seattle, Shoreline, Tukwila, Bothell, Kirkland, Bellevue and Woodinville, there has been no measurable increase of crime in neighborhoods anywhere near any Tent City. On May 21, 2004, the Seattle Times published an independent investigation which found that SHARE/WHEEL's Tent Cities do not affect crime rates.

How is transportation for residents handled?

SHARE/WHEEL provides two bus tickets per day so that TC4 residents can get to their jobs, to job interviews, and to medical appointments. When bus service is reduced (on weekends and holidays), taxi scrip is available. Also, typically, a regular "shuttle service" manned by host/resident volunteers, will operate on Sundays. Church and resident volunteers are on an evening stand-by rotation to bring any later-bus-arrivals back to Tent City.

Does Tent City 4 have toilet and shower facilities?

TC4 has portable toilets that are serviced three times per week. A portable shower on a trailer is transported to the site. Drainage from the shower and sinks is piped into the sewer system at the church. The plumbing setup is inspected before and during the stay by city inspectors to ensure public health and environmental conditions are maintained.

What about garbage and laundry?

TC4's garbage dumpsters are emptied twice a week. Residents perform litter patrol of TC4 and surrounding areas. Volunteers will help remove recyclables regularly. Blankets and sleeping bags are laundered once a week at Everett Overall Laundry free of charge. Personal laundry is handled by each resident, usually at a laundromat.

How does Tent City get hot meals?

Usually a hot dinner is provided by a church or other charitable organization. Other food is donated, but refrigeration facilities are limited. TC4 includes a kitchen with a microwave oven for food preparation, but there are no electrical burners or open flames allowed. The Host Congregation is not expected to, but may choose to provide meals or any assistance they deem necessary for the well-being of the Tent City residents. Over the past two years, more than 50 religious and secular organizations have served at least 35,000 hot suppers at Tent City, for an estimated value of over \$92,000.

Where does Tent City get blankets, food and other necessities?

Many tents, blankets and other supplies, including food and clothing, are donated by community support from local businesses, parishioners from the host church and other church congregations, and by residents of the surrounding neighborhood.

What measures are proposed to ensure protection of public health and safety of local neighbors as well as temporary residents of any proposed Tent City?

Public Health - Seattle & King County provides environmental health-related services to Tent Cities in order to promote a safe and healthy living environment for the residents of Tent City and the surrounding neighborhoods. A Public Health nurse with the Health Care for the Homeless Network provides health-related education and consultation to Tent City residents and host organizations, including information on how to link Tent City residents to community health care services. The nurse makes periodic

Home	Apply:	Fir
Traffic Cameras	Boards and Commissions	Bic
Communications	Business Licenses	Cit
Development Resources	Jobs	Cit
GIS Maps	Permits	Ma
Recreation Classes	Pet Licenses	Par
Online Services	Report:	Tri
Employment	Code Violation	Pu
Staff Directory	Issues and Complaints	Re
Main Calendar	Website Feedback	Re
		Uti

425-556-2900 | 1

on-site visits to Tent City to assess overall health conditions, and provides follow-up technical assistance as needed. Public Health Environmental Health inspectors are available to consult on issues relating to toilet facilities, garbage disposal, portable water, hygiene and hand washing, and safe food handling.

Are open fires allowed? Is fire prevention equipment available on site?

No open fires are allowed at a Tent City site. Fire extinguishers are on site and posted according to the directives of the local fire departments. The Redmond Fire department is welcome to visit Tent City at any time to monitor safety conditions.

What is Redmond doing about homelessness in the region?

The City has a long history of providing funding to local human service agencies, serving low-income individuals and families on the Eastside. These resources support a range of services to youth, adults and families who are already homeless as well as efforts to prevent individuals and families from becoming homeless. City staff continues to be actively involved in a number of regional initiatives and activities -- working to develop long-term strategies to increase the number of homeless housing units in East King County, aligning funding priorities with those of King County's Ten Year Plan to End Homelessness, and participating on the Eastside Homelessness Advisory Committee, made up of funders, providers, faith organizations, and other stakeholders. Currently, the City is exploring options for a sustainable solution to winter shelter needs.

City of Woodinville
Washington



You are here > [Home](#) > [News](#) > [Of Special Interest](#) > [Tent City 4](#)

Tent City 4

UPDATE 7/23/07: An appeals court has ruled again in the City of Woodinville's favor and against SHARE/WHEEL and Northshore United Church of Christ, sponsors of Tent City 4, a homeless encampment of about 60 people that rotates among eastside King County cities and last stayed in Woodinville in Summer 2006.

In the ruling, the Court of Appeals upheld a previous King County Superior Court ruling that the homeless camp was required to obtain permits from the City before it established its encampment and that the group violated a previous contractual agreement it made with the City to abide by the City's rules and regulations.

The appeals court decision reaffirms that temporary encampments are subject to local government regulations and permit requirements and that they must abide by agreements they make with City governments. SHARE/WHEEL and the Northshore United Church of Christ are both expressly prohibited by the court order from bringing Tent City 4 back to Woodinville, without first securing the required permit(s) from the City.

UPDATE 8/13/06: On August 11, the City of Bothell has issued a Transitory Accommodations Permit to the First Evangelical Lutheran Church (located at 10201 NE 183rd Street, Bothell) allowing the Church to host Tent City 4, a homeless encampment operated by SHARE/WHEEL, for 90 days beginning Aug. 12.

Media reports state TC4 rejected Bothell's permit and has relocated to the Woodinville Unitarian Universalist Church (19020 Woodinville Duvall Road) in unincorporated King County. For permitting questions, contact King County, Department of Development and Environmental Services 900 Oakesdale Ave. SW, Renton, WA 98057-5219, Phone: 206.296.6600 (TTY: 206.296.7217)

UPDATE 7/3/06: On 6/30/06, state Court of Appeals Commissioner Mary Neel denied the City's request to order S/W to post the "supersedeas" bond (see below). The City is appealing the Commissioner's 6/16 and 6/30 decisions. Beginning June 28, the City initiated code enforcement action against S/W for the establishment of a use (encampment) not permitted in the R-1 zone in violation of Woodinville Municipal Code (WMC) 21.50.030. Persons responsible for violations of WMC are subject to civil penalties as defined in WMC 1.06.110.

The City of Bothell has issued a Notice of a Land Use Application for the Transitory Accommodations Permit application from Bothell First Evangelical Lutheran Church (located at 10201 NE 183rd Street, Bothell). Beginning Wednesday, June 28, the City of Bothell will accept public comment on the Transitory Accommodations Permit application received by the Church to host Tent City4, a homeless encampment operated by SHARE/WHEEL. The 21 day public comment period lasts through 5 p.m. on July 19.

UPDATE 6/23/06: On 6/16/06, Washington State Court of Appeals Commissioner Mary Neel granted Northshore United Church of Christ (NUCC) and Share/Wheel's (S/W) motion for a stay. The motion was filed in response to the ruling on 6/9/06 by King County Superior Court Judge Charles Mertel that ordered the encampment to vacate the church property by midnight on 6/17/06. Both S/W and NUCC immediately filed for review of Judge Mertel's decision by Division 1 of the State Court of Appeals. By granting the stay, the ordered vacation of the church property by Judge Mertel will not be enforced while the appeal is pending in the Court of Appeals. Appeals Court Commissioner Neel also ordered that S/W had until 6/21/06 to respond to the City's request for a \$250,000 "supersedeas" bond. The City requested the bond to cover the costs the City is incurring during the Tent City 4 stay in Woodinville and its costs of litigation. S/W did submit two documents: "SW Objection to Respondent's Request for Supersedeas Security" and "S/W's Notice That Decision Is Superseded Without Bond." The City has until 6/23/06 to respond to NUCC & S/W's response.

A ruling on the supersedeas motion is expected from Commissioner Neel the week of June 26. If a supersedeas bond in the amount ordered by Commissioner Neel is not posted, the stay on enforcement of Judge Mertel's order will be extinguished. In addition to the City having to respond to the Appeals Court ruling on the stay, it will be filing motions with the same Court of Appeals to have the Commissioner's ruling be reviewed by a panel of Judges and for expedited review of Judge Mertel's rulings.

UPDATE 6/9/06: News Release, "Court Ruling Imposes June 17 Move Deadline for Tent City4"

UPDATE 6/6/06

At its 6/5/06 meeting, the City Council approved the contract with Omega Options International for TC4 security services and it removed the First Reading of Ordinance No. 417, proposed temporary encampment regulations, from the agenda.

Mediation continued this week but has yet to produce a settlement. Today, Judge Charles Mertel expressed that he anticipates ending public testimony tomorrow, extended the TRO through 6/7/06 and indicated that one additional extension may be necessary.

UPDATE 5/30/06

King County Superior Court has extended the temporary restraining order (TRO) through Friday, June 2, 2006 and has directed the City, NUCC and S/W to mediation.

The City Council will hold a Special Meeting on 5/31/06 to discuss matters concerning Tent City 4 and legal proceedings with Northshore United Church of Christ and Share/Wheel. There will be an Executive Session on current litigation, after which the City Council may take action with respect to this litigation.

The City is in receipt of written responses from NUCC and S/W to the City's subsequent offer to negotiate the use of vacant city property. In each response both parties expressed satisfaction with the current location, concern about the cost and difficulties to move and a desire to seek solutions that benefit all parties.

UPDATE 5/18/06

On May 8, the City Council denied the request to allow the TC4 encampment to relocate to city owned property in the downtown. On May 12 the City filed a motion with King County Superior Court requesting that a temporary restraining order be issued by the Court to stop the encampment from relocating onto the Northshore United Church of Christ (NUCC) property in violation of city zoning permit requirements. The Court denied the City's request to prevent the encampment's relocation, and issued its own temporary restraining order that allows the encampment on the church property until the merits of the City's lawsuit are resolved during a subsequent court proceeding currently scheduled for May 30, 2006. The Court's TRO imposes conditions similar to the past encampment sitings in several other local jurisdictions. Under authority of the court's temporary order, the encampment relocated to NUCC on May 13, 2006.

At its May 15 meeting, the City Council authorized the City Manager to ask NUCC and S/W if they would be interested in relocating the encampment on the city property (used in 2004) with certain conditions to apply. As of May 18, 2006, the City is awaiting a response from both parties.

UPDATE 5/12/06: News Release - "Court Ruling Imposes Restrictions on TC4 Use"

UPDATE 5/9/06: News Release - "Council Rejects Tent City Proposal"

UPDATE 5/2/06: Staff Report for May 8, 2006 City Council meeting.

UPDATE 5/1/06: SEPA Environmental Determination of Non-Significance issued for proposal to relocate TC4 to city property.

UPDATE 4/28/06: News Release-"Tent City4 Requests Woodinville Property for May 13 Relocation." On May 8, 2006, the City Council will consider whether to allow the use of city property for TC4 beginning on May 13, 2006.

The Citizen Information Line (425.877.2269) has been activated. Updates will be recorded as they become available.

COMMUNITY CONCERNS: Q&A

The City appreciates you taking the time to contact us to understand more about temporary homeless encampments and the terms and conditions of Tent City4 locating in Woodinville. The information below will be updated as new information becomes available.

Q: What are the conditions imposed by King County Superior Court in its May 12, 2006 Temporary Restraining Order? (5/18/06)

In its own temporary restraining order (TRO), the Court imposed conditions and restrictions on the encampment allowing its use on the church property until the outcome of the preliminary injunction hearing currently scheduled for May 30, 2006. The Court's TRO generally conditions the encampment to the substantive terms of the [2004 property use agreement](#) (when the encampment occupied city owned property), requires compliance with Share/Wheel's (S/W) Code of Conduct and imposes additional restrictions. To ensure compliance with the conditions and restrictions imposed by the TRO and preemptively address any violations of applicable City ordinances, the City's Code Enforcement Officer is conducting regular inspections of the encampment. [View the Court's May 12, 2006 Temporary Restraining Order.](#)

Q: What security plan is in place? (5/18/06)

A: The City's goal is to ensure public safety for all of our citizens. As was done in 2004, the City intends to continue relationship building with the church, TC4, surrounding neighbors and business owners. The City further intends to allocate appropriate city resources to properly monitor and respond to issues. Security is being provided by the City's police department, a private security company and church volunteers.

At its May 15 meeting, the Council authorized the use of one of the City's day shift officers to patrol the area during day time (school) hours. (Police services are contracted by the City with the King County Sheriff's Office). Additionally, the Council authorized funding for private security. The City is working to develop a contract for professional services which will identify the scope of duties. Woodinville police officers and area King County Sheriff Deputies will conduct routine checks and investigations when warranted. The May 12, 2006 court ruling requires that Northshore United Church of Christ provide volunteer security during local school operating hours and school activities.

As with previous tent cities, TC4 pledges to self-police and self-manage its residents in accordance with its Code of Conduct that prohibits alcohol, drugs, weapons, fighting, abuse of any kind, littering or disturbing neighbors. All residents must sign an agreement to abide by this code of conduct and failure to do so can be cause for immediate expulsion. Residents form an Executive Committee that is responsible for site security, resident identification and donations management. One member of the Executive Committee is on duty, awake and available 24 hours per day.

The Police Department and the Crime Prevention Coordinator are working with neighbors on establishing Block Watch neighborhoods. To view crime prevention information, [go to the Public Safety page](#).

For more information, [contact current Police Chief Sydney Jackson](#) at 425.877.2277. (See 6/6/06 update above)

Q: What measures are proposed to insure protection of public health and safety of local neighbors as well as temporary residents of any proposed Tent City?

A: [Public Health Seattle-King County](#) provides environmental health-related services to tent cities in order to promote a safe and healthy living environment for the residents of tent city and the surrounding neighborhoods. They provide on-site visits to discuss the maintenance and operations of toilet facilities, garbage control, obtaining potable water, hand washing and safe food handling practices. They visit each tent city as it is established and monitor the situation at each site. Public Health nurses with the Health Care for the Homeless Network provide on site visits, first aid kits, resource information and work to help Tent City residents link to community health care services. An express condition of the Superior Court's temporary order requires SHARE/WHEEL to allow inspections by the Health Department and implement any directives issued by it. [View an informational Tent City handout from Seattle-King County Public Health.](#) (5/18/06)

Q: What measures are proposed to handle refuse and human waste on proposed sites?

A: As in 2004, a dumpster will be on site for the handling of refuse and it is regularly collected. Residents are forbidden to litter the camp or the surrounding neighborhood and regular patrols of tent city residents monitor the streets and sidewalks to ensure they are kept clean. SHARE/WHEEL provides portable toilets sufficient to the needs of up to 100 residents, which are regularly maintained. Hand washing stations are available adjacent to these toilets. Public Health staff monitor these conditions as noted above.

Q: Will open fires be allowed? Will fire prevention equipment be available on site?

A: According to SHARE/WHEEL, no open fires are allowed at a Tent City site (per the Code of Conduct). According to the Court's TRO, the conditions of the 2004 property use agreement apply to the 2006 encampment. One of those conditions is that S/W grant inspections by the Fire Department without prior notice and will correct any non-compliance issues within 48 hours. Fire extinguishers are on site and posted according to the directives of the local fire departments.

Q: What was the cost to the City of Woodinville when Tent City4 used city property in 2004?

The cost of TC4 for the City in 2004, came in the form of direct outlays (i.e. site preparation) and in the form of already-budgeted staff time that was diverted from other priorities. The City Council authorized outlay expenditures for up to \$5,000. In 2004, the City faced several challenges (appeals) that required legal consultation, representation, and additional staff work. According to the [TC4 Summary Report](#), the total cost of TC4 was approximately \$100,000. (The report was amended on 5/12/06 to correct a miscalculation of costs)

\$3,623 = Site preparation (gravel) and maintenance (utilities).
 \$25,096 = City Attorney costs
 \$3,950 = Hearing Examiner costs
 \$67,928 = Administrative (staff cost)

Q: What is the status of the City's proposed regulations for temporary encampments? (5/18/06)

As part of the 2005 Comprehensive Plan Annual Docket, the Planning Commission considered proposed regulations for temporary encampments in August 2005 and held a public hearing on September 14th. Following the public hearing, the Planning Commission forwarded recommendations to the City Council to amend Woodinville Municipal Code (WMC) Chapter 21 regarding temporary encampments. On January 17, 2006 the City Council held a study session to review the Planning Commission's recommendations and on April 3, 2006, had first reading of proposed Ordinance No. 417. At its May 15, 2006 meeting, the City Council directed staff to place "second reading and adoption" of Ord. No. 417 is scheduled for May 22, 2006.

The proposed regulations would allow for temporary encampments locate in the General Business & Industrial Zones subject to the approval of a Temporary Use Permit. The draft regulations would allow for temporary encampments in all residential zones and the Office zone, Central Business zone and Public/Institutional zone with a valid Conditional Use Permit. The proposed regulations would prohibit temporary encampments in the Neighborhood Business and Tourist District zones. The draft regulations would require that a temporary encampment in any zone be subject to 25 development conditions.

Q: What's King County doing about homelessness in the region?

A: Several regional groups are working to create long-term solutions to the problem of homelessness and many of them have come together to form the Committee to End Homelessness - a partnership of King County, United Way of King County, the Church Council of Greater Seattle, the City of Seattle, the Seattle-King County Coalition for the Homeless, Eastside and North Urban Human Service Alliances, and the South King County Council of Human Services. Contact The Committee to End Homelessness at 206.205.5506. (5/18/06)

The City of Woodinville is a member of the award-winning A Regional Coalition for Housing. Through its Housing Trust Fund investments in ARCH, Woodinville has invested in transitional housing projects. ARCH is also active in the Committee to End Homelessness. Additionally, the City of Woodinville funds human service providers that provide shelters for the homeless.

Who is SHARE/WHEEL?

SHARE/WHEEL, is the combined advocacy efforts of the Seattle-Housing and Resource Effort (SHARE) and the Women's Housing Equality and Enhancement League (WHEEL). They have operated tent cities in the City of Seattle and other local cities in cooperation with the faith-based community.

Contact Information

Woodinville City Council

Jennifer Kuhn, City Clerk
 City of Woodinville, 17301-133rd Avenue NE, Woodinville, WA 98072
 Citizen Information Line at 425.877.2269

Reverend Paul Forman, Northshore United Church of Christ
 18900 - 168th Avenue NE, Woodinville, WA 98072
 425-483-6557

Scott Morrow, SHARE/WHEEL
 PO Box 2548, Seattle, WA 98111
 206.448.7889

Tent City4 in Woodinville (2004)

In 2004, Tent City 4 (TC4), a homeless encampment, established itself on undeveloped city-owned park land. A TC4 Summary Report was created to chronicle the events and experiences of having TC4 in the City of Woodinville. Below are links to the Report and it's appendices.

Tent City Final Report (corrected 5/9/06)	Attachment 4: Aug. 10 O&A Understanding Temporary Shelters for the Homeless (handout)	Attachment 8: Temporary Property Use Agreement (8/27/04)
Attachment 1: Ord. 369	Attachment 5: Ord. 370	Attachment 9: Addendum to Temporary Property Use Agreement
Attachment 2: Staff Report for TUP 2004-072	Attachment 6: Ord. 371	Attachment 10: Compliance Results, Temporary Property Use Agreement
Attachment 3: Aug. 10, Special City Council Meeting Agenda Handout	Attachment 7: Ord. 372	Attachment 11: TUP Permit Issued by Hearing Examiner (10/14/04)

Complete copies of the Final Report are available for public review and copying at City Hall during regular office hours. Copy fees may apply. Contact Jennifer Kuhn, City Clerk, for more information.

ONLINE RESOURCES

Washington Administrative Code (WAC) Revised Code of Washington (RCW)

King County Dept. of Community & Human Services Citizens' Advisory Commission on Homeless Encampments

King County Committee to End Homelessness

Seattle King County Coalition for the Homeless A Regional Coalition for Housing Homeless

US Dept of Justice, Civil Rights Division, Housing & Enforcement Section, Religious Land Use & Institutionalized Persons Act

Page last modified: March 7, 2012



A-Z Directory Language Text size SEARCH

Government Residents Business & Development Plans & Projects Transportation Parks & Recreation Environment Public Safety

City of Redmond » Plans & Projects » Tent City

PLANS & PROJECTS

Tent City

Print Friendly

- Bids & RFPs
- Comprehensive Planning
- Downtown
- Parks
- Tent City**
- Tent City FAQs
- Code of Conduct
- Police Calls
- Community Services
- Transportation
- Utilities

On May 28, 2013, the Redmond Department of Planning and Community Development received an application for a Temporary Use Permit (TUP) filed by co-applicants Redwood Family Church and SHARE/WHEEL to operate a homeless encampment (Tent City) on the Redwood Family Church property for approximately 94 days beginning on July 13, 2013.

The City of Redmond has scheduled a Public Meeting on Monday, June 24, 2013 beginning at 7PM at the Church of the Holy Cross (11526 162nd Avenue NE) to take comments on this proposal.

At the close of the 21-day public comment period on June 25th the Redmond Department of Planning and Community Development (Planning) will issue a decision on this application.

Document Links: Includes Notice of Public Meeting, Vicinity Map, Site Plan [Notice of Decision](#)
[Notice of Appeal Hearing](#) - August 7, 2013

Contact Information

City of Redmond
Steven Fischer 425-556-2432 or sfischer@redmond.gov

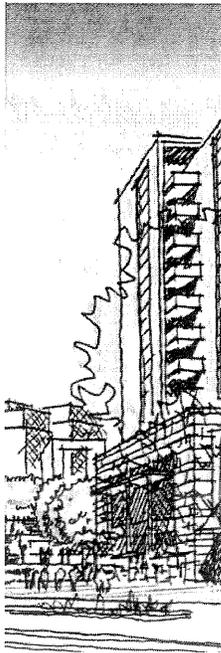
Redmond Police Department
Commander Erik Scairpon 425-556-2611 or escairpon@redmond.gov

King County Public Health
206-296-4932

King County Sheriff's Office
206-296-7528

SHARE/WHEEL
206-448-7889

Redwood Family Church
425-885-5910



Home
Traffic Cameras
Communications
Development Resources
GIS Maps
Recreation Classes
Online Services
Employment
Staff Directory
Main Calendar

Apply:
Boards and Commissions
Business Licenses
Jobs
Permits
Pet Licenses

Report:
Code Violation
Issues and Complaints
Website Feedback

Find:
Bid Info
City Buildings
City Codes and Documents
Maps
Parks
Trails
Public hearings
Code Violation
Recreational Classes
Redmond Facts
Utility Billing

Get Involved:
City Council Meetings
Donations
Events
Volunteering

How to Pay:
Utility Bills

Request:
eAlert Subscriptions
Inspections
Junk Mail Reduction (KC site)
Police Public Records
Rental Facilities
Utility Services

A-Z Directory
Search Help
Site Map
Website Policies



425-556-2900 | 15670 NE 65th Street | PO Box 97010 | Redmond, WA 98073-9710
Info@Redmond.gov

