CITY OF REDMOND ORDINANCE NO. 2465

OF THE AN ORDINANCE CITY OF REDMOND. WASHINGTON, AMENDING RCDG 20C 40 20 IN ORDER TO UPDATE THE PERMITTED LAND USES DIVISION OF THE CITY'S DOWNTOWN NEIGHBORHOOD REGARDING REGULATIONS PUBLIC FACILITIES, PRIVATE EDUCATIONAL INSTITUTIONS AND DRIVE-THROUGH USES IN GARAGES OF MULTI-STORY BUILDINGS, DGA L09002, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Redmond Planning Commission held a public hearing on March 18, 2009, in order to take public testimony on proposed amendments to the Downtown Neighborhood Regulations regarding a boundary change between the Anderson Park district and the Bear Creek district, public parking facilities, private educational institutions, and drive-through uses located in garages of multi-story buildings, and

WHEREAS, after considering any and all testimony received, the Planning Commission adopted findings and recommended that the City Council adopt the amendments to the Downtown Neighborhood Regulations contained in this ordinance, and

WHEREAS, the City Council concurs with the Planning Commission's recommendation

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

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

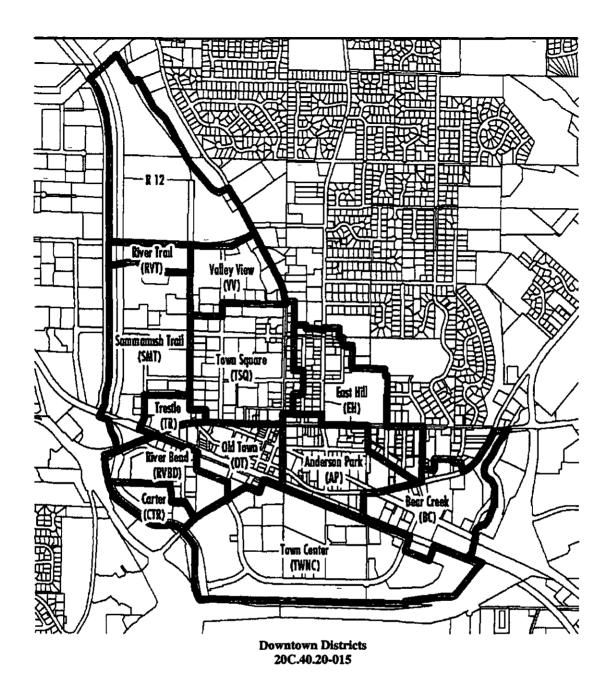
Section 2 Permitted Land Uses RCDG 20C 40 20,

Permitted Land Uses, is hereby amended to read as follows

20C.40 20-010 Permitted Land Uses Chart.

The chart entitled "Downtown Permitted Land Uses" is incorporated as a part of this section. It indicates land uses permitted within the different districts shown on the Downtown Districts Map (RCDG 20C 40 20-015), in conjunction with the general land use definitions in RCDG 20C 40 20-020 and other restrictions related to these uses. The districts are established as set forth in RCDG 20C 40 10.

20C.40.20-015 Downtown Districts Map.



20C.40.20-020 Downtown Definition of Uses.

For purposes of administering the Downtown Permitted Land Uses Chart, the following definitions

should be used All new development shall meet applicable design standards and guidelines

- (1) General Service Uses General services are professional, commercial and public activities conducted in offices and storefronts, without outdoor storage needs, including but not limited to lodging, personal services, business and financial services, advanced technology uses that are compatible in terms of noise/vibration impacts and hazards with adjoining multi-story office and residential buildings, minor entertainment services, and recreation services, theaters, health services, social services, legal services, educational services and cultural services Customer and tenant parking structures and surface lots are considered accessory to the primary use Services excluded from this definition are uses, such as industrial laundries and dry cleaning, junk yards, industrial testing laboratories, warehousing/storage, and similar uses which considered industrial uses
- (2) General Retail Uses General retail uses are establishments engaged in selling merchandise to the general public for personal or household consumption,

processing of products does not occur or is only a minor part of use (for example restaurants, butcher shops, breweries with taverns, art studios, etc.)

This category also includes food stores, apparel, furniture and home furnishings, home improvement goods including carpeting, lighting, cabinets, plumbing fixtures, large and small durable goods for family and office use, such as appliances, office furniture and supplies, eating and drinking places, and general merchandise. This category does not include uses with outdoor storage and display. Customer and tenant parking structures and surface lots are considered accessory to the primary use.

(3) Public Facilities and Local Utilities Public facilities include governmental administrative offices, libraries, parks, police and fire stations, educational institutions, cultural facilities, community or senior centers, and parking [STRUCTURES]

facilities See RCDG 20A 20 120 for definition of Local Utilities

20C.40.20-030 Permitted Land Uses.

Downtown Permitted Land Uses Chart

Land Use	Downtown District							
	Old Town (OT), Anderson Park (AP)	Town Center (TWNC) ⁵	Valley View (VV), Trestle (TR) Bear Creek (BC)	Sammamish Trail (SMT), Town Square (TSQ)	River Bend (RVBD)	River Trail (RVT), Carter (CTR), East Hill (EH)		
Retail ¹²	<u></u>				· · · · · · · · · · · · · · · · · · ·	'		
General (except those below) ^{3 6}	P	P	P	P ^{1 1a}	Plc	P ^{1b}		
Automobiles/Boats with Outdoor Storage of Vehicles ¹⁰					s			
Gasoline ¹²			P		P			
Vending Carts/Kiosks ⁹	s	S ^{9a}	S ^{9a}	S ^{9a}	S ^{9a}			
Services ¹²		·		<u> </u>		, .		
General (except those below) ^{3 6}	P	Р	p	P	P	P ¹⁴		
Family Day Care (1 - 6 children)	Þ	P	P	P	P	P		
Mini Day Care (7 - 12 Children) Day Care Center (13+ Children)	ន	s	s	s	s	s		
Private Preschools, Private Schools	P	P	P	P	P			

Private Universities Private Technical Colleges	·								
Minor Auto Repair		s	S		S				
Repair Electrical Appliances, Motors, and Furniture, Machine Shops			P		P				
Repair and Rental Electronic Equipment, Stereo Video and Watches	P	Þ	p	P	P				
Residential									
Multi-Family and Townhouses ⁷	P ₈	P	P ₈	P ⁸	P ₈	P			
Senior Housing4	P ⁸	P	P ⁸	P ⁸	P ⁸	P			
Other Uses ¹²		•							
Public Facilities and Local Utilities	P	P	P	P	P	P			
Banks with Multiple Drive-Through Facilities			p ² 11						
Drive-through in a garage of a multi-story building 15	<u>P</u>	<u>P</u>	<u>p</u>	<u>P</u>	<u>P</u>				
All Other Drive-Through Facilities			P ²						
Large Satellite Dishes/Amateur Radio Antenna(s) ¹³	s	s	s	s	s	s			
Broadcast and Relay Towers ¹³	С	С	С	С	С	c			
Wireless Communication Facilities ¹³	S	s	s	s	s	s			
P = Permitted Use, S = Special Use, C = Conditional Use									

Notes

¹ No single-story retail permitted, except (through December 31, 2023) on (a) the south block of NE 83rd Street between 158th Avenue NE and 160th Avenue NE (1 e , in Lots 2 and 3 of Lot Line Revision 90-01) and (b) the portions of Lot 6 of the Redmond Center Plat lying west of 158th Avenue NE if

extended south RCDG 20D 40 110 (rather than RCDG 20D 40 115) shall apply to single-story retail development within those two areas except that RCDG 20D 40 110-020(1)(c) shall not apply to the above-referenced portions of Lot 6 of the Redmond Center Plat and except that RCDG 20D 40 110-020(1)(a) shall not apply to the above-referenced portion of the south block of NE 83rd Street In multi-story buildings, retail is permitted on the ground floor but is not required Restaurants, taverns and delicatessens are allowed on any floor Nonconforming single-story uses may be expanded per RCDG Title 20F

- ^{1a} Same as footnote 1 above, except single-story sit-down restaurant and entertainment uses not less than 5,000 square feet GFA, and single-story master planned festival retail development adjoining and orienting to the river are permitted. No surface parking shall be located between the building and the Sammamish River.
- ^{1b} In the East Hill district General Retail uses may only occupy single-family structures in existence prior to the year 2005 provided 1) Required parking for the use is not located in the front yard and the parking and driveway areas do not expand beyond the year 2005 recorded parcel 2) The exterior of the structure accessory structures, and landscaping maintain a single-family character and 3) Storage of all products is kept indoors and accessory buildings do not exceed 60 percent of the ground floor area of the main structure
- ^{1c} Same as footnote 1 above, except single-story home and office improvement retail uses selling items such as furniture fixtures lighting, and carpet are allowed
- ² Drive-through facilities shall have a minimum queuing distance of 120 feet which is not within the public right-of-way or on-site circulation aisles. A landscape buffer between the drive-through lane and the street shall be provided
 - 3 Adult Entertainment is not permitted Downtown See RCDG 20D 20 10
 - 4 Governed by RCDG 20D 30 15, Affordable Senior Housing Bonus
- 5 All new development shall comply with the adopted Town Center Master Plan and Design Guidelines
- ⁶ On-site hazardous waste treatment and storage facilities permitted with a Special Use Permit provided that state siting criteria are met as set forth in Chapter 70 105 RCW. If the associated permitted use requires a Conditional Use Permit consideration of the treatment and storage facility shall be subject to the same Conditional Use Permit process and conditions.
- ⁷ Maximum density per lot dependent upon size and width of lot per the Downtown Districts Site Requirements Chart, RCDG 20C 40 40-045
- ⁸ Not permitted on ground floor street fronts of Type V pedestrian streets (see RCDG 20C 40 105-020, Downtown Pedestrian System Map), or where ground floor residences may be negatively impacted by nearby nonresidential uses, except through establishment of an Administrative Design Adjustment per RCDG 20C 40 40 Residential uses may be allowed on ground floor street fronts of Type Va pedestrian streets per RCDG 20C 40 78, Ground Floor Residential Uses

on Type Va Pedestrian Streets but not within the shorter distance of 100 feet or one-quarter block length from a street intersection

- ⁹ Subject to Special Uses Criteria RCDG 20D 170 35 Carts and Street Vendors
- ^{9a} Within the shoreline jurisdiction of Bear Creek and the Sammamish River, vending carts and kiosks associated with a water-enjoyment use are permitted subject to the special use standards in RCDG 20D 170 35 (SMP)
- Subject to Special Uses Criteria, RCDG 20D 170 20, Automobile, Recreational Vehicle and Boat Sales, Service and Rental
- ¹¹ Subject to Special Uses Criteria, RCDG 20D 170 25 Banks with Multiple Drive-Through Facilities Banks without drive-through facilities are regulated as General Services
- Please see RCDG 20D 140 50-030, Prohibited Activities in Wellhead Protection Zones, and RCDG 20D 140 50-040, Wellhead Protection Zone Performance Standards
- ¹³ Subject to Special Uses Criteria RCDG 20D 170 45 Telecommunications Facilities
- ¹⁴ General Services are allowed only on the ground floor of multi-story mixed-use residential buildings Except General Service uses may occupy existing single-family structures provided 1) on-site parking is not located in the front yard 2) the exterior of the structure and landscaping maintains a single-family character, and 3) the use is consistent with Comprehensive Plan Policies for the district

15All drive-through lanes shall be within the confines of the garage of the multi-story (at least 3 stories) building, and the drive-through lanes shall provide a queuing length adequate to serve peak demand without overflowing onto public sidewalks or streets, as determined by a professional traffic engineer and approved by the City.

Section 3 Severability If any section, sentence, clause or phrase of this ordinance or any of the codes or regulations adopted 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 adopted codes or regulations

Section 4 Effective date This ordinance shall take effect and be in full force five days after its passage and publication of a summary or as otherwise required by law

ADOPTED by the Redmond City Council this 2^{nd} day of June, 2009

CITY OF REDMOND

JOHN MARCHIONE, MAYOR

ATTEST

Wichelle M MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM

OFFICE OF THE CITY ATTORNEY

Ву

FILED WITH THE CITY CHERK

PASSED BY THE CITY COUNCIL

SIGNED BY THE MAYOR

PUBLISHED

EFFECTIVE DATE

ORDINANCE NO 2465

May 27, 2009

June 2, 2009

June 2, 2009

June 8, 2009

June 13, 2009

APPROVED (7-0) Allen, Carson, Cole, Margeson, McCormick, Myers and Vache