

ORDINANCE NO. 2115

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON AMENDING REDMOND MUNICIPAL CODE AND REDMOND COMMUNITY DEVELOPMENT GUIDE CHAPTERS 20C.30.85, 20D.30.10, AND 20D.30.15 TO REVISE REGULATIONS PERTAINING TO RETIREMENT RESIDENCES LOCATED IN THE R-4 THROUGH R-6 ZONING DISTRICTS AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Redmond Comprehensive Plan Policy FHO-4 encourages regulations that promote a diversity of housing types and densities throughout Redmond; and

WHEREAS, Redmond Comprehensive Plan Policy FHO-7 promotes the opportunity of housing for those with special needs, particularly those with challenges related to age, health, or disability; and;

WHEREAS, Redmond Comprehensive Plan Policy HO-2 provides for a compatible mix of land uses and housing types in and around residential neighborhoods; and,

WHEREAS, Redmond Comprehensive Plan Policy HO-16 encourages new housing development to contain or otherwise provide for a reasonable portion of affordable housing, and allows the City to provide incentives and bonuses intended to minimize or eliminate any costs to the developer/builder; and,

WHEREAS, Redmond Comprehensive Plan Policy HO-17 allows that the City may require a portion of the added housing capacity to be provided at prices affordable to low- and moderate-income households when there is a rezone that results in an increase in allowed density; and,

WHEREAS, Redmond Comprehensive Plan Policy HO-38 promotes the need to identify regulatory methods for improving housing opportunities for special needs populations in Redmond; and,

WHEREAS, Redmond Comprehensive Plan Policy UT-1 requires the City to ensure that adequate public facilities are in place.

WHEREAS, the City Council of the City of Redmond desires to encourage a mix of compatible housing types, increase opportunities for senior housing, and promote affordable housing, 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. Chapter 20C.30.85, *Retirement Residences*, of the Redmond Municipal Code and Redmond Community Development Guide is hereby amended to read as follows:

20C.30.85-010 Purpose.

The purpose of retirement residences is to help meet the housing needs of an aging population while protecting other uses from potential adverse impacts which may otherwise occur as a result of traffic, a concentration of people, and from buildings that may otherwise be out of scale with the area in which they are located.

20C.30.85-020 Applicability.

Retirement residences are allowed in all residential zones through the subdivision or binding site plan processes. If a development is not to be subdivided or sold as a condominium, then a special development permit shall be required for the retirement residence rather than a subdivision or binding site plan.

20C.30.85-030 Requirements.

(1) Age Restriction. The development shall be restricted to persons age 55 or older and handicapped persons as defined by Federal law. At least half the total housing units shall be occupied by persons 55 years of age or older, except for spouses of such residents for whom there is no minimum age requirement.

(2) Conversion from a Retirement Residence. No conversion of occupancy to persons other than those specified by RCDG 20C.30.85-030(1) shall be allowed without first complying with the underlying zoning and site requirements.

(3) Density. The maximum number of retirement residence units shall not exceed the number permitted by the allowed density of the zone, except as follows:

(a) In all residential zones which allow retirement residences, the maximum number of retirement residence units shall not exceed the number allowed for that zone in RCDG 20C.30.20-030, Residential Land Uses Chart, together with any density bonus authorized under RCDG 20D.30.10, Affordable Housing or RCDG 20D.30.15, Affordable Senior Housing Bonus, except any facilities developing under RCDG 20C.30.85-030(b).

(b) Retirement residences located in the R-4 through R-6 zones that provide some component of assisted living or skilled nursing care may be allowed an increase in density by up to three times the number of units permitted by the underlying zone, provided each of the following conditions exist:

(i) A minimum of 10% of the units are licensed for assisted living or skilled nursing care programs; however, no more than 25% of the units may be licensed for skilled nursing care.

(ii) There is adequate water and sewer capacity to serve the proposed development, together with the water and sewer capacity existing to accommodate the planned growth for the service area(s) in which the property is located.

(iii) Traffic generated by the retirement residence is not significantly greater than traffic generated in the surrounding residential

neighborhoods. In addition, the applicant shall provide to the City a transportation management plan (TMP). The TMP shall address the following: traffic control, parking management (including the mitigation of overflow parking into the adjoining residential neighborhood), and traffic movement to the arterial street system. In addition to on-site parking requirements, parking in excess of the maximum may be permitted on existing off-site satellite parking lots, subject to City approval of a joint use agreement. Off-site parking in a residential zone shall be limited to lots shared with existing institutional uses, such as schools.

(iv) The project shall comply with all development standards for the zone in which the development is located, including height, setbacks, open space, lot coverage, and impervious surface requirements.

(v) Landscape Requirements. Setback areas located adjacent to the side, street side, and rear property lines shall be landscaped to sufficiently screen the development from surrounding residential uses. Similar landscaping shall also be provided within the front setback areas when needed to screen parking. Where possible, existing mature vegetation shall be retained. The Design Review Board may allow reduced landscaping requirements for projects that exhibit exceptional site and architectural design qualities that reflect nearby neighborhood character. Such projects shall be well integrated with the surrounding neighborhood, including linkages to surrounding uses through pedestrian and vehicular connections. Alternative linkages may be proposed by those facilities where an enclosed facility is mandated by licensing requirements for the type of care offered at the Retirement Residence (such as Alzheimer's or other dementia care facilities).

(vi) Retirement residence facilities developed under these provisions shall not be entitled to any other senior housing density bonuses, including those described in Section 20D.30.10 (Affordable Housing) or Section 20D.30.156 (Affordable Senior

Housing Bonus) of the Redmond Community Development Guide.

(vii) Availability. A minimum of 25% of the new units increased above the underlying zone as a result of this section shall be set-aside for households earning less than 80% of the King County Median Income, adjusted for household size.

(viii) For existing developments that are expanding under these provisions, the set-aside units may be located either in the existing or new units, but shall be in addition to any set-aside units already provided in the existing facility.

(ix) The operator of the facility shall provide an annual report to the City providing information documenting compliance with the set-aside requirement. Facilities financed under Washington State Housing Finance Commission (WSHFC) programs may submit a copy of the annual report to WSHFC to satisfy this requirement.

(x) Set-aside units required by these regulations shall be administered according to the same requirements as used by the Washington State Housing Finance Commission (WSHFC) for similar type facilities, regardless of how a retirement residence developed under these provisions is financed.

(4) Site Requirements.

All site requirements and development standards of the Redmond Community Development Guide shall apply to retirement residences with the following exceptions:

(a) For retirement residences in the R-4 through R-6 zones, the lot on which the proposed development is located shall be a minimum of three acres in size.

(b) For retirement residences in the R-8 zone, the minimum lot size shall be 1-1/2 acres.

(5) Design and Development Standards.

(a) Developments shall be designed to project a residential, rather than institutional, appearance through architectural design, landscaping, the use of building materials, and surface length. Multiple structures are encouraged instead of large single structures to promote compatibility with surrounding residential neighborhoods. Site design, building placement, and perimeter landscape treatments shall screen the portions of the development, which are different in appearance from single-family dwellings from abutting single-family dwellings.

(b) Parking should be divided into small parking areas screened from on-site and off-site uses.

(c) In the R-4 through R-12 zones, no retirement residence shall be located adjacent to another retirement residence development to avoid the adverse effects of a concentration of such housing.

(6) Recorded Covenant and Conditions.

An agreement in a form approved by the City shall be recorded as a covenant or other legally binding limitation on the use and intensity of the property and requiring compliance with the requirements of this section, including any requirements for set-aside units. This covenant or other legally binding limitation on the use and intensity of the property shall run with the land, shall be binding on the assigns, heirs and successors of the applicant, and shall be recorded in King County's real property records before the use is occupied.

20C.30.85-040 Approval Criteria.

Approval of a retirement residence development is a discretionary decision unless it is a permitted use. The applicant shall have the burden of proof to show that the following approval criteria are met for all retirement residences which are not permitted uses.

(1) The application complies with the requirements of this section and the Redmond Community Development Guide.

(2) The design, scale, and appearance of the development is consistent with the desirable character of the existing and planned neighborhood in which it may be located.

(3) Adequate public facilities and services are available at the site to serve the development.

(4) The development is located along a transit route, which provides all day service, or the applicant is proposing to provide affordable transportation services to transport residents to the Redmond Senior Center, library, shopping, medical services, and other basic needs. If the applicant is proposing to provide transportation services, the applicant shall provide those uses until all day public transit service is provided to the site.

Section 2. Section 20D.30.10-020(3), *Affordable Housing, General, Senior Housing*, of the Redmond Municipal Code and Redmond Community Development Guide is hereby amended to read as follows:

(3) Senior Housing. Except for Retirement Residences developing under Section 20C.30.85-030(3)(b), at least 10 percent of the units in all new senior housing development proposals of 10 units or greater, including senior citizen dwellings and congregate care senior dwelling, but not including nursing homes, must be affordable units. In addition, at least one bonus market rate unit is permitted for each affordable unit provided, up to 15 percent above the maximum density permitted on the site. The bonuses granted under this provision are in addition to any bonus granted for senior housing under RCDG 20D.30.15, Affordable Senior Housing Bonus.

Section 3. Section 20D.30.15-020, *Affordable Senior Housing Bonus, Applicability*, of the Redmond Municipal Code and Redmond Community Development Guide is hereby amended to read as follows:

20D.30.15-020 Applicability.

Except for Retirement Residences developing under Section 20C.30.85-030(3)(b), the affordable senior housing bonus may be used in any zoning district that allows retirement residences or multi-family housing. The bonus shall be part of any subdivision, binding site plan, or site plan application. Where the application was made in an earlier application, the applications for the bonus does not have to be made in later applications provided the number of bonus units is included in the later applications. If the bonus is approved, the use shall comply with the requirements for this section for the life of the use.

Section 4. 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 amended hereby.

Section 5. 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
/s/ JAMES E. HANEY

FILED WITH THE CITY CLERK:	November 2, 2001
PASSED BY THE CITY COUNCIL:	November 7, 2001
SIGNED BY THE MAYOR:	November 8, 2001
PUBLISHED:	November 10, 2001
EFFECTIVE DATE:	November 15, 2001
ORDINANCE NO.: <u>2115</u>	