"EXHIBIT A"

ARTICLE II CITYWIDE REGULATIONS

RZC 21.46 TEMPORARY USES

21.46.010 Purpose

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

Effective on: 4/16/2011

21.46.020 Scope

A. A short-term temporary use permit shall be required for any temporary use of no more than six months in duration. The six months need not run consecutively. The six months may occur at any time within a calendar year as long as each day of operation is designated and approved. A day of operation shall mean any or part of any day in which the business is conducted. Applications for a short-term temporary use permit (six months or less) shall follow the procedures for a Type I review pursuant to RZC 21.76.050.F 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.

B. An encampment temporary use permit shall be valid for a five year period based on the following criteria:

1. **Once approved, the encampment may occur at the host site for a maximum of three visits within a five year period if the site plan and conditions that were originally approved remain unchanged;**
2. **The encampment shall comply with the provisions outlined in this chapter;**
3. **All conditions of approval were fulfilled during the previous stay;**
4. **A temporary encampment stay shall be limited to a maximum of 110 days within any 365-day time period at one location; and**
5. **There shall be a minimum of 365 days between the end of the 110-day stay and the next approved encampment.**

C. 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 RZC 21.76.050.J.

D. A long-term temporary use permit may be renewed, provided that:

1. The permit renewal must be applied for in advance of the expiration of the original term;
2. The permit renewal shall follow the procedures for a Type V review pursuant to RZC 21.76.050.J;
3. The applicant shall pay a renewal fee equal to that prescribed by Council resolution for a new long-term temporary use permit; and
4. The application for renewal meets the decision criteria outlined in RZC 21.46.030.A;
5. 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.
6. 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.

E. Upon expiration of the initial term of a short- or long-term temporary use permit or upon the expiration of any renewal term of a long-term temporary use permit, either:

1. 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
2. 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.

F. The following types of temporary uses, activities and associated structures may be authorized, subject to specific limitations noted herein and as noted in RZC 21.46.030, *Decision Criteria*, and as may be established by the Administrator:

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. Vending cart. 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. Temporary encampments that comply with the conditions outlined in this chapter;
7. Temporary parking lots used during construction or site development;
8. The Administrator 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.

G. **Exemptions.** 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, provided that adequate sewer and water service is available.
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, when adequate sewer and water is available.
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, and when adequate sewer and water is available.
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 when in compliance with RZC 21.40.010.G, *Parking and Storage of Recreational, Utility, and Commercial Vehicles and Vessels in Residential Neighborhoods.*
6. Recycling and collection centers that meet all of 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; and
    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;

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. 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;

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 that remains at one location for no more than three hours per day;

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

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 identified under subsection E.5 of this section;

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 facility.

(Ord. 2709)

Effective on: 10/26/2013

21.46.030 Decision Criteria

A. Temporary uses may be authorized only when all the following determinations can be made:

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

2. 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.

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

B. **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 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.
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. All temporary uses shall obtain, prior to occupancy of the site, all applicable City of Redmond permits, licenses and other approvals (e.g., business license, building permit, administrative approvals, etc.).
6. The applicant for a temporary use shall supply written authorization from the owner of the property on which the temporary use is located.
7. 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.
8. 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.
9. 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.

C. Temporary encampments must also meet the following criteria:

1. The applicant shall apply for a temporary use permit at least 30 days before the planned opening of the temporary encampment.
2. 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.

3. **~~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 encampment temporary use permit may be revocable at any time if the encampment is found to be non-compliant with this chapter or conditions placed upon the permit.**

4. 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 Administrator.

5. 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.

6. The Administrator 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:

   a. Encampment resident code of conduct;

   b. The presence of minors in the encampment;

   c. The provision of transportation to/from the encampment; and

   d. Setbacks and screening.

D. Temporary encampments shall be processed as a Type I Permit with the following modifications:

1. A Notice of Application shall be mailed and posted on-site meeting the standards outlined in RZC 21.76.080.B, *Notice of Application*.

2. 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*.

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

4. **The aforementioned subsection shall only be applicable to the initial application, with the exception of mailed notices. A mailed notice shall be sent prior to each stay in accordance to RZC 21.76.080.B. All subsequent stays as a part of this application shall only require administrative review.**

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