Memorandum

To: Planning Commission

From: Cathy Beam, AICP, Principal Planner, 425-556-2429, cbeam@redmond.gov
David Lee, Senior Planner, 425-556-2462, dlee@redmond.gov
Ben Sticka, Planner, 425-556-2470, bsticka@redmond.gov

Date: November 6, 2015

Subject: **LAND-2015-01937: Redmond Zoning Code Temporary Use Regulations for Encampments**

INTRODUCTION/BACKGROUND

On November 18, 2015 the Planning Commission will begin discussion on updates to the City's Temporary Use Regulations as they pertain to temporary encampments. These regulatory amendments are in response to encampment managing organizations and encampment sponsor concerns of cost and timeliness associated with issuing encampment temporary use permits, while balancing neighborhood concerns.

The Technical Committee recommended amendment would allow an encampment temporary use permit to be valid for a five year period, allowing a maximum of three stays. Each stay would be restricted to a 110-day maximum, with a 365-day time period between the end of any stay and the next approved encampment. Additionally, administrative review would be limited to the initial encampment temporary use permit, provided subsequent stays covered under the five year time period have the same site layout and criteria.

The Technical Committee Report includes the background and analysis for this proposal.

PREPARATION FOR JUNE 10 STUDY SESSION

Please review the enclosed Technical Committee Report and exhibits in advance of your November 18, 2015 meeting and identify questions and discussion issues. Please contact Cathy Beam, David Lee, or Ben Sticka prior to the meeting if there are questions or concerns.

REVIEW SCHEDULE

The November 18, 2015 study session is for the purpose of staff overview of the Technical Committee's recommendation and initial Planning Commission issue identification and discussion in preparation for a public hearing on December 2, 2015 and subsequent study session

on December 9, 2015. At the end of the December 9, 2015 meeting the Planning Commission may be ready to make a recommendation on this proposal. Council review and action would follow in early 2016.

ENCLOSURES

Technical Committee Report with exhibits

TECHNICAL COMMITTEE REPORT

To:	Planning Commission
From:	Technical Committee
Staff Contacts:	Cathy Beam, AICP Principal Planner, 425-556-2429 David Lee, Senior Planner, 425-556-2462 Ben Sticka, Planner, 425-556-2470
Date:	November 6, 2015
File Numbers:	LAND-2015-01937 and SEPA-2015-01938
Project Name:	Redmond Zoning Code Amendment: Temporary Use Regulations for Encampments
Reasons the Proposal should be Adopted:	The Technical Committee recommends approving the amendment because it improves efficiencies and provides clarity for "encampment" as a temporary use as indicated in Redmond Zoning Code (RZC 21.46) Temporary Uses while also taking into account feedback received from residents who live near the locations of past temporary encampments.

I. APPLICANT PROPOSAL

A. APPLICANT

City of Redmond

B. BACKGROUND AND REASON FOR PROPOSAL

The City of Redmond Zoning Code, Section 21.46 Temporary Uses outlines both short-term temporary uses and long-term temporary uses. It also contains regulations specific to encampments.

The recommended amendment and the discussion below involve several terms that are defined in the Zoning Code:

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A temporary encampment is 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.

A temporary encampment managing organization is 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.

A temporary encampment sponsor is 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

To date, eight temporary encampments have been granted permits in Redmond. These encampments have been located at St. Jude's Catholic Church on 166th Avenue NE and Red-Wood Family Church on Redmond-Woodinville Road. The proposed Zoning Code amendment was brought about by growing concerns by encampment sponsors and managing agencies. Of central concern was the cost and time associated with issuing encampment temporary use permits.

Currently, a temporary encampment is limited to 110 days within any 365-day period at one location. Each stay requires a separate permit and administrative review by staff. The administrative review is currently processed as a Type I permit. A Type I process is an administrative review and decision (in this case) by the Planning Director. These applications are categorically exempt from review under the State Environmental Policy Act (SEPA). Appeals of Type I decisions are made to the Hearing Examiner in an open record hearing. Appeal decisions of the Hearing Examiner may be appealed to the City Council in a closed record appeal proceeding. There is a 14 calendar day comment period when a notice of application is issued, and a 14 calendar day appeal period after a decision has been rendered. Encampment temporary use permits also require a public neighborhood meeting, which requires 21-days notice to surrounding property owners prior to the meeting. In all, an encampment temporary use permit may take up to a minimum of 45 days to issue per permit.

The Technical Committee has considered this issue and recommends that an encampment temporary use permit should be allowed over a period of five years to allow flexibility based upon the proposed use provided certain criteria are met. The rest of this report describes the analysis for this recommendation and alternatives to this recommendation.

II. RECOMMENDATION

The Technical Committee recommends approval of the proposed amendment to the Redmond Zoning Code as shown in Exhibit A.

III. PRIMARY ISSUES CONSIDERED AND ALTERNATIVES

The primary issues considered for this amendment were timeliness, efficiencies, and neighborhood considerations based on existing Zoning Code language and previously approved temporary uses determined to be "encampments". The proposed code amendments intend to reflect true value and cost recovery, by both the City and host organizations, while balancing neighborhood considerations.

IV. SUPPORTING ANALYSIS

A. EXISTING CONDITION, PROPOSAL, ALTERNATIVES AND FACTORS CONSIDERED

Existing condition. RZC.21.46 governs temporary uses, including encampment temporary uses. As mentioned in section I.B. of this report, currently a temporary encampment is limited to 110 days within any 365-day time period at one location. Each stay requires a separate permit and administrative review by staff. Additionally, each application requires a separate permit fee as well as a Notice of Application (per Type I permit requirements) and a neighborhood meeting.

Proposal. Staff recommends encampment temporary use permits be valid for a five year period based upon specific criteria. These recommended criteria (Exhibit A) include limiting the stay to just one time per 365 days and adherence to regulations/conditions placed upon the encampment by the City.

The proposed code amendment would limit the administrative review of the stays to just the initial application, which includes noticing and meeting requirements as outlined in section I.B. of this report. This means subsequent stays within the initial five year period would not be subject to noticing and public meeting requirements, provided that the site plan and conditions associated with the permit remain unchanged from that initially approved. Also, there would be no processing fees for subsequent stays after the initial encampment temporary use permit is issued. Recently, camp sponsors and managing organizations have been paying fees under protest, which came in the form of e-mails or letters from the applicant enumerating their displeasure with the fees and process. Additionally, each subsequent stay would still require a mailed courtesy reminder notice that an approved encampment stay will commence within a stated date range. Currently, the City must review, notice, and hold a neighborhood meeting for each and every stay (Section I.B. of this report).

The proposed code amendment would also reaffirm the revocability of the issued permit if the encampment is found to be non-compliant with RZC 21.46 or conditions placed upon the permit. This is important because if there are any issues the encampment sponsor/managing organizations fail to implement, they must

apply for a new permit and go through the initial encampment temporary use permit process again.

As described below, staff considered this issue from the standpoint of encampment sponsors/agencies and residents who live near the locations of past temporary encampments. Specifically, staff considered, what is an appropriate approach to address both the concerns from representatives of encampment sponsors and managing agencies regarding the time and cost associated with these permits and the anticipated interest from neighbors to have adequate gaps between the times that an encampment is in place in any given location?

Alternatives.

1. The City could choose to not incorporate the proposed amendment into the Zoning Code. This approach would maintain the City's current permit process for encampments and would involve continuing to hold a neighborhood meeting prior to each encampment at a host site. Staff does not recommend this alternative since it would also involve the process of applying for, reviewing and deciding on an encampment temporary use permit that would be the same as previously reviewed and approved and it would not address the concerns expressed about time and cost.

2. The City could choose to modify such aspects of the proposed Zoning Code amendment such as length of stays, amount of stays, duration of time between each stay, noticing requirements, and/or meeting requirements for each stay. Staff considered these issues and believes that the proposal is a balanced approach. It would provide relief for the financial and permit process implications of applying for an encampment temporary use permit, while addressing neighborhood considerations, such as how often an encampment might be located in a given location and providing notice for awareness while not re-evaluating an approved site plan and conditions if all conditions of approval were met.

B. COMPLIANCE WITH CRITERIA FOR CODE AMENDMENTS

Redmond Comprehensive Plan Policies PI-16 directs the City to take several considerations into account as part of the decision on proposed amendments to the Comprehensive Plan. Items 1 through 6 apply to all proposed amendments. The following is an analysis of how this proposal complies with the requirements for amendments.

1. Consistency with Growth Management Act (GMA), State of Washington Department of Commerce Procedural Criteria, VISION 2040 or its successor, and the King County Countywide Planning Policies.

The proposed amendments are consistent with the Growth Management Act, Department of Commerce Procedural Criteria, Vision 2040 and King County Countywide Planning Policies. The proposed amendments seek to further specify and

streamline existing code language for temporary encampments while taking into account feedback from residents who live near the locations of past temporary encampments.

2. **Consistency with the Redmond Comprehensive Plan.**

   The proposed amendments are consistent with the following policies:

   - LU-15 – Support equitable delivery of and access to human services by allowing these uses in suitable locations and encouraging their creation through incentives or bonuses and other innovative measures
   - LU-28 – Promote attractive, friendly, safe, quiet and diverse residential neighborhoods throughout the city, including low and moderate density single-family to high-density residential neighborhoods.
   - LU-30 – Allow some compatible nonresidential uses in Residential zones, such as appropriately scaled schools, religious facilities, home occupations, parks, open spaces, senior centers and daycare centers. Maintain standards in the Redmond Zoning Code for locating and designing these uses in a manner that respects the character and scale of the neighborhood.
   - HO-29 – Craft regulations and procedures to provide a high degree of certainty and predictability to applicants and the community at large to minimize unnecessary time delays in the review of residential permit applications, while still maintaining opportunities for public involvement and review.
   - PI-19 – Prepare and maintain development regulations that implement Redmond's Comprehensive Plan and include all significant development requirements. Ensure that the development regulations are clearly written, avoid duplicative or inconsistent requirements, and can be efficiently and effectively carried out.
   - PI-20 – Ensure that Redmond's development review process provides applicants and the community a high degree of certainty and clarity in timelines and standards, and results in timely and predictable decision making on development applications.

3. **Potential general impacts to the natural environment, such as impacts to critical areas and other natural resources, including whether development will be directed away from environmentally critical areas and other natural resources.**

   The proposal is unlikely to have any adverse impacts on the natural environment because the proposed code amendment does not allow for any more intensive use than what is already allowed. Additionally, the encampments are typically located in parking areas or open space outside of critical areas.

4. **Potential general impacts to the capacity of public facilities and services. For land use related amendments, whether public facilities and services can be provided cost-effectively and adequately at the proposed density/intensity.**

The proposal is unlikely to have any significant impacts to the capacity of public facilities and services. The proposed code amendment does not allow for any more intensive use than what is already allowed. The proposed code amendment could potentially increase cost-effectiveness of issuing encampment temporary use permits through staff time devoted to reviewing/issuing these permits.

5. **Potential general economic impacts, such as impacts for business, residents, property owners, or City Government.**

   The proposal is not anticipated to have any significant economic impact on business, residents, property owners, or City Government. The proposed code amendment does not propose reduction in fees, however it does propose a change in the frequency of fees paid.

6. **For issues that have been considered within the last four annual updates, whether there has been a change in circumstances that makes the proposed amendment appropriate or whether the amendment is needed to remedy a mistake.**

   The issue addressed in this proposal has not been considered in the last four annual updates.

V. AUTHORITY AND ENVIRONMENTAL, PUBLIC AND AGENCY REVIEW

A. Amendment Process

Redmond Zoning Code (RZC) 21.76 requires that amendments to the Zoning Code and Comprehensive Plan be reviewed under the Type VI process. Under this process, the Planning Commission conducts a study session(s), an open record hearing(s) on the proposed amendment, and makes a recommendation to the City Council. The City Council is the decision-making body for this process.

B. Subject Matter Jurisdiction

The Redmond Planning Commission and the Redmond City Council have subject matter jurisdiction to hear and decide whether to adopt the proposed amendment.

C. Washington State Environmental Policy Act (SEPA)

A SEPA checklist was prepared and a Determination of Non-Significance was issued for this non-project action on October 15, 2015 (see Exhibit B).

D. 60-Day State Agency Review

State agencies were sent 60-day notice of this proposed amendment on October 15, 2015.

E. Public Involvement

The public has opportunities to comment on the proposed amendment through the Planning Commission review process and public hearing which will be held on December 2, 2015. Public notice of the hearing was published in the Seattle Times on

November 6, 2015 (see Exhibit C). Notice of the Planning Commission hearing was posted in City Hall and the Redmond Library. Notice of the hearing is given on the Planning Commission agendas and extended agendas. Notice was also provided to representatives for the temporary encampment sponsors and managing agencies who have requested a change to address their concerns.

F. Appeals

RZC 21.76 identifies Zoning Code and Comprehensive Plan Amendments as a Type VI permit. Final action is by the City Council. The action of the City Council on a Type VI proposal may be appealed by filing a petition with the Growth Management Hearing Board pursuant to the requirements of the Board.

VI. LIST OF EXHIBITS

Exhibit A: Recommended Zoning Code Amendments
Exhibit B: Public Hearing Notice
Exhibit C: SEPA Threshold Determination

Conclusion in Support of Recommendation: The Technical Committee has found the proposal to be in compliance with the Redmond Zoning Code, Redmond Comprehensive Plan, Redmond Municipal Code, and State Environmental Policy Act (SEPA).

ROBERT G. ODLE,
Director of Planning and Community Development

LINDA E. DE BOLDT,
Director of Public Works

"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.

EXHIBIT "B"

CITY OF REDMOND NOTICE OF PUBLIC HEARING

PROJECT INFORMATION

FILE NUMBER: LAND-2015-01937

ZONING CODE AMENDMENT

TOPIC: TEMPORARY USE REGULATIONS FOR ENCAMPMENTS

SUBJECT: AMEND REDMOND ZONING CODE SECTION 21.46 ADDRESSING TEMPORARY USE PERMITTING PROCEDURES AND REQUIREMENTS FOR ENCAMPMENTS.

REQUESTED ACTION: PLANNING COMMISSION RECOMMENDATION ON THE PROPOSED ZONING CODE AMENDMENTS

IMPORTANT DATES

PUBLIC HEARING DATE & TIME: DECEMBER 2, 2015 AT 7:00PM OR AS SOON THEREAFTER AS POSSIBLE

PLACE: CITY COUNCIL CHAMBERS, CITY HALL 15670 NE 85TH STREET, REDMOND WA 98052

BY: CITY OF REDMOND PLANNING COMMISSION

LEGAL NOTICE: OCTOBER 28, 2015

CITY CONTACT INFORMATION:

PROJECT PLANNER NAME: CATHY BEAM, AICP
PHONE NUMBER: 425-556-2429
EMAIL: CBEAM@REDMOND.GOV

PROJECT PLANNER NAME: DAVID LEE, SENIOR PLANNER
PHONE NUMBER: 425-556-2462
EMAIL: DLEE@REDMOND.GOV

PUBLIC COMMENT

ALL INTERESTED PERSONS ARE INVITED TO COMMENT AT THE PUBLIC HEARING TO EXPRESS THEIR VIEWS OR TO SUBMIT WRITTEN TESTIMONY, OR, WRITTEN COMMENTS MAY BE SENT TO THE PLANNING DEPARTMENT PRIOR TO THE HEARING TO BE RECEIVED NO LATER THAN DECEMBER 2, 2015 AT 5:00PM. WRITTEN COMMENTS MAY BE SENT TO THE PROJECT PLANNER VIA PHONE, EMAIL OR IN PERSON TO THE PLANNING DEPARTMENT LOCATED AT CITY HALL, 15670 NE 85TH STREET, P.O. BOX 97010, REDMOND, WA, 98073-9710.

INFORMATION AVAILABLE:

A COPY OF THE PROPOSAL WILL BE AVAILABLE NO LATER THAN OCTOBER 23, 2015 FROM THE PLANNING DEPARTMENT, 4TH FLOOR OF CITY HALL AND ON THE CITY'S WEBSITE AT WWW.REDMOND.GOV/PLANNINGCOMMISSION

HEARING INFORMATION

IF YOU ARE HEARING OR VISUALLY IMPAIRED, PLEASE NOTIFY THE PLANNING DEPARTMENT AT (425) 556-2440 ONE WEEK IN ADVANCE OF THE HEARING IN ORDER TO BE PROVIDED ASSISTANCE.

EXHIBIT "C"

STATE ENVIRONMENTAL POLICY ACT (SEPA) DETERMINATION OF NON-SIGNIFICANCE

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

PROJECT INFORMATION

PROJECT NAME: ZONING CODE AMENDMENT TEMP ENCAMPMENT

SEPA FILE NUMBER: SEPA-2015-01938

PROJECT DESCRIPTION:
Zoning Code Text Amendment: Encampment temp use permit

PROJECT LOCATION: CITY WIDE

SITE ADDRESS:

APPLICANT: Cathy Beam

LEAD AGENCY: City of Redmond

The lead agency for this proposal has determined that the requirements of environmental analysis, protection, and mitigation measures have been adequately addressed through the City's regulations and Comprehensive Plan together with applicable State and Federal laws.

Additionally, the lead agency has determined that the proposal does not have a probable significant adverse impact on the environment as described under SEPA.

An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. **This information is available to the public on request.**

CITY CONTACT INFORMATION

PROJECT PLANNER NAME: David Lee
PHONE NUMBER: 425-556-2462
EMAIL: dlee@redmond.gov

IMPORTANT DATES

COMMENT PERIOD

Depending upon the proposal, a comment period may not be required. An **"X"** is placed next to the applicable comment period provision.

There is no comment period for this DNS. Please see below for appeal provisions.

'X' This DNS is issued under WAC 197-11-340(2), and the lead agency will not make a decision on this proposal for 14 days from the date below. Comments can be submitted to the Project Planner, via phone, fax (425)556-2400, email or in person at the Development Services Center located at 15670 NE 85th Street, Redmond, WA 98052. **Comments must be submitted by 10/29/2015.**

APPEAL PERIOD

You may appeal this determination to the City of Redmond Office of the City Clerk, Redmond City Hall, 15670 NE 85th Street, P.O. Box 97010, Redmond, WA 98073-9710**, no later than 5:00 p.m. on 11/12/2015**, by submitting a completed City of Redmond Appeal Application Form available on the City's website at www.redmond.gov or at City Hall. You should be prepared to make specific factual objections.

DATE OF DNS ISSUANCE: October 16, 2015

For more information about the project or SEPA procedures, please contact the project planner.

RESPONSIBLE OFFICIAL: Robert G. Odle
Planning Director

SIGNATURE: Robert G. Odle

RESPONSIBLE OFFICIAL: Linda E. De Boldt
Public Works Director

SIGNATURE: Linda E. De Boldt

Address: 15670 NE 85th Street Redmond, WA 98052

CITY OF REDMOND

ENVIRONMENTAL CHECKLIST
PROJECT ACTION

(Revised 5/27/15)

Purpose of the Checklsit:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the City of Redmond identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply" and indicate the reason why the question "does not apply". It is not adequate to submit responses such as "N/A" or "does not apply"; without providing a reason why the specific section does not relate or cause an impact. Complete answers to the questions now may avoid unnecessary delays later. If you need more space to write answers attach them and reference the question number.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the City can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. When you submit this checklist the City may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Planner Name: David Lee

Date of Review: 10/16/15

To Be Completed By Applicant	Evaluation for Agency Use Only
A. BACKGROUND	
1. Name of proposed project, if applicable: CODE AMENDMENT TO RZC 21.46.020: TEMPORARY USE PERMITS FOR ENCAMPMENTS	DL
2. Name of applicant: CITY OF REDMOND	DL
3. Address and phone number of applicant and contact person: CATHY BEAM 15670 NE 85TH ST; PO BOX 97010, REDMOND WA 425-556-2429	DL
4. Date checklist prepared: 10/08/15	DL
5. Agency requesting checklist: CITY OF REDMOND	DL
6. Give an accurate, brief description of the proposal's scope and nature: i. Acreage of the site: NA	DL
ii. Number of dwelling units/ buildings to be constructed: NA	DL
iii. Square footage of dwelling units/ buildings being added: NA	DL
iv. Square footage of pavement being added: NA	DL
v. Use or principal activity: TEMP ENCAMPMENT	DL
vi. Other information:	DL

To Be Completed By Applicant	Evaluation for Agency Use Only
7. Proposed timing or schedule (including phasing, if applicable): FINAL PLANNING COMMISSION MEETING BY JANUARY 13TH, 2016 WITH ADOPTION BY COUNCIL AT CLOSEST AVAILABLE MEETING	DL
8. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? ☐ Yes ☑ No If yes, explain.	DL
9. List any environmental information you know about that has been prepared or will be prepared directly related to this proposal. NA	DL
10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? ☐ Yes ☑ No If yes, explain.	DL

To Be Completed By Applicant	Evaluation for Agency Use Only
11. List any government approvals or permits that will be needed for your proposal, if known.	
ZONING CODE AMENDMENT	DL
12. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.	
CODE AMENDMENT TO RZC 21.46.020: TEMPORARY USE PERMITS FOR ENCAMPMENTS. TO ALLOW FOR A TEMPORARY ENCAMPMENT ON A HOST SITE UP TO THREE TIMES WITHIN A FIVE YEAR PERIOD WITH ONE APPLICATION AND FEE.	DL
13. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist	
CITY WIDE	DL

To Be Completed By Applicant	Evaluation for Agency Use Only
B. SUPPLEMENTAL	
Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.	
When answering these questions, be aware of the extent the proposal or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.	
1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?	
N/A - NON PROJECT ACTION. PROPOSED ACTION DOES NOT INCREASE DISCHARGE TO WATER, EMISSIONS TO AIR, OR TOXINS OR PRODUCTION OF NOISE THAN WHAT IS ALREADY PERMITTED.	DL
Proposed measures to avoid or reduce such increases are:	
N/A	DL
2. How would the proposal be likely to affect plants, animals, fish, or marine life?	
N/A - NON PROJECT ACTION. PROPOSAL DOES NOT AFFECT PLANTS, ANIMALS, FISH, OR MARINE LIFE ANY MORE THAN WHAT IS CURRENTLY PERMITTED.	DL
Proposed measures to protect or conserve plants, animals, fish or marine life are:	
N/A	DL

To Be Completed By Applicant	Evaluation for Agency Use Only
3. How would the proposal be likely to deplete energy or natural resources?	
N/A - NON PROJECT ACTION. PROPOSAL WILL NOT DEPLETE ENERGY OR NATURAL RESOURCES ANY MORE THAN WHAT IS ALREADY PERMITTED.	DL
Proposed measures to protect or conserve energy and natural resources are:	
N/A	DL
4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?	
N/A - NON PROJECT ACTION. PROPOSAL DOES NOT AFFECT ENVIRONMENTALLY SENSITIVE AREAS OR AREAS DESIGNATED FOR GOVERNMENTAL PROTECTION; SUCH AS PARKS, WILDERNESS, WILD AND SCENIC RIVERS, THREATENED OR ENDANGERED SPECIES HABITAT, HISTORIC, OR CULTURAL SITES, WETLANDS, FLOOD PLAINS OR PRIME FARMLANDS ANY MORE THAN WHAT IS CURRENTLY PERMITTED.	DL
Proposed measures to protect such resources or to avoid or reduce impacts are:	
N/A	DL

To Be Completed By Applicant	Evaluation for Agency Use Only
5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?	
N/A - NON PROJECT ACTION	DL
Proposed measures to avoid or reduce shoreline and land use impacts are:	
N/A - NON PROJECT ACTION	DL
6. How would the proposal be likely to increase demands on transportation or public services and utilities?	
N/A - NON PROJECT ACTION	DL
Proposed measures to reduce or respond to such demand(s) are:	
N/A - NON PROJECT ACTION	DL

To Be Completed By Applicant	Evaluation for Agency Use Only
7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. N/A - NON PROJECT ACTION. THE PROPOSED CODE AMENDMENT DOES NOT CONFLICT WITH LOCAL, STATE, OR FEDERAL LAWS OR REQUIREMENTS FOR THE PROTECTION OF THE ENVIRONMENT.	DL

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Cathy Beam Digitally signed by Cathy Beam DN: cn=Cathy Beam Date: 2015.10.08 16:29:52 -07'00'

Name of Signee: Cathy Beam, AICP

Position and Agency/Organization: Principal Planner/City of Redmond

Relationship of Signer to Project: Applicant

Date Submitted: 10/8/15