



ATTACHMENT G

TECHNICAL COMMITTEE REPORT TO THE PLANNING COMMISSION

To: Planning Commission

From: Technical Committee

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Date: January 15, 2016

Project File Number: LAND-2015-02261

Project Name: Amendment to Comprehensive Plan and Zoning Code Regarding Non-Residential Uses in Residential Zones and to Extend the Overlake Business and Advanced Technology Zone (OBAT) Height Limit Overlay.

Related File Numbers: SEPA-2015-02323

Applicant: Friends of Overlake Neighborhood Group

Applicant's Contact: Eugene Zakhareyev

Recommendation and Reasons: The Technical Committee recommends:

1. Amend the Redmond Zoning Code to require a neighborhood meeting for three non-residential uses in Residential zoned areas including A) Community indoor recreation; B) Parks, open space, trails and gardens; and, C) Religious institutions with fewer than 250 seats because:
 - The requirement for a neighborhood meeting for these non-residential uses will provide opportunity for public input while continuing to allow nonresidential uses that are appropriate for residential zones to be permitted through an administrative rather than discretionary type of review and decision making process,

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and OBAT Height Limit Overlay

- Current review time and permit costs will be maintained and not increase.
- Special Regulations and other provisions within the Zoning Code will continue to be used for evaluation of non-residential uses regardless of the review process used, and
- The proposal supports Comprehensive Plan policies that encourage use of options for public involvement and communication such as websites, surveys, workshops, open houses and other meetings, and policies that encourage an applicant to involve the community early in the design process in a manner appropriate to the scale and nature of the proposal.

2. Deny the applicant's request to require that all non-residential uses within Residential zones require a Conditional Use Permit and to add this policy direction to Comprehensive Plan policy LU-30 because:

- Many non-residential land uses that are allowed by the Zoning Code such as home businesses, public parks and religious institutions with less than 250 seats would no longer be permitted provided code requirements are met and instead would require a quasi-judicial, discretionary decision process for uses that do not warrant it, and
- It would create additional review time and permit cost and could deter development of these land uses that are commonly located in residential neighborhoods.

3. Deny the applicant's request to require the extension of the OBAT Height Limit Overlay Areas by 300' into adjacent Residential zones because:

- The applicant's proposal is not consistent with the purpose of the OBAT Zone Height Limit Overlay Areas, which is to minimize adverse impacts such as height and glare from office and commercial uses permitted in the OBAT zone on residences in adjacent zones,
- The Comprehensive Plan supports non-residential uses in Residential zones and the Zoning Code provides for exceptions to height that allow for the specific needs of certain non-residential uses such as icons that are part of religious structures or antenna structures, and
- The proposal to extend the OBAT Height Limit Overlay into adjacent Residential zones will conflict with these height exceptions in the Zoning Code.

I. APPLICANT PROPOSAL

The applicant proposes to amend the Comprehensive Plan by adding language to two Comprehensive Plan policies, LU-30 and OV-77 to: 1) require all non-residential uses within Residential zones be reviewed through a Conditional Use Permit (CUP) process, and; 2) extend the height limit overlay area of the OBAT zone by 300 feet into nearby residential zones. While the applicant did not identify proposed amendments to the Zoning Code, amendments would be necessary to implement the requested policy amendments. See Exhibit D for the applicant's application.

II. RECOMMENDATION

The Technical Committee recommends amending the Zoning Code to require a neighborhood meeting as part of the development review process for the three non-residential uses listed below when an applicant proposes either a new use or a substantial improvement to an existing use that would increase the capacity for people to gather. Currently, these uses are permitted outright in Residential zones and do not require a neighborhood meeting. These uses are:

- **Community indoor recreation**
- **Parks, open space, trails and gardens**
- **Religious Institution with fewer than 250 seats**

The neighborhood meeting requirement would allow additional opportunity for public input since only written comments are received under the current review process. Also, the neighborhood meeting provides for public dialogue about a proposal early in review process as well as the opportunity for interested parties to ask questions about the City's review process and schedule.

The Technical Committee recommends denial of the applicant's request to amend Comprehensive Plan policy LU-30 to require a Conditional Use Permit for all non-residential uses within Residential zones since this would result in a discretionary review process, additional time and cost, and could deter location of these uses in residential zones.

The Technical Committee also recommends denial of the applicant's request to amend policy OV-77 to extend the OBAT Height Limit Overlay into adjacent Residential zones by 300 feet. The purpose of the OBAT Height Limit Overlay is to limit heights of commercial and office structures within the defined areas to limit impacts on adjacent residential areas. Extending the Overlay would maintain the residential height limits of 35 in these Residential zones. However, the Overlay area with the 45 feet limit would exceed the 35 feet height limit in Residential zones. These height limits could interfere with the location of non-residential uses in Residential zones by not allowing height exceptions for uses which are governed through Special Regulations specific to the use, such as religious institutions and communications structures. Further, height limits in the Residential zones adjacent to the OBAT height limit overlay areas are not warranted and

would be inconsistent with Residential zones elsewhere in the City where there are not similar height limitations.

Exhibit A shows the Technical Committee recommended amendments.

III. BACKGROUND, FACTORS CONSIDERED, AND ALTERNATIVES

A. BACKGROUND AND REASON FOR THE PROPOSAL

1. Non-Residential Land Uses in Residential Zones

The applicant has requested a policy amendment to require that all non-residential uses in Residential zones be reviewed through a Conditional Use Permit process. The applicant states that the proposed amendment “will better protect the interests of the residents in Residential zones, as well as allow the City to better enforce zoning requirements.” The applicant also states that allowed nonresidential uses in Residential zones may greatly affect the character of the neighborhood, but Conditional Use Permits are not required for all uses. Further, the applicant states that the change will impose conditions on new developments so that the compatibility with residential uses can be enforced, as well to ensure greater resident participation in the land use application approval process.

The Redmond Zoning Code (RZC) identifies six types of review processes based on: the public notice that is required, the level of discretion, e.g., whether it will be administratively reviewed and decided upon or if it is to be a Hearing Examiner and/or City Council review and decision, whether a public hearing is required, and the appeal body in the event of an appeal.

Comprehensive Plan policy LU-30 speaks to non-residential uses within Residential zones. Additional text requested by the applicant is in italics:

- Allow some compatible nonresidential uses in Residential zones, such as appropriately scaled schools, religious facilities, home occupations, parks, open spaces, senior centers and day care 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. *To maintain the character of the residential areas and impose conditions for future compatibility, require a Conditional Use Permit for all non-residential uses in Residential zones.*

The Comprehensive Plan supports the location of non-residential uses within residential zones, recognizing that having schools, parks, religious institutions, home businesses and day cares nearby is important for residents' access to these services and contributes to the fabric of a community.

Some nonresidential uses may only be appropriately located on certain parcels within a residential zone due to the potential impacts. The Zoning Code requires a Conditional Use Permit for these non-residential uses so that the City's Hearing Examiner and City Council can consider the appropriateness of the use on a

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specific parcel in terms of compatibility with other uses in the same zone and vicinity and impose conditions to ensure compatibility. The City requires a Conditional Use Permit for the following non-residential uses within Residential zones:

- Schools (K – 12)
- Public safety, e.g., fire stations
- Religious institution (250 to 750 seats)
- Equestrian facility (allowed in RA-5 and R-1)
- Bed and Breakfast Inn (between three and eight rooms)
- Regional utilities
- Antenna support structures
- Antenna array and base station (CUP may be required)
- Heliport
- Float plane facility
- Day care centers
- Athletic sports and play fields
- Golf course
- Marine recreation
- Commercial swimming pool

These land uses may be appropriate to locate within Residential zones in certain locations and conditions. RZC 21.76.070 K includes decision criteria for Conditional Use Permits (CUP) that address considerations such as characteristics of the subject property and immediate vicinity, the size and characteristics of the proposed use in relation to adjacent uses, traffic, and adequacy of public facilities and services.

The Conditional Use Permit is considered a Type IV review, which involves a series of actions including:

Review Procedures for Type IV Permits – Conditional Use Permits	
Notice	Notice of Application, mailed to owners and occupants of properties within 500'; Major Land Use Action sign for notice of public hearing
Review	Technical Committee. Hearing Examiner then recommendation to City Council

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Comment	Written and Public Hearing
Decision	City Council
Appeal	Superior Court

Conditional Use Permit reviews and decisions are quasi-judicial and discretionary in nature. The Hearing Examiner holds a public hearing on the proposal and makes a recommendation to the City Council, based on the Technical Committee recommendation, consideration of established review criteria within the RZC, public testimony and other factors. As the legislative body for the City, the City Council makes the decision on the proposal which is appealable to King County Superior Court.

Non-residential land uses in Residential zones that *do not* require a Conditional Use Permit include the following:

- Local utilities
- Amateur radio towers/ Large satellite dishes
- Roadside produce stand
- Bed and Breakfast Inns (two or less rooms)
- Crop Production
- Road, Ground, Passenger and Transit Transportation (Regional light rail transit system only. no vehicle storage)
- Family day care providers
- Home business
- Pier, dock, float
- Water-oriented accessory structure
- Community indoor recreation
- Parks, open space, trails and gardens
- Religious institutions with less than 250 seats
- Short-Term temporary uses, e.g. seasonal retail sales; encampments

Review and decisions for these land use proposals is done through an administrative process. Some of these land uses are Type I review, including home businesses, family day care providers and certain types of amateur radio towers, which require administrative review and decision by the appropriate department. The majority are Type II reviews that require the following actions:

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Review Procedures for Type II Permits – Administrative	
Notice	Notice of Application, mailed to owners and occupants of properties within 500'
Review	Staff review, using RZC Special Regulations and other applicable RZC provisions
Comment	Written
Decision	Technical Committee
Appeal	Hearing Examiner

The RZC does not require a CUP and discretionary decision making process for these non-residential uses as fewer impacts are anticipated and these uses are appropriate to locate in residential zones. If a Type I or Type II proposal is determined to meet established review criteria, the proposal may be approved by the appropriate department (Type I) or the Technical Committee (Type II).

The Special Regulations associated with many non-residential uses are used to review a proposal whether it involves either a Type I or II permit type or a Type IV CUP. For example, Religious institutions that have less than 250 seats as well as those with 250 – 750 seats are subject to Special Regulations (RZC 21.08.280) that require a traffic mitigation plan, and address the storage of large vehicles, maximum building height, design and location within shoreline areas.

Other non-residential uses such as home businesses are specifically regulated in the RZC and include limits on total trips; day care providers are limited to 12 children and are also regulated through the State; and amateur radio towers and monopoles also are evaluated with Special Regulations. The RZC contains specific Special Regulations for the following non-residential uses in Residential zones.

- Float plane facility
- Antenna support structures
- Large satellite dish/amateur radio tower
- Antenna array and base station
- Day care center
- Family day care provider
- Religious institution
- Home business
- Pier, dock, float
- Water-oriented accessory structure

Some of the above uses require a CUP/Type IV review; others are a Type I or Type II, administrative use. In either case the Special Regulations are used for evaluation and decisions.

2. Extension of OBAT Height Limit Overlay

The OBAT Height Limit Overlay map in Exhibit B was established to reduce height and glare impacts from employment campuses on adjacent residential areas. Within the reduced height areas, structures such as buildings on the Microsoft campus within 300 feet of a Residential zone are limited to either 35 or 45 feet in height, depending on the location.

The applicant requests that these existing height limit overlays be extended into adjacent Residential zones for 300 feet in width to “serve the best interests of the community by making sure new developments do not compromise established residential neighborhood quality of life”.

The applicant also proposes additional text to policy OV-77 as follows in support of the recommendation: (see italics)

- Emphasize transitions from the Employment Area to the single-family portions of Overlake through entryway treatments, such as landscaped medians similar to those located at NE 51st Street and 156th Avenue NE. Work in collaboration with residents to find opportunities to create and maintain neighborhood entryways that incorporate landscaping and other natural features where right-of-way is sufficient or upon appropriately located public land. *Extend any overlays defined for OBAT in the Redmond Zoning Code into nearby Residential zones.*

The RZC allows non-residential uses in Residential zones some exceptions to height based on the specific characteristics of the use. In Single Family Urban Residential zones for example, the standard maximum height of structures is 35 feet, and non-residential uses may exceed that under certain conditions as identified through the Special Regulations for a specific use.

Religious institutions in Residential zones are allowed a height of up to 50 feet including any religious symbols; however, structures must conform to additional Special Regulation location and setback requirements. For example, a minimum setback of 20 feet from all property lines is required for a structure, with an additional five feet of setback required for each one foot of height over 30 feet.

Other examples of exceptions to height within Residential zones include mechanical (HVAC) or fire station equipment (e.g. hose towers) –which may exceed the highest point of the existing or proposed structure by no more than 15 feet. (RZC 21.08.170M). In addition, monopoles and amateur radio towers are allowed to extend up to 65’ or higher in Residential zones. (RZC 21.56 Wireless Communication Facilities).

B. FACTORS CONSIDERED AND ALTERNATIVES

Staff considered several factors in the process of developing a recommendation as summarized below.

1. What would be the major process differences if all nonresidential uses in Residential zones were required to be reviewed through a CUP process compared to administrative review?

The key differences between the CUP (Type IV review) requested by the applicant and administrative review are:

- 1) Opportunity for comment,
- 2) Cost and time for permitting,
- 3) The amount of discretion allowed the decision maker: more discretion for CUP or Type IV permit types and least amount of discretion for administrative decisions, and
- 4) The appeal body in the event of an appeal.

As noted, a Type IV, Conditional Use Permit requires a public hearing and review by the Hearing Examiner and decision by the City Council. Type I and Type II decisions are administrative: Type I review requires no Notice of Application and decisions are made by the appropriate department; Type II processes provide a Notice of Application which interested persons may respond to in writing.

The time involved for review under an administrative Type I or Type II process versus a Type IV (CUP) process will depend on the nature of the proposal and its specific issues. In general, a Type IV review is longer because of the need to schedule a public hearing with the Hearing Examiner with notice to the public 21 days in advance of the hearing, and subsequent review by the City Council. Permit costs for the CUP are approximately \$1,300 higher than Type II reviews for example, if undergoing the Pre-Review Entitlement Process (PREP). A CUP is considered to be a Major Land Use Action and requires a large, 4 x 8 sign to be posted, estimated to cost approximately \$400.

The CUP/Type IV review is a discretionary, quasi-judicial process with a recommendation by the Hearing Examiner and a decision by City Council. In general, appeals for administrative decisions are heard by the City's Hearing Examiner and appeals for a Type IV, CUP would be heard by Superior Court.

Considering these differences, non-residential uses currently permitted within Residential zones do not warrant a CUP/Type IV review, which elevates the decision on a proposal to a quasi-judicial one involving the Hearing Examiner and City Council. The Technical Committee does recommend requiring a neighborhood meeting for three nonresidential uses to gain the benefit of opportunity for additional public comment without the added time and expense of a Type IV process.

2. Have there been issues in terms of impacts associated with nonresidential uses in Residential zones?

Staff has researched experiences with certain non-residential uses within residential zones in Redmond and the extent to which impacts such as additional traffic, overflow parking and lighting have been an issue and how these issues were addressed. For parks located within Residential zones, the City has worked with residents to mitigate issues that were raised in neighborhood meetings such as lighting and overflow parking. In one situation, No Parking signs were installed to discourage on street parking and lighting was designed to provide safety while minimizing spillage into nearby residences. For Religious institutions, parking overflow has been addressed by shared parking with other facilities and the religious institution holding additional services at non-peak times. The City has issued parking tickets when excessive parking has not abated. The City has sufficient code authority to condition and enforce for these kinds of impacts.

3. Does the current review process allow adequate opportunity for public input regarding proposed development of nonresidential uses in Residential zones?

Currently, Type II permit decisions typically do not require a neighborhood meeting. When an application is accepted by the City, a Notice of Application is sent to owners and occupants of properties within 500 feet of the proposed action. For these administrative decisions, if a proposal meets the specific review criteria for the land use action requested, a permit will be approved by the Technical Committee.

In reviewing the types of non-residential land uses permitted in Residential zones, three uses were identified that typically involve gatherings of people and the potential for associated impacts: 1) Community indoor recreation, 2) Parks, open space, trails and gardens, and 3) Religious institutions with fewer than 250 seats.

Public input to inform design of new community indoor recreation facilities and new parks, open space, trails and gardens will likely be provided through a park master plan process. If there is a change or addition to an existing park, it may not be sufficiently large to warrant a master plan but a neighborhood meeting is typically held. Applicants for religious institutions with fewer than 250 seats are not currently required to seek public input.

For the three uses cited above, the Technical Committee recommends the addition of a neighborhood meeting as a requirement when these uses are proposed in Residential zones. The neighborhood meeting requirement for Community indoor recreation and Parks, open space, trails and gardens formalizes a process and requirement for public input that is now general practice. For religious institutions with less than 250 seats, a neighborhood meeting will support a more transparent process. It will provide a public forum for interested persons to ask questions, learn about and comment on a proposed project while still allowing smaller congregations the ability to apply

for a Type II permit with less review time and lower cost than what is required through the CUP process.

4. What is the reasoning for requiring these three non-residential uses to have neighborhood meetings as opposed to others?

The RZC allows non-residential uses in Residential zones and encourages their location within Residential zones under specific conditions. Many non-residential uses in Residential zones require either the Type I or Type II, administrative review, as they have been determined to result in fewer impacts than those requiring the CUP/Type IV review. However, Community indoor recreation; Parks, open space, trails and gardens; and Religious institutions with less than 250 seats are uses in which it is anticipated that people will gather and should include opportunities for additional public input. A neighborhood meeting for these uses will allow additional input for proposals that are appropriately reviewed under an administrative review process while balancing the needs of the applicant and the public.

5. Is there another option for the type of review process that could be appropriate when considering non-residential uses in Residential zones?

Staff considered the Type III review process which would require a public hearing and decision by the Hearing Examiner. If all non-residential uses in Residential zones were required to go through this process, it would involve considerable additional time and cost for such proposals. Also, similar to a Type IV decision, it would no longer be an administrative review and decision and would become discretionary. The Technical Committee believes that this is not an appropriate solution; however, the addition of a neighborhood meeting for three non-residential uses in which people gather will provide opportunities for public input.

6. Should the Overlake Business and Advanced Technology Zone (OBAT) Height Limit Overlay Areas be extended into adjacent Residential zones?

The Technical Committee does not recommend the extension of the OBAT height limit overlay as the purpose of the OBAT height limits is to limit the height for commercial and office structures within the overlays that may have impacts on adjacent Residential zones. In addition the proposal to extend the OBAT Height Limit Overlay into adjacent Residential zones will conflict with height exceptions which are necessary for the location of non-residential uses in Residential zones.

C. ALTERNATIVES

1. Require a neighborhood meeting for three non-residential land uses in Residential zones: A) Community indoor recreation; B) Parks, open space, trails and gardens; and C) Religious institutions with fewer than 250 seats.

Also, maintain the current review process for these uses and the OBAT Height Limit Overlay map as shown on Exhibit B. This would allow public dialogue about and comment on a proposal early in development review as well as the opportunity for interested parties to ask questions about the City's review process and schedule. The Technical Committee recommends this alternative: the effect will be to keep the review process the same for these non-residential uses in Residential zones except to add the requirement for a neighborhood meeting. This will not add significantly to costs and the neighborhood meeting for the three land uses would be a minimal addition to review time. In addition, with no extension of the OBAT Height Limit Overlay areas into adjacent residential areas, some exceptions to height for non-residential uses in Residential zones would continue to be allowed per the RZC.

2. Require a Type III process for non-residential uses within Residential zones.

This would require review and public hearing by the Hearing Examiner and provide additional and formal opportunity for public input compared to existing conditions. Similar to the Type IV process, it is a quasi-judicial, discretionary review that is lengthier with additional expense, but with a decision by the Hearing Examiner instead of City Council. Examples of the types of applications that require this type of process are designations or demolitions of landmark structures, master planned developments and shoreline conditional use permits. This alternative would extend the review process and require additional cost for proposals that do not warrant this. Decisions on proposals under this alternative would become quasi-judicial and discretionary. The Technical Committee does not recommend the additional review and expense for non-residential uses that are currently allowed in Residential zones through an administrative review. In addition, this change would be inconsistent with the overall classification of permit types and decisions in the RZC.

3. Require a Type IV permit type – CUP and extend OBAT Height Limit Overlay into residential zones (applicant's request).

Similar to Alternative 2, this alternative would provide additional and formal opportunity for public input compared to existing conditions. However, requiring a CUP for all non-residential uses in Residential zones will add time and expense and inappropriately require a quasi-judicial review which may not result in a better outcome since several non-residential uses are already required to comply with special regulations. For example, religious institutions regardless of size are required to meet special requirements for parking, traffic, lighting and proximity to an arterial street. Home businesses are required to meet special requirements such as for parking, utility demand, traffic, and size.

The proposal to extend the OBAT Height Limit Overlay into adjacent Residential zones would further limit the height of all non-residential uses and support greater consistency in structure heights in Residential zones.

However, it would also likely have adverse impacts on the opportunities for religious institutions and communication and utility uses to locate in residential zones since these uses tend to include features that exceed the height of single family homes. In addition, it would result in a special height limit in a Residential zone when it is not warranted and would create an inconsistency with Residential zones elsewhere in the City where there are not similar height limitations. The Technical Committee does not recommend this alternative.

IV. ADDITIONAL SUPPORTING ANALYSIS

A. COMPLIANCE WITH CRITERIA FOR AMENDMENTS

Redmond Comprehensive Plan Policy PI-16 directs the City to take several considerations, as applicable, into account as part of decisions on proposed amendments to the Comprehensive Plan.

The following is an analysis of how the Technical Committee recommendation complies with the requirements for amendments. Additional analysis is provided for how the applicant's proposal addresses these requirements.

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 Technical Committee's recommendation takes into account direction by the GMA, including citizen participation and coordination as one of the Act's stated goals: "Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts." The proposed amendment would provide additional opportunities for citizen input and transparency into development projects. GMA, the State of Washington Department of Commerce, VISION 2040, and King County Countywide Planning Policies also emphasize creating opportunity for public review and participation.

The applicant's proposed amendments are consistent with the above in terms of being supportive of public participation. However, the applicant's proposal is inconsistent with GMA Goal #7 which states that applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability. In addition, the applicant's proposal to require a CUP review for all non-residential uses within Residential zones and additional height limits within Residential zones could result in negative impacts to the efficient provision of public facilities and services such as parks.

2. **Consistency with Redmond's Comprehensive Plan, including the following sections as applicable:**

a. **Consistency with the goals contained in the Goals, Vision and Framework Policy Element.**

One of the eight goals for Redmond contained in the Goals, Vision and Framework Policy Element is, "to cultivate a well-connected community, working together and with others in the region to implement a common vision for Redmond's sustainable future." The Technical Committee's proposed amendment supports this goal and policy FW-2 as well: "Encourage active participation by all members of the Redmond community in planning Redmond's future" and is consistent with other goals within this Element. Further, the Vision speaks to Redmond having infrastructure and services that meet the needs of a growing population that promote a safe and healthy community.

The applicant's proposed amendments could interfere with the provision of land uses and services by making the review process longer and more costly and by resulting in fewer potential places for non-residential uses such as religious institutions and communication infrastructure to locate due to additional height limits.

b. **Consistency with the preferred land use pattern as described in the Land Use Element.**

The Technical Committee's recommendation is consistent with Redmond's preferred land use pattern by continuing to support a permit process that provides for location of non-residential uses in residential zones in a predictable and effective manner. The applicant's proposal could detract from the preferred land use pattern by making the review process for these uses longer and more costly and by resulting in fewer potential places for non-residential uses such as religious institutions and communication infrastructure to locate due to additional height limits.

c. **Consistency with Redmond's community character objectives as described in the Community Character/Historic Preservation Element or elsewhere in the Comprehensive Plan.**

The Technical Committee's recommendation is consistent with policy PI-3 which reads, "Provide opportunities for public review of plans, regulations and development proposals, while tailoring the review approach and specific issues to the appropriate stage of plan preparation and implementation." In addition, PI-8 states "Use all public involvement and communication options at the City's disposal, such as websites; surveys; workshops, open houses and other meetings; and citizen advisory groups." The recommendation for additional public input by requiring a neighborhood meeting for three non-residential land uses in Residential zones support these policies.

The applicant's proposed amendment to require a CUP process would also support these policies but would add unnecessary permit processing time and additional cost.

d. **Consistency with other sections including the Transportation Element as applicable.**

The Technical Committee recommendation supports Neighborhood Policy NP-6: "Identify techniques and methods that can be used to address neighborhood issues and opportunities. Choose solutions that are compatible with Redmond's Comprehensive Plan and development regulations." Utility Policy UT-9 speaks to providing expeditious permitting, recognizing that avoiding utility project delay can minimize service disruptions and associated costs for residents and businesses. If approved, the applicant's proposed amendments could result in such delays with extended review times. The Technical Committee's recommendation is also consistent with policy 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 day care 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."

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 proposed amendment is not likely to impact the natural environment including impacts to critical areas and other natural resources.

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 proposed amendment is not likely to impact the capacity of public facilities and services. The Technical Committee's recommendation to require a neighborhood meeting will provide additional public input to the process of locating these services, i.e., community indoor recreation, parks and religious institutions with less than 250 seats. The applicant's proposal to require a discretionary review for non-residential uses in Residential zones and additional height limits could prevent public facilities and services from being provided cost-effectively.

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

The Technical Committee's recommendation is intended to allow for greater opportunity to anticipate and address potential impacts related to the

development of three non-residential land uses in Residential zones: Community indoor recreation; Parks, open space, trails and gardens; and Religious institutions with fewer than 250 seats. The requirement for a neighborhood meeting with any of these land uses will allow the public to ask questions and provide additional input to an applicant and the City when considering a new or expanded development. Providing facilities and services in an expeditious manner will benefit business, residents, property owners and City Government.

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 amendment has not been considered within the last four annual updates, nor has there been a change in circumstances.

V. AUTHORITY AND ENVIRONMENTAL, PUBLIC AND AGENCY REVIEW

A. AMENDMENT PROCESS

RZC Sections 21.76.070.AE and 21.76.050.K require that amendments to the Comprehensive Plan or Zoning Code (except zoning map amendments consistent with the 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 Determination of Non-Significance and SEPA Checklist was issued for this non-project action on December 28, 2015.

D. 60-DAY STATE AGENCY REVIEW

State agencies will be sent 60-day notice of this proposed amendment no later than January 20, 2016.

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 February 10, 2016. Public notice of the public hearing will be published in the Seattle Times on January 20, 2016.

F. APPEALS

RZC 21.76.070.J identifies 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 applicable requirements.

VI. LIST OF EXHIBITS

- Exhibit A: Recommended Amendments to the Redmond Zoning Code and examples
- Exhibit B: OBAT Height Limits – Map 12.7
- Exhibit C: SEPA Threshold Determination
- Exhibit D: Applicant's requested amendments

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

ROBERT G. ODLE,
Planning Director
Planning and Community Development
Department

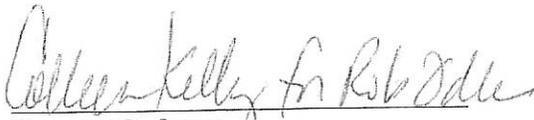
LINDA DE BOLDT,
Director of Public Works
Public Works Department

Type VI proposal may be appealed by filing a petition with the Growth Management Hearing Board pursuant to applicable requirements.

VI. LIST OF EXHIBITS

- Exhibit A: Recommended Amendments to the Redmond Zoning Code and examples
- Exhibit B: OBAT Height Limits – Map 12.7
- Exhibit C: SEPA Threshold Determination
- Exhibit D: Applicant’s requested amendments

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


ROBERT G. ODLE,
Planning Director
Planning and Community Development
Department

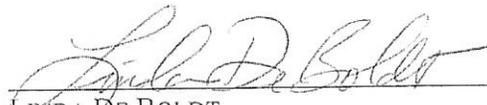

LINDA DE BOLDT,
Director of Public Works
Public Works Department

EXHIBIT A

Technical Committee's recommended amendment to the Redmond Zoning Code includes:

- A. Add the following text to three uses in the Allowed Uses and Special Regulations portion of the Table for each Residential zone:

In the Special Regulations notes on the right side of the page add: (See Example 1)

"A neighborhood meeting is required for a new use or a substantial improvement to an existing use that would increase the capacity for people to gather."

Include in each of the following Residential zones:

- RZC 21.08.030 R-1 Single-Family Constrained Residential
- RZC 21.08.040 R-2 Single-Family Constrained Residential
- RZC 21.08.050 R-3 Single-Family Constrained Residential
- RZC 21.08.060 R-4 Single-Family Urban Residential
- RZC 21.08.070 RIN (Residential Innovative) Single-Family Urban Residential
- RZC 21.08.080 R-5 Single Family Urban Residential
- RZC 21.08.090 R-6 Single-Family Urban Residential
- RZC 21.08.100 R-8 Single-Family Urban Residential
- RZC 21.08.110 R-12 Multifamily Urban Residential
- RZC 21.08.120 R-18 Multifamily Urban Residential
- RZC 21.08.130 R-20 Multifamily Urban Residential
- RZC 21.08.140 R-30 Multifamily Urban Residential

- B. Add the following text to Table 21.76.050A Permit Types to include the following language in the Type II column in the "Input Sought" box:

"Neighborhood meeting only required for short plats meeting certain criteria or as otherwise required within the RZC."



Redmond Zoning Code

Transportation, Communication, Information, and Utilities			
12	Road, Ground, Passenger and Transit Transportation	N/A	Regional light rail transit system only. No vehicle storage.
13	Local utilities	Adequate to accommodate peak use.	
14	Regional utilities		A Conditional Use Permit is required.
15	Heliport	N/A	A Conditional Use Permit is required. Does not include medical airlift. Permitted only abutting Lake Sammamish.
16	Float plane facility		<p>A. A Conditional Use Permit is required. Permitted only abutting Lake Sammamish.</p> <p>B. Piers, docks, and floats associated with the operation of float planes shall meet, as a minimum, the location criteria contained in RZC 21.68.070, In-Water Structures. Piers and docks are also subject to standards for residential piers and docks contained in RZC 21.68.070.E, <i>Piers, Docks, and Floats</i>. (SMP)</p> <p>C. Only one float plane per lot is permitted. (SMP)</p> <p>D. Float planes shall observe speed regulations for watercraft and vessels contained in RMC 14.16.030, Speed Regulations, except that these speeds may be exceeded for a short duration of time during landing and takeoff of planes. (SMP)</p> <p>E. Float plane facilities or operation of float planes is prohibited on the Sammamish River, Bear Creek and Evans Creek. (SMP)</p> <p>F. Float plane facilities and operation shall comply with FAA standards, including standards for fueling, oil spill cleanup, firefighting equipment, and vehicle and pedestrian separation. (SMP)</p>
17	Antenna support structures		<p>A. A Conditional Use Permit is required. See RZC 21.76.070.K, <i>Conditional Use Permit</i>.</p> <p>B. See RZC 21.56, <i>Wireless Communication Facilities</i>, for specific regulations that may apply.</p>
18	Large satellite dish / amateur radio tower		See RZC 21.56, <i>Wireless Communication Facilities</i> , for specific regulations that may apply.
19	Antenna array and base station	N/A	A Conditional Use Permit may be required; see RZC 21.56, <i>Wireless Communication Facilities</i> , for specific development requirements.
Arts, Entertainment, and Recreation			
20	Community indoor recreation	Adequate to accommodate peak use.	Includes noncommercial indoor recreation uses, such as community clubhouses, indoor swimming pools, and other similar facilities. <u>A neighborhood meeting is required for a new use or a substantial improvement to an existing use that would increase the capacity for people to gather.</u>
21	Parks, open space, trails and gardens	1,000 sq ft gfa (0, adequate to accommodate peak use.)	Permitted if public or noncommercial. A Conditional Use Permit is required for commercial facilities. <u>A neighborhood meeting is required for a new use or a substantial improvement to an existing use that would increase the capacity for people to gather.</u>
22	Athletic, sports, and play fields	Adequate to accommodate peak use.	A Conditional Use Permit is required.
23	Golf course		
24	Marine recreation		
25	Commercial swimming pool		
Education, Public Administration, Health Care, and Other Institutions			
26	Day care center	Employee (1.0)	A Conditional Use Permit is required. Day care uses are only permitted in a building or building complex used for other uses, such as a school, church, meeting hall, or some other building used for more than one purpose. See RZC 21.08.310, <i>Day Care Centers</i> , for specific regulations which may apply.
27	Family day care provider	Vehicle used by the	Family day care providers are permitted as home businesses.



Redmond Zoning Code

		business (1.0).	See RZC 21.08.340, <i>Home Business</i> , for specific regulations which may apply.
28	Public safety	Adequate to accommodate peak use	A Conditional Use Permit is required.
29	Grade schools (K-12)		
30	Religious Institution	1,000 sq ft gfa for assembly (1.0) or 5 fixed seats (1.0); 3 seats (1.0).	A. Permitted use if less than 250 seats. A Conditional Use Permit is required for religious institutions with between 250 and 750 seats. See RZC 21.08.280, <i>Churches, Temples, Synagogues and Other Places of Worship</i> , for specific regulations which may apply. B. A Traffic Mitigation Plan is required. See RZC 21.08.280.C.5. C. <u>A neighborhood meeting is required for a new use or a substantial improvement to an existing use that would increase the capacity for people to gather.</u>
Agriculture			
31	Crop production	N/A	A Conditional Use Permit is required.
32	Equestrian facility		
Other			
33	Home Business	Vehicle used by the business (1.0).	See RZC 21.08.340, <i>Home Business</i> , for specific regulations which may apply.
34	Roadside produce stand	N/A	
35	Pier, dock, float		See RZC 21.68.070, <i>In-Water Structures</i> , for special height, setback and area requirements. (SMP)
36	Water-oriented accessory structure		See RZC 21.68.070.G, <i>Water-Oriented Accessory Structures</i> , for special height, setback and area requirements. (SMP)

(Ord. 2652; Ord. 2709; Ord. 2803)

Effective on: 10/17/2015

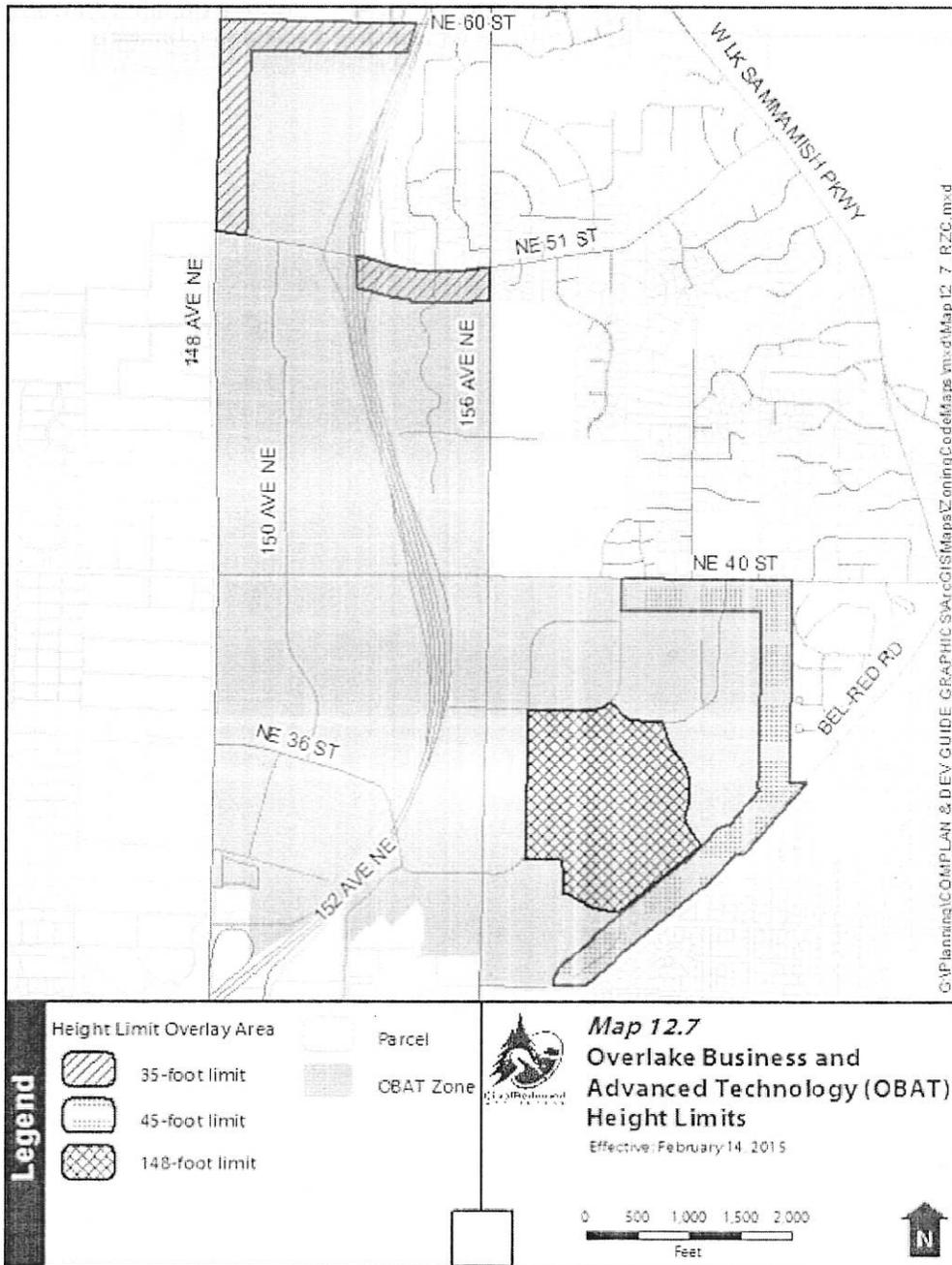
**Table 21.76.050A
Permit Types**

	Permit Type					
	Type I Administrative	Type II Administrative	Type III Quasi- Judicial	Type IV Quasi- Judicial	Type V Quasi- Judicial	Type VI Legislative
Level of Impact and Level of Discretion Exercised by decision maker	Least level of impact or change to policy/regulation. Least level of discretion.					Potential for greatest level of impact due to changes in regulation or policy. Greatest level of discretion.
Input Sought	Minimal-generally no public notice required. No public hearing.	Notice of Application provided. No public hearing. Neighborhood meeting only required for short plats meeting certain criteria.*	Notice of Application provided. Neighborhood meeting may be required. Public hearing is required.	Notice of Application provided. Neighborhood meeting may be required. Public hearing is required.	Notice of Application provided. Neighborhood meeting may be required. Public hearing is required.	Notice of Public Hearing provided.
Public Hearing prior to Decision?	No	No	Yes, Hearing Examiner (or Landmarks Commission) ²	Yes, Hearing Examiner	Yes, City Council	Yes, Planning Commission
Decision Maker	Appropriate Department	Technical Committee	Hearing Examiner (or Landmarks Commission) ²	City Council	City Council	City Council
Administrative Appeal Body	Hearing Examiner (Hearing Examiner decision on appeal may be appealed to City Council)	Hearing Examiner (Hearing Examiner decision on appeal may be appealed to City Council)	City Council	None (decision appealable to Superior Court)	None (decision appealable to Superior Court)	None (decision appealable to Superior Court)

TABLE NOTES:

1. Shoreline Substantial Development Permits, Shoreline Variances and Shoreline Conditional Use Permits are appealable directly to the State Shorelines Hearings Board.
2. Landmarks Commission makes decisions for Certificate of Appropriateness Level III permits.

* or as otherwise required within the RZC





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

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

PROJECT INFORMATION

PROJECT NAME: Zakhareyev Comp Plan Amendment

SEPA FILE NUMBER: SEPA-2015-02323

PROJECT DESCRIPTION:

Extend OBAT overlays into residential areas.
Require Conditional Use Permit for non-residential uses applications in residential neighborhoods.

PROJECT LOCATION: City Wide

SITE ADDRESS:

APPLICANT: Friends of Overlake Neighborhood Group

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: Sarah Stiteler

PHONE NUMBER: 425-556-2469

EMAIL: ssiteler@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 01/11/2016.**

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 01/26/2016, 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: December 28, 2015

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

RESPONSIBLE OFFICIAL: Robert G. Odle
Planning Director

SIGNATURE: _____

RESPONSIBLE OFFICIAL: Linda E. De Boldt
Public Works Director

SIGNATURE: _____

Address: 15670 NE 85th Street Redmond, WA 98052

CITY OF REDMOND

ENVIRONMENTAL CHECKLIST

PROJECT ACTION

(Revised 5/27/15)

Purpose of the Checklist:

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.

Sarah Stiteler, AICP,

Planner Name: Senior Planner

Date of Review: 12/2/15

To Be Completed By Applicant	Evaluation for Agency Use Only
<p>7. Proposed timing or schedule (including phasing, if applicable):</p> <p>2016</p> <p>8. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain.</p> <p>N/A</p> <p>9. List any environmental information you know about that has been prepared or will be prepared directly related to this proposal.</p> <p>N/A</p> <p>10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain.</p> <p>N/A</p>	<p>It is not likely that there would be any future additions, expansion or further activity related to or connected with this proposal.</p> <p>I am not aware of any other environmental information that has been prepared or will be prepared that is directly related to this proposal.</p>

To Be Completed By Applicant	Evaluation for Agency Use Only
<p>11. List any government approvals or permits that will be needed for your proposal, if known.</p> <p>N/A</p>	<p>The proposed amendments to the Comprehensive Plan and Zoning Code would require City Council approval.</p>
<p>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.</p> <p>Comprehensive Plan Policy and Zoning Code amendments to:</p> <ul style="list-style-type: none"> * Emphasize and expand Overlake's transition areas between employment and residential areas uses by limiting maximum building height; * Require a greater level of review of non-residential development proposed in residential areas citywide. 	<p>Also, please refer to response for item A.1, Background.</p>
<p>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</p> <p>The proposed amendment will affect Overlake neighborhood and all of the City of Redmond.</p>	<p>Also please refer to response for item A.6, Background.</p>

To Be Completed By Applicant	Evaluation for Agency Use Only
<p>3. How would the proposal be likely to deplete energy or natural resources?</p> <p>N/A</p> <p>Proposed measures to protect or conserve energy and natural resources are:</p>	<p>It is unlikely that the proposed amendments would deplete energy or natural resources.</p>
<p>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?</p> <p>N/A</p> <p>Proposed measures to protect such resources or to avoid or reduce impacts are:</p>	<p>It is unlikely that the proposed amendments would affect environmentally sensitive areas.</p>

To Be Completed By Applicant	Evaluation for Agency Use Only
<p>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?</p> <p>N/A</p> <p>Proposed measures to avoid or reduce shoreline and land use impacts are:</p>	<p>It is unlikely that the proposed amendments would affect land and shoreline use.</p>
<p>6. How would the proposal be likely to increase demands on transportation or public services and utilities?</p> <p>The proposal would contribute to better transportation planning for new developments in the city of Redmond</p> <p>Proposed measures to reduce or respond to such demand(s) are:</p>	<p>It is unlikely that the proposed amendments would increase demands on transportation or public services and utilities.</p>

To Be Completed By Applicant	Evaluation for Agency Use Only
<p>7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.</p> <p>N/A</p>	<p>The proposed amendments are not likely to conflict with local, state or federal laws or requirements for the protection of the environment.</p>

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: _____ 

Name of Signee: Eugene Zakhareyev

Position and Agency/Organization: _____

Relationship of Signer to Project: Signer

Date Submitted: 11/25/2015



Comprehensive Plan Amendment



(2014 2015) AMENDMENT PACKAGE

Office Use Only

DATE: _____ ACCEPTED BY: _____

LAND: _____

PAYMENT METHOD: NO FEE

This application is for requesting an amendment to Redmond's Comprehensive Plan and associated Zoning Code provisions as part of the 2014-2015 Comprehensive Plan amendment process.

BACKGROUND

Changes to the Comprehensive Plan, and some Zoning Code regulations such as property-specific zoning designations, are allowable once per year under state law. As the first step in this process, the City invites interested parties to identify proposed changes. Afterward, the Redmond Planning Commission and then City Council review and confirm the list of amendments to be considered over the course of the year, including privately-initiated amendments. The purpose of establishing this list (known as the annual *Comprehensive Plan Docket*) is to coordinate proposed changes and to help the community track progress.

APPLICATION PROCESS AND DEADLINE

Any individual, organization, business, or other group may propose an amendment. For site-specific proposals, a minimum of 75% of property owners must confirm agreement by signing this document. Proposals to amend the Comprehensive Plan and associated Zoning Code provisions must be received in person by 5 pm on **Thursday, May 29, 2014**. Proposals received after the deadline will be considered as part of subsequent annual docketing processes. There is no fee for Comprehensive Plan or Zoning Code amendments requested during this process, nor are fees required for associated State Environmental Policy Act (SEPA) review. See page 3 for submittal instructions.

STAFF CONSULT AND APPLICATION DEADLINES

Consultation with Long Range Planning staff is required prior to submitting an application. Contact Pete Sullivan, Senior Planner, to coordinate: ppsullivan@redmond.gov

Purpose of staff consult is to:

- review the proposal
- answer questions;
- preliminarily identify consistency issues; and
- ensure application completeness.

The 2014-15 Comprehensive Plan Amendment process includes two deadlines as described below:

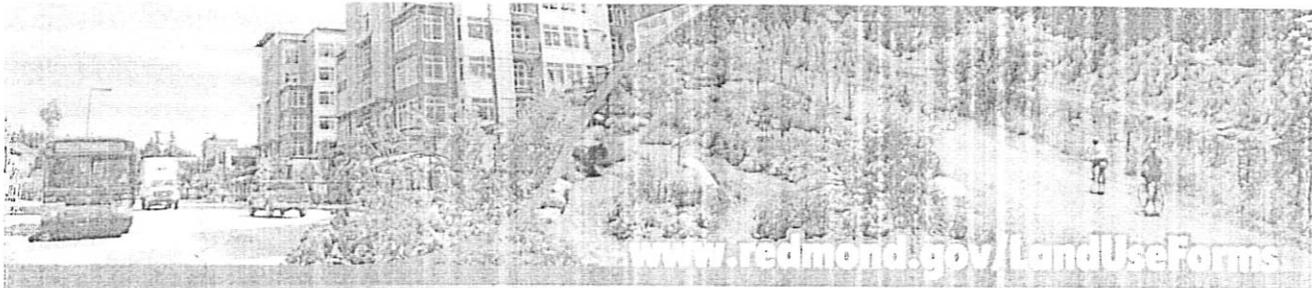
Round 1: May 29, 2014

An application must be received by 5PM on this date for consideration in 2014-15 Comprehensive Plan Amendment docket.

Round 2: June 6, 2014

If Round 1 submittal is determined incomplete it will be returned. Applicants must provide complete applications by this date to be recommended for inclusion in 2014-15 Comprehensive Plan Amendment docket.

Ready to arrange a pre-consult meeting? Contact Pete Sullivan, Senior Planner, ppsullivan@redmond.gov



Comprehensive Plan Amendment



COMPREHENSIVE PLAN APPLICATION

NOTICE: Materials delivered by courier or by mail will not be accepted.

Amendment Name: Require Conditional Use Permit for non-residential uses applications in residential neighborhoods

Site Address(if applicable): _____

Parcel Number(s)(if applicable)_____

Acres: _____(if applicable) Zoning designation: _____(if applicable)

CONTACT INFORMATION

Applicant: Friends of Overlake neighborhood group

Company Name: (if applicable) _____

Mailing Address: 5126 154th Ave NE

City: Redmond State: WA Zip: 98052

Phone: 408-421-2126 Fax: _____ Email: moston051@gmail.com

AUTHORIZED AGENT

The undersigned hereby certifies that all information submitted with this application is complete and correct to the best of my knowledge.

Print Name: Eugene Zakhareyev

Date: 5/29/2014

Signature: Eugene Zakhareyev

Digitally signed by Eugene Zakhareyev
DN: cn=Eugene Zakhareyev, o=moston051@gmail.com, c=US
Date: 2014.05.29 10:28:33Z

ELECTRONIC SUBMITAL STANDARDS

After staff pre-consult, application materials must be completed electronically, and submitted as follows:

A. PDF File format File Naming Standards:

Application forms should be submitted as PDF documents. Email attachments should be clearly named so they correspond to the forms identified on Page 3.

B. Send PDFs as email attachments:

Include "Comprehensive Plan Amendment Application" in the subject line and send to ppsullivan@redmond.gov

C. Application should be packaged as 4 PDFs

The Comprehensive Plan Amendment application has four components as described on Page 3. Each component should be submitted a stand-alone PDF. Additional responses to applications questions, or other materials such as maps, calculations, or reports should be embedded in the PDF for which they support.

Ready to arrange a pre-consult meeting? Contact Pete Sullivan, Senior Planner: psullivan@redmond.gov

DESCRIPTION OF PROPOSED AMENDMENT

If this proposal is for a text amendment, please provide a description of the proposed amendment below or attach to this form. Relevant information for the Comprehensive Plan can be accessed on www.edmond.gov/somajord.

~~Amend section LU-30 to include "To maintain the character of the residential areas and impose conditions for future compatibility, require Conditional Use Permit for all allowed nonresidential uses in Residential zones".~~

What is the current Comprehensive Plan land use designation and zoning?

What is your desired Comprehensive Plan land use designation and zoning?

Describe what type of development is envisioned for the area propose for the amendment . A conceptual drawing of the proposed development may be required.

What land uses are located on and adjacent to the area proposed for amendment?

SUBMITTAL REQUIREMENTS

The application package includes four forms as described below. Also see E-submittal standards, Page 2.

1. Complete & signed copy of **this form**. E-sign is ok.
 - If site specific amendment, include **Signature Document** with signatures of at least 75% of the property owners within the affected geographic area.
 - If site specific or area-wide map amendment, include a **map** with the following information:
 - Parcels and streets in affected area
 - Parcel numbers and street address (es) in affected area.
 - Scale between 1-inch equals 100' and 1 inch equals 800 feet.
2. Complete and signed **General Application form**. Direct link to electronic form [here](#) (opens a PDF document)
3. State Environmental Policy Act (SEPA) **Application and Checklist** Direct link to electronic form [here](#) (opens a PDF document)
4. SEPA Critical Areas Fee **Worksheet** (No fees collected; but worksheet still required) Direct link to electronic form [here](#) (opens a PDF document)

Items 2-3 above can also be accessed at www.edmond.gov/anduseforms

COMPREHENSIVE PLAN AMENDMENTS QUESTIONS

Questions 1 through 8 apply to all proposals, and questions 9 through 11 apply to each additional page as needed. See the standards on Page 2.

1. What is your proposed amendment intended to accomplish?

~~Allowed nonresidential uses in Residential zones may greatly affect the character of the neighborhood, but Conditional Use Permit is not required for all uses. The change will impose conditions on new developments so that the compatibility with residential uses can be enforced, as well will ensure greater residents' participation in the land-use application approval process.~~

2. How will your proposal support the goals contained in Redmond's Comprehensive Plan? Goals are shown on page 6.

~~The proposal will provide for better planning for Redmond's sustainable future while keeping and enhancing the quality of life in the city residential neighborhoods.~~

3. How will your proposal support other applicable policies and provisions from Redmond's Comprehensive Plan? Plan can be accessed at www.redmond.gov/compplan or click [here](#)

~~The amendment will clarify the purposes of the comprehensive plan and will serve to enhance the unique character of the residential neighborhoods of the city of Redmond.~~

4. What impacts might your proposal have on the natural environment, such as critical areas or other natural areas?

~~The proposal will not have effect on the natural environment.~~

5. What economic impacts might your proposal have, such as impacts for businesses, residents, property owners, or Redmond City Government?

~~The amendment will better protect the interests of the residents in Residential zones, as well as allow the city to better enforce the zoning requirements.~~

6. How will your proposal address the long-term interests and needs of the community as a whole?

~~The proposal will serve best interests of the community by making sure new developments do not compromise established residential neighborhood quality of life.~~

7. Are you aware of any public support for your proposed amendment?

~~The proposal is supported by Friends of Overlake, neighborhood group of over 50 residents of Overlake neighborhood~~

8. If your proposal has been considered within the last four years, what circumstances have changed to make the proposed amendment appropriate?

~~To the best of our knowledge, there was no such proposal in the last four years.~~

LAND USE MAP QUESTIONS

Questions 9-14 do not require additional questions, details, or date negative impacts.

9. Describe the suitability of the area for the proposed designation, considering the adjacent land uses and the surrounding development pattern, and the zoning standards under the potential zoning classification.

10. What is the potential for the uses allowed under the proposed designation to be incompatible with uses or property in the immediate vicinity of the subject property? How would adverse impacts be mitigated?

11. Describe the extent to which the proposal supports: a) Redmond's preferred land use pattern as described in the Comprehensive Plan Land Use Element, and b) the community character object contained in Redmond's Comprehensive Plan. *See the Community Character or Land Use Element of the Comprehensive Plan or the elements specific to neighborhoods.*

12. Describe any probable advance environmental impacts that might result from the proposed change in land use designation. How would any adverse impacts be mitigated?

13. Describe the extent in which adequate public facilities and services are likely to be available to serve the development allowed under the proposed land use designation.

14. If a change in allowed uses is proposed, discuss the need for the land use which would be allowed and whether the change would result in loss of capacity to accommodate other needed uses. Consider especially, whether the proposed change complies with the City policy HO-17, which would prohibit any rezone that reduces capacity for residential development without first approving another rezone that at least replaces the lot capacity elsewhere in the City.

GOALS FOR REDMOND

- To conserve agricultural lands and rural areas, to protect and enhance the quality of the natural environment, and to sustain Redmond's natural resources as the City continues to accommodate growth and development.
- To retain and enhance Redmond's distinctive character and high quality of life, including an abundance of parks, open space, good schools and recreational facilities.
- To emphasize choices and equitable access in housing, transportation, stores and services.
- To support vibrant concentrations of retail, office, service, residential and recreational activity in Downtown and Overlake.
- To maintain a strong and diverse economy and to provide a business climate that retains and attracts locally owned companies, as well as internationally recognized corporations.
- To provide opportunities to live a healthy lifestyle, enjoy a variety of community gathering places and celebrate diverse cultural opportunities.
- To provide convenient, safe and environmentally friendly transportation connections within Redmond and between Redmond and other communities for people and goods.
- To cultivate a well-connected community, working together and with others in the region to implement a common vision for Redmond's sustainable future.



Comprehensive Plan Amendment



City of Redmond

(2014 2015) AMENDMENT PACKAGE

Office Use Only

DATE: _____

ACCEPTED BY: _____

LAND: _____

PAYMENT METHOD: NO FEE

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The 2014-15 Comprehensive Plan Amendment process includes two deadlines as described below:

Round 1: May 29, 2014

An application must be received by 5PM on this date for consideration in 2014-15 Comprehensive Plan Amendment docket.

Round 2: June 6, 2014

If Round 1 submittal is determined incomplete it will be returned. Applicants must provide complete applications by this date to be recommended for inclusion in 2014-15 Comprehensive Plan Amendment docket.

Ready to arrange a pre-consult meeting? Contact Pete Sullivan, Senior Planner: ppsullivan@redmond.gov



Comprehensive Plan Amendment



COMPREHENSIVE PLAN APPLICATION

NOTICE: Materials delivered by courier or by mail will not be accepted.

Amendment Name: Extend OBAT overlays into residential areas

Site Address (if applicable): _____

Parcel Number(s) (if applicable): _____

Acres: _____ (if applicable) Zoning designation: _____ (if applicable)

CONTACT INFORMATION

Applicant: Friends of Overlake neighborhood group

Company Name: (if applicable) _____

Mailing Address: 5126 154th Ave NE

City: Redmond

State: WA

Zip: 98052

Phone: 408-421-2126

Fax: _____

Email: moston051@gmail.com

AUTHORIZED AGENT

The undersigned hereby certifies that all information submitted with this application is complete and correct to the best of my knowledge.

Print Name: Eugene Zakhareyev

Date: 5/29/2014

Signature: Eugene Zakhareyev

Digitally signed by Eugene Zakhareyev
DN: cn=Eugene Zakhareyev, o=moston051@gmail.com, c=US
Date: 2014.05.29 09:37:46 -0700

ELECTRONIC SUBMITTAL STANDARDS

After staff pre-consult, application materials must be completed electronically, and submitted as follows:

A. PDF File format File Naming Standards:

Application forms should be submitted as PDF documents. Email attachments should be clearly named so they correspond to the forms identified on Page 3.

B. Send PDFs as email attachments:

Include "Comprehensive Plan Amendment Application" in the subject line and send to psullivan@redmond.gov

C. Application should be packaged as 4 PDFs

The Comprehensive Plan Amendment application has four components as described on Page 3. Each component should be submitted a stand-alone PDF. Additional responses to applications questions, or other materials such as maps, calculations, or reports should be embedded in the PDF for which they support.

Ready to arrange a pre-consult meeting? Contact Pete Sullivan Senior Planner psullivan@redmond.gov

DESCRIPTION OF PROPOSED AMENDMENT

The proposed amendment is described in the space below or attached to this application. The current Comprehensive Plan can be accessed at www.redmond.gov/compplan.

~~Amend section OV-77 to include "Extend any overlays defined for OBAT in Redmond zoning code into nearby Residential zones".~~

What is the current Comprehensive Plan land use designation and zoning?

What is your desired Comprehensive Plan land use designation and zoning?

Describe what type of development is envisioned for the area propose for the amendment . A conceptual drawing of the proposed development may be required.

What land uses are located on and adjacent to the area proposed for amendment?

SUBMITTAL REQUIREMENTS

The application package includes four forms as described below. Also see E-submittal standards, Page 2.

1. Complete & signed copy of **this form**. E-sign is ok.
 - If site specific amendment, include **Signature Document with** signatures of at least 75% of the property owners within the affected geographic area.
 - If site specific or area-wide map amendment, include a **map with the following information:**
 - Parcels and streets in affected area
 - Parcel numbers and street address (es) in affected area.
 - Scale between 1-inch equals 100' and 1 inch equals 800 feet.
2. Complete and signed **General Application form**. Direct link to electronic form [here](#) (opens a PDF document)
3. State Environmental Policy Act (SEPA) **Application and Checklist** Direct link to electronic form [here](#) (opens a PDF document)
4. SEPA Critical Areas Fee **Worksheet** (No fees collected; but worksheet still required) Direct link to electronic form [here](#) (opens a PDF document)

Items 2-3 above can also be accessed at www.redmond.gov/landuseforms

Ready to arrange a pre-consult meeting? Contact Pat Williams, Senior Planner, pat.williams@redmond.gov

COMPREHENSIVE PLAN AMENDMENTS QUESTIONS

Questions 1 through 8 apply to all proposed amendments. Please answer the questions on this page or attach additional pages as needed, embedding them in the same PDF as this application (see submission standards on Page 2).

1. What is your proposed amendment intended to accomplish?

~~The purpose of the overlays on edges of OBAT area (as defined in RCZ 21.12.210) is to promote compatibility on the edges of zones that allow more intense uses than abutting zones and to minimize adverse impacts such as glare. The overlay should be extended into Residential zones same 300 feet as on edge of OBAT area.~~

2. How will your proposal support the goals contained in Redmond's Comprehensive Plan? Goals are shown on page 6.

~~The proposal will provide for better planning for Redmond's sustainable future while keeping and enhancing the quality of life in the city residential neighborhoods.~~

3. How will your proposal support other applicable policies and provisions from Redmond's Comprehensive Plan? Plan can be accessed at www.redmond.gov/compplan or click [Here](#)

~~The amendment will clarify the purposes of the comprehensive plan and will serve to enhance the unique character of the residential neighborhoods at the edges of OBAT area.~~

4. What impacts might your proposal have on the natural environment, such as critical areas or other natural areas?

~~The proposal will not have effect on the natural environment.~~

5. What economic impacts might your proposal have, such as impacts for businesses, residents, property owners, or Redmond City Government?

~~The amendment will better protect the interests of the residents in Residential zones.~~

6. How will your proposal address the long-term interests and needs of the community as a whole?

~~The proposal will serve best interests of the community by making sure new developments do not compromise established residential neighborhood quality of life.~~

7. Are you aware of any public support for your proposed amendment?

~~The proposal is supported by Friends of Overlake, neighborhood group of over 50 residents of Overlake neighborhood~~

8. If your proposal has been considered within the last four years, what circumstances have changed to make the proposed amendment appropriate?

~~To the best of our knowledge, there was no such proposal in the last four years.~~

LAND USE MAP QUESTIONS

Questions 9-14 apply only to changes to the Land Use Plan Map or land use designations. For all additional questions, describe both positive and negative impacts and any measures that would mitigate negative impacts.

9. Describe the suitability of the area for the proposed designation, considering the adjacent land uses and the surrounding development pattern, and the zoning standards under the potential zoning classification.

10. What is the potential for the uses allowed under the proposed designation to be incompatible with uses or property in the immediate vicinity of the subject property? How would adverse impacts be mitigated?

11. Describe the extent to which the proposal supports: a) Redmond's preferred land use pattern as described in the Comprehensive Plan Land Use Element, and b) the community character object contained in Redmond's Comprehensive Plan. *See the Community Character or Land Use Element of the Comprehensive Plan or the elements specific to neighborhoods.*

12. Describe any probable advance environmental impacts that might result from the proposed change in land use designation. How would any adverse impacts be mitigated?

13. Describe the extent in which adequate public facilities and services are likely to be available to serve the development allowed under the proposed land use designation.

14. If a change in allowed uses is proposed, discuss the need for the land use which would be allowed and whether the change would result in loss of capacity to accommodate other needed uses. Consider especially, whether the proposed change complies with the City policy HO-17, which would prohibit any rezone that reduces capacity for residential development without first approving another rezone that at least replaces the lot capacity elsewhere in the City.

GOALS FOR REDMOND

- To conserve agricultural lands and rural areas, to protect and enhance the quality of the natural environment, and to sustain Redmond's natural resources as the City continues to accommodate growth and development.
- To retain and enhance Redmond's distinctive character and high quality of life, including an abundance of parks, open space, good schools and recreational facilities.
- To emphasize choices and equitable access in housing, transportation, stores and services.
- To support vibrant concentrations of retail, office, service, residential and recreational activity in Downtown and Overlake.
- To maintain a strong and diverse economy and to provide a business climate that retains and attracts locally owned companies, as well as internationally recognized corporations.
- To provide opportunities to live a healthy lifestyle, enjoy a variety of community gathering places and celebrate diverse cultural opportunities.
- To provide convenient, safe and environmentally friendly transportation connections within Redmond and between Redmond and other communities for people and goods.
- To cultivate a well-connected community, working together and with others in the region to implement a common vision for Redmond's sustainable future.

Jodi L. Daub

From: Sarah Stiteler
Sent: Wednesday, January 13, 2016 1:46 PM
To: Jodi L. Daub
Subject: FW: COMMENTS ON SEPA-2015-02323 Zakhareyev Comprehensive Plan Amendment

Jodi – for PC packet, please send 1) the response to Susan and 2) the comments she sent along with my response to Planning Commission.

Thanks,
Sarah

Susan,

Thank you for your comments on this application. I will forward your e-mail to the Planning Commission.

In response to your question regarding temporary uses: you are correct that short term temporary uses such as Christmas tree lots or temporary encampments are allowed in residential areas currently as Type I, administrative permits but with the proposed amendment they would require a Conditional Use Permit.

Please let me know if you have any additional questions.

Thanks,
Sarah

Sarah Stiteler, AICP, Senior Planner
City of Redmond
15670 NE 85th Street
Redmond, WA 98052
(425) 556-2469
ssiteler@redmond.gov

From: Susan Wilkins [mailto:susanwi_1234@yahoo.com]
Sent: Monday, January 11, 2016 1:49 PM
To: Sarah Stiteler
Subject: COMMENTS ON SEPA-2015-02323 Zakhareyev Comprehensive Plan Amendment

Comments on the State Environmental Policy Act Determination of Non-significance
for the Zakhareyev Comprehensive Plan Amendment
Project: SEPA-2015-02323

Dear Planning Commission Members,

The Friends of Overlake Neighborhood Group has proposed an amendment to the Redmond Comprehensive Plan that would require a Conditional Use Permit for all non-residential uses in Residential Zones.

The Redmond Zoning Code currently allows uses in residential zones for a number of non-residential uses. In my neighborhood, non-residential uses include a number of schools (RHS, RMS, Mann, Rockwell, Einstein and many preschools) as well as Hartman Park and the Redmond Pool. I am concerned that - under this new amendment - any modification to these properties would be require Conditional Use Permits. For example, playground replacements at the schools or restroom remodels at Hartman Park currently require a construction permit. Under this amendment, I believe that these improvements would require a Conditional Use Permit since they are non-residential uses.

Additionally, I am concerned that Temporary Use Permits that are currently issued for non-standard activities in residential areas would also fall under the terms of this amendment and each Temporary Use Permit would require a Conditional Use Permit. (I could be wrong on this interpretation - could this issue be clarified?)

Land Use Policy LU-30 in the Comprehensive Plan would have the following sentence appended to it:

To maintain the character of the residential areas and impose conditions for future compatibility, require a Conditional Use Permit for all non-residential uses in Residential zones.

The Zakhareyev amendment would apply to all residential neighborhoods in the entire city. It would add a layer of cost for all applications since Conditional Use Permits require a hearing before a hearing examiner. It would require additional time for each application. This amendment would be an undue burden and its overall effect should be carefully considered.

Please consider my comments when reviewing the approval of this amendment.

Sincerely,
Susan Wilkins
18024 NE 99th Ct
Redmond, WA 98052

Click [here](#) to report this email as spam.

Jodi L. Daub

From: Lori Peckol
Sent: Thursday, January 14, 2016 1:50 PM
To: doll@tmw-law.com
Cc: Sarah Stiteler; hozaifa@cassubhailaw.com
Subject: LAND-2015-02261; comments

Mr. Doll,

Thank you for your comments regarding this requested amendment. You may recall that in response to your earlier request to be treated as a party of record, I asked for your mailing address since that is what we need for all parties of record. When you provided it to Ms. Stiteler on January 13 of this week, we were able to fully respond to your request.

Best regards,

Lori

From: Brad Doll [<mailto:doll@tmw-law.com>]
Sent: Thursday, January 14, 2016 1:29 PM
To: Sarah Stiteler
Cc: Hozaifa Cassubhai
Subject: LAND-2015-02261; comments

Good afternoon Sarah,

Thank you for taking my call on January 11, 2016 regarding the proposed Redmond Comprehensive Plan Amendments designated LAND-2015-02261 and SEPA-2015-02323 (the "Plan Amendments"). As I relayed in our call and in a voicemail, I represent Anjuman-e-Burhani. During our call I reiterated the request earlier made to Ms. Peckol that I be treated as a party of record for notices concerning the Plan Amendments.

During our call you alerted me to the City's issuance of a DNS for the Plan Amendments. I had not received notice or a copy of the DNS. I downloaded a copy the City's DNS on January 11, 2016, following our call.

In response to the question you asked on January 11, 2016, regarding why Anjuman-e-Burhani might appeal the City's Determination of Non-significance, I relayed that Anjuman-e-Burhani has several concerns regarding the Plan Amendments. Those concerns include that the Plan Amendments are not consistent with the City's code, the GMA and the City's Comprehensive Plan. I also expressed that the Plan Amendments are unnecessary given the scope of the City's existing provisions for review of land use permit applications.

In addition, I relayed to you that Anjuman-e-Burhani is concerned that the Plan Amendments are intended to discriminate against Anjuman-e-Burhani and prevent the construction of a mosque on property currently zoned residential but just outside the current OBAT boundaries. I also commented that Anjuman-e-Burhani believes the adoption of the Plan Amendments would violate the state and federal constitutions' protections for religious freedom.

Thank you for receiving these comments by phone on the Plan Amendments and the City's SEPA determination.

Best regards,

Brad

Bradford Doll

Tupper|Mack|Wells PLLC

2025 First Avenue | Suite 1100 | Seattle, WA 98121

206.493.2300 | 206.493.2310 (fax)

doll@tmw-law.com

www.tmw-law.com

Click [here](#) to report this email as spam.