

ORDINANCE NO. 2400

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING THE REDMOND MUNICIPAL CODE AND REDMOND COMMUNITY DEVELOPMENT GUIDE SECTIONS 20F.50.40 PLANNING COMMISSION AND 20F.50.45 LANDMARK COMMISSIONS AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, the Growth Management Act requires that comprehensive plans and development regulations shall be subject to continuing evaluation and review; and

WHEREAS, the City of Redmond has determined that allowing for a longer term for Planning Commissioners is a benefit to the City; and,

WHEREAS, the City of Redmond has also determined that a broadening of duties relating to historic properties is an appropriate function for the Landmarks Commission; and,

WHEREAS, state agencies received 60-day notice of Redmond's proposed Redmond Community Development Guide amendments on April 2, 2008; and,

WHEREAS, a State Environmental Policy Act Checklist was prepared and a SEPA exemption was issued on March 26, 2008, for the proposed amendments; and,

WHEREAS, pursuant to appropriate published notice, the City of Redmond Planning Commission held a public hearing on the proposed changes to the Redmond Community Development Guide on April 30, 2008 at which there was no public testimony given; and,

WHEREAS, on May 21, 2008, the Planning Commission forwarded a recommendation to the City Council to approve the change to the Redmond Community Development Guide, Section 20F.50.40 Planning Commission and Section 20F.50.45 Landmarks Commissions; and,

WHEREAS, on June 3, 2008 the City Council considered the Planning Commission's recommendation on the change to the Redmond Community Development Guide and wishes to adopt them; now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO  
ORDAIN AS FOLLOWS:

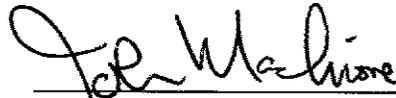
Section 1: Findings, Conclusions, and Analysis. In support of the proposed change to Redmond Community Development Guide Sections 20F.40.50 Planning Commission and 20F.50.45 Landmark Commissions, the City Council hereby adopts the findings, conclusions, and analysis contained in the Technical Committee Report dated March 26, 2008, including all related exhibits to that report, and the Planning Commission Report dated May 21, 2008, including the related attachments to that report.

Section 2: Revision of Existing Redmond Community Development Guide Elements. The Redmond Community Development Guide, a portion of the Redmond Municipal Code, is hereby amended to revise the text as described in Exhibit 1 to this ordinance, incorporated herein by this reference as if set forth in full to this ordinance.

Section 3: Severability. If any section, sentence, clause, map or phrase of this Ordinance or any Redmond Community Development Guide provision or regulation adopted or amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance or any other Redmond Community Development Guide provision or regulation adopted or amended hereby.

Section 4: Effective Date. This Ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five days after the publication of an approved summary consisting of this title.

CITY OF REDMOND



MAYOR JOHN MARCHIONE

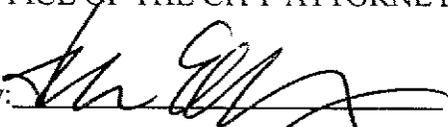
ATTEST/AUTHENTICATED:



CITY CLERK, MICHELLE MCGEHEE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

By:



FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
SIGNED BY THE MAYOR:  
PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO: 2400

May 28, 2008  
June 3, 2008  
June 3, 2008  
June 9, 2008  
June 14, 2008

**20F.50.45 Landmark Commissions.**

**20F.50.45-010 Creation and Purpose.**

- (1) Two Commissions. A Redmond Landmark Commission and a Regional Landmark Commission are created to designate, provide additional incentives to, to provide review of changes to and to provide expertise on archeological and historic matters pertaining to properties qualifying for either a national, state, or local register status. The purpose of both the Redmond and Regional Landmark Commissions is the following:
  - (a) To promote the preservation of historic and archeological resources;
  - (b) To advise the Mayor and City Council on archeological and historic resources;
  - (c) To conduct hearings and decide applications for historic landmark status;
  - (d) To conduct hearings and decide applications for historic landmark demolitions, historic landmark moves, major alterations to historic landmarks, or excavations of archeological sites.
- (2) Commission Roles. The Regional Landmark Commission shall be created to provide review over those properties listed as key historic landmarks and agreed upon through an interlocal agreement with King County. The Redmond Landmark Commission shall be created to provide review over any properties not covered through the King County interlocal agreement establishing Redmond's use of the King County Landmark Commission as the Regional Landmark Commission. King County Code Chapter 20.62 shall govern the authority, duties, staffing, and procedural rules for the Regional Landmark Commission. (Ord. 2164)

**20F.50.45-020 Authority and Duties.**

- (1) The Redmond Landmark Commission shall have the duty and authority over all properties not listed in the King County interlocal agreement for preservation services to:
  - (a) Review and approve, deny, or amend nominations to be listed on the Redmond Heritage Resources Register as a historic landmark.
  - (b) Review applications proposing demolition to historic landmarks, and either deny demolition in part or in whole or approve, or approve with conditions, and issue a Certificate of Appropriateness.
  - (c) When applicable, consider evidence of economic hardship during hearings on applications for demolition or moving of historic landmarks.
  - (d) Review applications proposing to move historic landmarks and to excavate archeological sites and deny or approve, or approve with conditions, in whole or in part the application and issue a Certificate of Appropriateness.
  - (e) Review applications proposing removal of a site or structure from the Redmond Heritage Resources Register and approve, approve with conditions, or deny the application.
- (2) The Redmond Landmark Commission shall have additional reviewing and recommendation responsibilities related to historic or potentially historic properties including reviewing applications for the City's heritage restoration and preservation grant program.
- (3) Decisions on applications for landmark designation and Certificates of Appropriateness shall be binding upon all parties. (Ord. 2164)

### **20F.50.45-030 Appointment and Composition.**

- (1) Regional Commission Special Member. One special member shall be appointed by the Mayor and confirmed by the Redmond City Council to serve on the King County Landmark Commission as a voting member on all matters relating to or affecting designation, and Certificate of Appropriateness and incentives review for key historic landmarks listed in the King County interlocal agreement for preservation services.
- (2) Redmond Appointment and Composition.
  - (a) Appointment. The Redmond Design Review Board together with two special members shall be empowered to act as the City of Redmond Landmark and Heritage Commission pursuant to other provisions of this chapter.
  - (b) Special Members. Two special members shall be appointed by the Mayor and confirmed by the Redmond City Council to serve on the Redmond Landmark and Heritage Commission. One shall be the member appointed by the Mayor and confirmed by the Redmond City Council to serve as the special member on the King County Landmark Commission. At least one of the two members shall be a resident of the City. At least one of the two members shall have professional expertise in historic preservation. (Ord. 2164)

### **20F.50.45-040 Terms of Office.**

The special members shall serve for a term of three years. The special members may not serve more than two consecutive terms. (Ord. 2164)

### **20F.50.45-050 Vacancies.**

Vacancies shall be filled in the manner provided in RCDG 20F.50.45-030, Appointment and Composition, and RCDG 20F.50.45-040, Terms of Office. Special members appointed to fill unexpired terms shall serve the duration of the term. If the unexpired term is less than one year, it shall not be counted as a consecutive term. When a special member has two or more unexcused absences, the position shall be deemed vacant and a successor appointed. (Ord. 2164)

### **20F.50.45-060 Removal.**

The special members may be removed for inefficiency, neglect of duty or malfeasance. The Mayor or the City Council may initiate removal proceedings. A two-thirds vote of the City Council is required for removal for the reasons listed in this section. (Ord. 2164)

### **20F.50.45-070 Rules.**

The Redmond Landmark and Heritage Commission shall adopt rules for the transaction of its business. The rules shall provide, but not be limited to, the date, time, place and format of regular meetings and hearings; a record of proceedings, reports, studies, findings, conclusions and recommendations; and election of a Commission Chair and Vice Chair to a one-year term each. The rules of the Redmond Landmark and Heritage Commission shall be approved by the City Council and included in an appendix to the Redmond Community Development Guide. (Ord. 2164)

### **20F.50.45-080 Staff Services.**

The Director of Planning and Community Development or successor shall be responsible for the general administration of the Redmond Landmark and Heritage Commission and may request staff services from other City Departments or outside agencies trained in preservation. (Ord. 2164)

**20F.50.45-090 Conflict of Interest.**

Members of the Commission shall disqualify themselves from involvement in Commission actions in which they have an interest. (Ord. 2164)

**20F.50.45-100 Quorum and Voting.**

- (1) A majority of the appointed and qualified members with at least one of the two special members present shall constitute a quorum for the transaction of business; provided, that at least five shall be required to constitute a quorum, excluding any disqualifications.
- (2) Any action taken by a majority of those present, when those present constitute a quorum, at any regular or special meeting of the Commission, shall be deemed and taken as the action of the Commission. Any number less than a quorum shall be authorized to convene a meeting at the time set and to adjourn, recess or continue a regular meeting, a special meeting, or a public hearing to a date and time certain.
- (3) An agenda or notice with the date, time, and place of the continued meeting shall be mailed to the owner of the property under consideration, interested persons of record and for designation hearings, the person submitting the nomination. (Ord. 2164)

## **20F.50.40 Planning Commission.**

### **20F.50.40-010 Purpose.**

A Planning Commission, hereinafter called the Commission, is hereby created to involve residents of the City in advising the City Council on matters of community development. Wherever the term "Policy Advisory Commission" appears in the Redmond Community Development Guide, being Title 20 of the Redmond Municipal Code, the same shall mean the Planning Commission. (Ord. 2118)

### **20F.50.40-020 Authority and Duties.**

The Commission may make recommendations to the City Council based on its findings and conclusions and on those of its committees. It shall prepare the elements of the Redmond Community Development Guide for adoption or modification, advise the Council regarding comprehensive park, land use and development policy, special area concerns, investigate and make recommendations on matters suggested by the Council, the Mayor, Redmond citizens, or upon its own initiative. Ad hoc committees may be created for special studies. The Commission and its committees are not delegated any executive or legislative power, authority or responsibility. The Commission shall monitor the growth and development of the City and the areas surrounding the City and shall continually reevaluate and recommend revisions to the elements of the Redmond Community Development Guide. The Commission shall forward to the Council a semi-annual report on the status of the Redmond Community Development Guide. The Commission shall monitor the hearings of the Hearing Examiner in order to stay abreast of development activities and the concerns of the public. (Ord. 2118)

### **20F.50.40-030 Composition.**

The Commission shall be composed of seven members. (Ord. 2118)

### **20F.50.40-040 Public Hearings.**

The Commission shall hold public hearings as required in RCDG 20F.30.60, Public Hearings and Appeals. The Commission may hold additional hearings and meetings as it sees fit to conduct its business. (Ord. 2118)

### **20F.50.40-050 Appointments and Qualifications.**

Members of the Commission shall be appointed by the Mayor and confirmed by a majority vote of the City Council. Appointments to available positions shall be made in the following manner: a media release or other form of notice of the availability of the position shall be published in a local newspaper of general circulation; interested persons may apply for the position to the City Clerk who shall accept applications no later than two to four weeks after the notice of publication date; positions may be filled from the list of applicants. They shall be residents of the City during their tenures of office, and shall not hold any other City office or position. Consideration should be given to appointments that result in a broad geographic and demographic representation of interested and knowledgeable people. (Ord. 2118)

### **20F.50.40-060 Term of Office.**

The regular term of office for Commission positions shall be for four years, staggered terms. Terms shall commence on April 1st and end on March 31st four years later. Members appointed to fill a vacancy shall serve for the duration of the unexpired term. No member shall serve more than two consecutive terms. An appointment to serve an unexpired term of two years or less shall not count towards the two

consecutive term limit. Each member shall hold office until a successor is appointed and confirmed even if after the end of the term. (Ord. 2118)

#### **20F.50.40-070 Vacancies.**

Vacancies shall be filled in the same manner as initial appointments, and members appointed to fill a vacancy shall serve for the duration of the unexpired term. (Ord. 2118)

#### **20F.50.40-080 Removal.**

Any member of the Commission may be removed for inefficiency, neglect of duty, or malfeasance in office. Removal proceedings may be initiated by the Mayor or the City Council. A public hearing and a two-thirds vote of the Council is required for removal for the above reasons. When a member misses three unexcused regular business meetings in one year, the position shall be vacant and a successor appointed. (Ord. 2118)

#### **20F.50.40-090 Rules.**

The Commission shall adopt rules for the transaction of its business. The rules shall provide, but not be limited to, the date, time, place and format of regular meetings and hearings; a record of proceedings, reports, studies, findings, conclusions and recommendations; election of a Commission Chair and Vice Chair to a one-year term each; and a procedure for handling citizen proposals and requests for plan preparation or modification. The rules of the Planning Commission shall be approved by the City Council and included in an appendix to the Redmond Community Development Guide. (Ord. 2118)

#### **20F.50.40-100 Staff Services.**

The Administrator shall be responsible for the general administration of the Commission and may request staff services from the other City departments. (Ord. 2118)

#### **20F.50.40-110 Conflict of Interest.**

Members of the Commission shall disqualify themselves from involvement in Commission actions in which they have an interest. (Ord. 2118)

#### **20F.50.40-120 Quorum and Voting.**

- (1) A majority of the appointed and qualified members shall constitute a quorum for the transaction of business; provided, that at least four shall be required to constitute a quorum, excluding any disqualifications.
- (2) Any action taken by a majority of those present, when those present constitute a quorum, at any regular or special meeting of the Commission, shall be deemed and taken as the action of the Commission.
- (3) Any number less than a quorum shall be authorized to convene a meeting at the time set and to adjourn, recess or continue a regular meeting, a special meeting, or a public hearing to a date and time certain. As soon as possible, the date, time, and place of the continued meeting shall be posted on the meeting room door. An agenda or notice with the date, time, and place of the continued meeting shall be mailed to representatives of the news media and any person who requested notice of the Planning Commission meetings. (Ord. 2118)