



Memorandum

Date: 7/2/2024

Meeting of: Committee of the Whole - Planning and Public Works

File No. CM 24-301

Type: Committee Memo

TO: Committee of the Whole - Planning and Public Works

FROM: Mayor Angela Birney

DEPARTMENT DIRECTOR CONTACT(S):

Public Works	Aaron Bert	425-556-2786
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DEPARTMENT STAFF:

Public Works	Paul Cho	Traffic Operations Engineering Manager
Public Works	Patty S. Criddle	Transportation Engineering Supervisor
Public Works	Vangie Garcia	Deputy Public Works Director

TITLE:

Proposed Fee Program for Extended Use of Right of Way

OVERVIEW STATEMENT:

The City has allowed the closure of public Right of Way (ROW) for the benefit of private businesses without charging a use fee nor the excise tax on the value of the use fee that has been paid to the State. Private use of ROW limits public access and enjoyment of sidewalks, landscape, bike lanes, parking, and travel lanes. To balance the needs of private businesses with the needs of the public, Public Works is proposing a use fee and the State-required excise tax beginning January 2025 for extended closures of the public right of way.

Proposed use fees are for outdoor dining and construction activities.

- Outdoor dining: Annual lease fee of \$2.00 per square foot of closed ROW
- Construction Activities: Monthly fee of \$0.75 per square foot of closed ROW

This will require adoption of a Fee Resolution and minor modification of the Redmond Municipal Code 12.08.

☐ **Additional Background Information/Description of Proposal Attached**

REQUESTED ACTION:

☐ **Receive Information**

☒ **Provide Direction**

☐ **Approve**

REQUEST RATIONALE:

- **Relevant Plans/Policies:**
RMC 12.08 Street Repairs, Improvements, Alterations, and Business Use

RZC 21.52.050.C Pedestrian, Bicycle, and Other Nonmotorized Connections

RZC Appendix 2 - Table 1 - requires wider sidewalks

Sidewalks, bike lanes, multiuse paths, and trails shall be provided in public rights-of-way or easements across private property that guarantee public access.

RZC Appendix 2 Construction Specification and Design Standards for Streets and Access

- **Required:**

N/A

- **Council Request:**

N/A

- **Other Key Facts:**

Proposed use fees based on neighboring cities' fees, right sized for Redmond, and are common practice.

OUTCOMES:

The Extended Use of Right of Way Fee proposal creates an incentive for businesses to minimize private use of the public Right of Way to what is necessary so that sidewalks, landscape, bike lanes, parking, and travel lanes can be used as intended.

COMMUNITY/STAKEHOLDER OUTREACH AND INVOLVEMENT:

- **Timeline (previous or planned):**

June 18, 2024 - Webpage ready to go live.

Week of June 17, 2024 - Email to restaurants and construction businesses.

June 24, 2024 - Shared in e-news.

Week of June 24, 2024 - Shared on city social media.

July 2024 - Plans, Policies, and Regulations Newsletter

- **Outreach Methods and Results:**

Share proposed policy and background on a webpage.

Request questions and feedback from affected businesses via email.

Share webpage and request feedback via email newsletters, direct emails, and social media.

- **Feedback Summary:**

Summary will be provided after outreach is complete.

BUDGET IMPACT:

Total Cost:

N/A

Approved in current biennial budget:

☐ Yes

☐ No

☒ N/A

Budget Offer Number:

N/A

Budget Priority:

N/A

Other budget impacts or additional costs: ☐ Yes ☐ No ☒ N/A

If yes, explain:

N/A

Funding source(s):

N/A

Budget/Funding Constraints:

N/A

☐ Additional budget details attached

COUNCIL REVIEW:

Previous Contact(s)

Date	Meeting	Requested Action
N/A	Item has not been presented to Council	N/A

Proposed Upcoming Contact(s)

Date	Meeting	Requested Action
8/13/2024	Study Session	Receive Information
9/3/2024	Business Meeting	Approve

Time Constraints:

N/A

ANTICIPATED RESULT IF NOT APPROVED:

If the use fees are not approved, the public would continue to be allowed to use public right of way for extended periods of time without a use fee and the City would continue to pay the State excise tax for the occupied square footage.

ATTACHMENTS:

Attachment A: Fees for Extended Use of ROW - PowerPoint Presentation

Attachment B: Flyer: Use Fee for Extended Use of ROW