



Memorandum

Date: 10/1/2024
Meeting of: City Council

File No. AM No. 24-142
Type: Consent Item

TO: Members of the City Council
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 and Safety Engineering Manager
Public Works	Patty S. Criddle	Transportation Engineering Supervisor
Public Works	Vangie Garcia	Deputy Public Works Director

TITLE:

Approval of a Fee for the Extended Use of ROW for Outdoor Dining

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 takes limits public access and enjoyment of sidewalks, landscape, bike lanes, parking, and travel lanes. In order 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 fee:

- Outdoor Dining: Annual use fee of \$2.00 per square foot of closed ROW.

This will require adoption of a Fee Resolution.

Based on feedback from Council during the Aug 13 study session, Public Works met with local businesses to solicit feedback. As a result of the meetings, Public Works proposes to issue a permit for a 2-year term for the same cost of an annual permit. This will reduce the permit administration and the cost businesses have to pay over a 2-year period.

☐ **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:**
Council approval is required for adoption of a fee resolution.
- **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 city is collecting an extended use fee for the closure of the right of way and the state excise tax.

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
July 2024 - Let's Connect Redmond article and questionnaire posted.
July 25 - Presentation to One Redmond
Week of August 19 - Meet with outdoor dining business owners and solicit feedback.
- **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.
Post questionnaire on Let's Connect Redmond.
- **Feedback Summary:**
Summary of outreach feedback was communicated to Council at COW-FAC on Sept 10, 2024.

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
7/2/2024	Committee of the Whole - Planning and Public Works	Receive Information
8/13/2024	Study Session	Provide Direction
9/10/2024	Committee of the Whole - Finance, Administration, and Communications	Provide Direction

Proposed Upcoming Contact(s)

Date	Meeting	Requested Action
10/1/2024	Business Meeting	Approve

Time Constraints:
N/A

ANTICIPATED RESULT IF NOT APPROVED:

Continue allowing private use of right of way for outdoor dining without a use fee.

ATTACHMENTS:

Attachment A: Issues Matrix - Extended ROW Use Fee
Attachment B: Public Works Fee Schedule

Attachment C: Fee Resolution - Extended ROW Fee Change for Outdoor Dining