



Memorandum

Date: 10/15/2024  
Meeting of: City Council

File No. AM No. 24-161  
Type: New Business

TO: Members of the City Council  
FROM: Mayor Angela Birney  
DEPARTMENT DIRECTOR CONTACT(S):

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DEPARTMENT STAFF:

Planning and Community Development	Seraphie Allen	Deputy Director
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TITLE:

Adoption of Ordinances Amending the Redmond Municipal and Zoning Code for Conformance with State Legislation: Senate Bill 5290 and House Bill 1293

1. Ordinance No. 3174: An Ordinance of the City of Redmond, Washington, Amending the Redmond Zoning Code, to Provide Conformance with State Legislative Updates Regarding Permit Process and Design Review Streamlining, Providing for Severability and Establishing an Effective Date
2. Ordinance No. 3175: An Ordinance of the City of Redmond, Washington, Amending the Redmond Municipal Code, to Provide Conformance with State Legislative Updates Regarding Permit Process and Design Review Streamlining, and to Repeal Chapter 4.23 Design Review Board, Providing for Severability and Establishing an Effective Date
3. Ordinance No. 3176: An Ordinance of the City of Redmond, Washington, Amending the Redmond Municipal Code Chapter 4.33 Landmark Commission, to Provide Conformance with State Legislative Updates Regarding Permit Process and Design Review Streamlining, Providing for Severability and Establishing an Effective Date
4. Ordinance No. 3177: An Ordinance of the City of Redmond, Washington, Amending the Redmond Municipal Code Section 15.22.060 Evaluation Criteria for Class I and Class II Permits, to Provide Conformance with State

Legislative Updates Regarding Permit Process and Design Review Streamlining, Providing for Severability and Establishing an Effective Date

**OVERVIEW STATEMENT:**

The City is required by state legislation to amend its development regulations for conformance with Senate Bill 5290 (SB-5290) and Housing Bill 1293 (HB-1293). This legislation involves streamlining of project permit and design review processes for development projects.

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

**REQUESTED ACTION:**

**Receive Information**                       **Provide Direction**                       **Approve**

**REQUEST RATIONALE:**

- **Relevant Plans/Policies:**  
Senate Bill-5290 amends the Local Project Review Act, Chapter 36.70B RCW, with the intent to increase the timeliness and predictability of local project review. The intent of HB-1293 is also to increase the timeliness of local project review specific to the application of design review standards. Provisions in the Local Project Review Act apply to local governments, such as the City of Redmond, planning under the Growth Management Act (GMA) pursuant to RCW 36.70A.040.
- **Required:**  
**SB-5290**  
Senate Bill-5290 amended the Local Project Review Act, Chapter 36.70B RCW, with the intent to increase the timeliness and predictability of local project review. Required code amendments are intended to modernize and streamline local project review. The effective date of SB-5290 was July 23, 2023, except for section 7, which will take effect on January 1, 2025. Senate Bill-5290 requires jurisdiction to:
  - Update local permit review timelines;
  - Clarify the determination of completeness process;
  - Create a new exemption from site plan review for certain interior projects that contain no exterior alterations;
  - Update annual reporting requirements related to permit issuance; and
  - Issue partial permit fee refunds for failure to timely process permit applications when additional streamlining provisions enumerated in the bill are not adopted. Identification of these additional measures was discussed with the City Council during the October 1 Planning and Public Works Committee of the Whole meeting.

[Additional information including bill history is available here. < https://app.leg.wa.gov/billsummary?BillNumber=5290&Initiative=false&Year=2023>](https://app.leg.wa.gov/billsummary?BillNumber=5290&Initiative=false&Year=2023)

**HB-1293**

House Bill-1293 established standards for local design review processes. Chapter 36.70A RCW is amended to

include a definition of “design review” and provides that:

- Only clear and objective development regulations governing the exterior design of a new development are allowed in design review.
- The standards must have at least one ascertainable guideline, standard, or criterion by which an applicant can determine whether a given design is permissible.
- The design guidelines may not reduce density, height, bulk, or scale beyond the underlying zone.
- Design review must be conducted concurrently with consolidated project review and may not include more than one public meeting.
- Expedited review is encouraged for developments that comply with adopted development regulations or are affordable to low- and moderate-income households.

[Additional information including bill history is available here. <](https://app.leg.wa.gov/billsummary?BillNumber=1293&Year=2023&Initiative=false)

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- **Council Request:**

- During the City Council’s October 1 Planning and Public Works Committee of the Whole, councilmembers directed this item to their New Business agenda for October 15, 2024. Additional questions were raised, and responses to these questions have been added to the City Council issues matrix, Attachment 3b. Attachments 7 and 8 have been added to provide redline and strikeouts versions of proposed conformance amendments. Attachment 9 is the comments sent from the Design Review Board chair describing the iterative nature needed to facilitate design review. The option for staff to call upon architects to participate in the review will be both compliant with the one meeting limit and allow for iterative design review that is conducted concurrently with the staff review. Attachments 10a through d are provided to support Council adoption of the Planning Commission and Technical Committee recommendations for code amendments necessary to comply with the state mandates.
- During the City Council September 10 Study Session on this item, additional questions were posed regarding elimination of the Design Review Board. Responses to these questions were included in Attachment 3b to the City Council packet.
- During the City Council’s July 16, 2024, staff report and July 2, 2024, Committee of the Whole-Planning and Public Works Committee, councilmembers asked questions and requested additional information on aspects of the Planning Commission’s recommendation. Staff’s responses to these questions are provided in the City Council’s issues matrix, Attachment 3a.
- The Planning Commission reviewed and held a public hearing on July 31, 2024, regarding staff’s request to include an addendum to the Planning Commission’s original recommendation to amend the Redmond Zoning Code. The Commission’s approval and recommendation on the addendum are included in Attachment 4.

- **Other Key Facts:**

The Technical Committee recommends the repeal of the Design Review Board chapter of the Redmond Municipal Code (RMC Chapter 4.23). This recommendation does not result in the elimination of the design review process, which would be conducted administratively by City professional staff concurrent with project review. Based on the combined requirements of SB-5290 and HB-1293, this recommendation streamlines both project review and design review processes to meet timeline requirements set forth by the legislature and to remove process barriers to housing development consistent with the City’s Housing Action Plan.

Currently, the Design Review Board provides recommendations on several project types, that include an iterative process involving several public meetings:

- Mixed-use projects and large commercial development: three to four design review meetings;
- Small commercial development: two to three design review meetings; and
- Master sign programs: one design review meeting.

The review process involves a three-week lead time including:

- Staff review for code conformance;
- Preparation of a recommendation and memo to support Design Review Board deliberations on the application; and
- Meeting preparation with Design Review Board leadership, staff, and applicant teams.

The Design Review Board involves volunteers who meet twice monthly, in accordance with RMC 4.23. Since the pandemic, the Design Review Board has experienced challenges meeting the quorum requirements necessary to hold meetings and make formal recommendations. This has caused delays in project decision-making and has increased the cost of development in Redmond when compared to surrounding jurisdictions.

The recommended repeal of the Design Review Board chapter of the RMC is anticipated to ensure the City's compliance with SB-5290 and HB-1293 by:

- Providing concurrent project review and design review within the mandated timeframes;
- Using professional staff with architectural expertise to administer objective design standards;
- Holding no more than one public meeting;
- Consulting with an on-call professional when additional design expertise is needed to supplement staff capacity or architectural experience with a specific building type; and
- Providing timely, clear, and concise recommendations regarding code conformance to the authorized decision-maker.

Companion amendments to RMC 4.33.040 Landmark Commissions - Appointment and Composition are also recommended in lieu of a Design Review Board. The City's interlocal agreement for Landmark Services with King County (#4672) authorizes the County to provide historic design review and other services related to historic resources at the City's request. The amendments also include one Redmond resident who would serve as a special member on the King County Regional Landmarks Commission for landmark, historic design review, and other historic services within Redmond's jurisdiction.

The Planning Commission recommendation includes conformance amendments to the Redmond Zoning Code to align with amendments recommended by the Technical Committee related to the Design Review Board and Landmark Commission chapters of the Municipal Code.

**OUTCOMES:**

The recommendations to amend the Redmond Municipal and Zoning Codes are intended to provide conformance with state mandates that are required to be adopted and implemented by January 1, 2025.

**COMMUNITY/STAKEHOLDER OUTREACH AND INVOLVEMENT:**

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

Outreach and involvement included the following to community members, property and business owners, developers, parties of interest, and Parties of Record as defined in RZC 21.76 Review Procedures and 21.78 Definitions:

- Monthly newsletters with companion information available at <https://www.redmond.gov/2048/Redmond-Zoning-Code-Rewrite-Phase-3>;
- Direct email to RZC ReWrite stakeholders and parties of record;
- Information distributed by staff to customers of the Development Services Center;
- In-person communication with developers, including the Master Builders of King and Snohomish Counties and One Redmond Government Affairs;
- Washington Department of Commerce and associated agencies; and
- Planning Commission public hearing on May 29, 2024, with the record held open for additional written comments through June 12, 2024.

• **Outreach Methods and Results:**

Staff employed a variety of outreach methods as described above. No comments were received during preliminary involvement. One comment was provided by David Morton during the Planning Commission’s public hearing though the comment involved a portion of the Redmond Zoning Code that was not pertinent to the hearing on this topic. Staff subsequently communicated to Mr. Morton that his comment would be included with the relevant amendment series that is being reviewed separately by the Planning Commission. No additional comments were received regarding a staff proposed addendum to the Planning Commission’s original recommendation for amendments.

• **Feedback Summary:**

Significant outreach and involvement occurred in association with the Legislature’s enactment of the two bills. This included communication by the Washington Department of Commerce with local and county governments. Puget Sound Regional Council and the Municipal Research and Services Center provided similar communication to support city and county response to the legislative requirements. During this time, advocacy groups such as the Master Builders Association of King and Snohomish Counties received briefings and held member events regarding the intent and outcomes of the bills.

**BUDGET IMPACT:**

**Total Cost:**

The City’s action on the recommended amendments to the Redmond Municipal and Zoning Codes are not anticipated to create immediate cost implications. However, the legislation requires that by January 1, 2025, the City must adopt and implement amendments to its development regulations consistent with the provisions of SB-5290 and HB-1293. If the City does not adopt amendments by January 1, 2025, the state legislation will preempt the City’s permit review process and impose permit fee refund requirements until such time that the City adopts and implements the mandated provisions.

Approved in current biennial budget:       Yes       No       N/A

**Budget Offer Number:**

0000042 Development Services

**Budget Priority:**

Vibrant & Connected

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

**If yes, explain:**

The enacted legislation stipulates that if the City is unable to fully implement required provisions and meet the timeframes established by the legislation for permit review procedures, the City will be required to reimburse a portion of permit fees to individual applicants. The City can avoid this impact by adopting additional streamlining measures identified in the bill. These additional measures are being included in the recommended code package or will be implemented as a component of the budget.

**Funding source(s):**

Permit Fees

**Budget/Funding Constraints:**

Reimbursement of permit fees

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
7/16/2024	Business Meeting	Provide Direction
9/10/2024	Study Session	Receive Information
10/1/2024	Committee of the Whole - Planning and Public Works	Provide Direction

**Proposed Upcoming Contact(s)**

	Meeting	Requested Action
	None proposed at this time	N/A

**Time Constraints:**

Senate Bill-5290 requires the City to adopt and implement amendments to its development regulations by January 1, 2025.

**ANTICIPATED RESULT IF NOT APPROVED:**

If the City is unable to adopt the amendments for conformance with the legislation by January 1, 2025, provisions of the legislation will preempt the City's permit review process until the City adopts and implements conforming regulations.

The legislation also stipulates that if the City is unable to fully implement required provisions and meet the timeframes established by the legislation for permit review procedures, the City will be required to reimburse a portion of permit fees to individual applicants.

**ATTACHMENTS:**

1. Planning Commission Recommendation with Attachments
2. Technical Committee Report, May 8, 2024
  - a. Staff Compliance Review <<https://www.redmond.gov/DocumentCenter/View/32619/Attachment-A-Staff-Compliance-Review-and-Analysis-for-Legislative-Conformance>>
  - b. Proposed Zoning and Municipal Code Changes
    - i. RZC 21.76 Review Procedures
    - ii. RZC 21.58 Introduction - Design Standards, Scope, and Authority
    - iii. RZC 21.78 Definitions
    - iv. RMC 4.23 Design Review Board
    - v. RMC Sections Reflecting Omission of the Design Review Board
3. Issue Matrices
  - a. City Council Issues Matrix for the September 10 Study Session
  - b. City Council Issues Matrix for the October 1 Planning & Public Works COTW meeting and the October 15 Regular Business meeting
4. Planning Commission Recommended Addendum to Amendments to the Redmond Zoning Code 21.76
5. Legislative Comparison to Development Regulations and Process/Performance Improvement Plan Updated
6. Presentation Slides prepared for September 10 Study Session
7. RZC 21.76 Review Procedures Reflecting Design Review Board Omissions
8. RZC 21.44 Signs Reflecting Design Review Board Omissions
9. Comments Provided by Email from Design Review Board Members
10. Ordinances:
  - a. Amending the Redmond Zoning Code chapters 21.44 Signs, 21.58 Introduction, 21.76 Review Procedures, and 21.78 Definitions
  - b. Amending RMC 4.23 Design Review Board
  - c. Amending RMC 4.33 Landmark Commission
  - d. Amending RMC 15.22.060 Evaluation Criteria for Class I and Class II Permits