

CODE

**REDMOND CITY COUNCIL  
ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING TITLE 13 OF THE REDMOND MUNICIPAL CODE TO IMPLEMENT REDMOND 2050, THE PERIODIC UPDATE OF THE REDMOND COMPREHENSIVE PLAN, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

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

WHEREAS, the City began the work of updating the Redmond Comprehensive Plan in late 2020 and refers to the update as Redmond 2050; and

WHEREAS, the City also undertook updates to the Redmond Municipal Code (RMC) Title 13 during the same time period under the umbrella of Redmond 2050; and

WHEREAS, the purpose of updating RMC Title 13 is to effectively manage stormwater runoff expected in Overlake due to growth and to make minor miscellaneous updates; and

WHEREAS, on October 12, 2020, the City of Redmond issued determination of significance for Redmond 2050 under the State Environmental Policy Act; and

WHEREAS, the City of Redmond issued a Draft Environmental Impact Statement (EIS) on June 16, 2022, a Supplemental Draft EIS on September 20, 2023, and a Final EIS on December 15, 2023, for Redmond 2050; and

WHEREAS, on May 7, 2024, the City Council received a staff report to study the recommended amendments to RMC Title 13; and

WHEREAS, having considered the recommendations and community input, the City Council desires amend RMC Title 13.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City Code.

Section 2. RMC 13.20 Storm Water Drainage Capital Facilities Charges Amended. RMC 13.20 Storm Water Drainage Capital Facilities Charges is hereby amended to read as follows:

**Chapter 13.20 [~~STORM WATER~~] Stormwater Drainage Capital Facilities Charges**

**13.20.010 Purpose.**

The purpose of this chapter is to establish [~~STORM WATER~~] **stormwater** connection or capital facilities charges for all properties within the City that are hereafter developed with impervious surface.

**13.20.020 Definitions.**

As used in this chapter, the following terms have the meanings set forth below:

A. "Development" means any alteration by grading or filling of the ground surface, or by construction of any improvement or other impervious surface area that affects the hydraulic properties of any parcel of land.

B. "Impervious surface" means those hard surfaced areas which either prevent or retard the entry of water into the soil in the manner that such water entered the soil under natural conditions preexisting any development on the property, and/or those hard surfaced areas which cause water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions preexisting any development on the property, including, but not limited to, such surfaces as rooftops, asphalt or concrete sidewalks, paving, driveways, parking lots, walkways, patio areas, storage areas, and gravel, oiled macadam, or other surfaces which similarly affect the natural infiltration or runoff patterns existing prior to development.

C. "Impervious unit" means a configuration or conglomeration of impervious surface estimated to contribute an amount of runoff to the City's [~~STORM-WATER~~] **stormwater**

management system which is approximately equal to that created by the average single-family residential parcel. One impervious unit (IU) is equivalent to two thousand square feet of impervious surface area. For purposes of computation of the charges provided for in this chapter, impervious units are truncated (rounded down) to the nearest tenth.

D. "Regional [~~STORM WATER~~] **stormwater** facilities" or "regional system" means public conveyance, detention, infiltration, and/or water quality facilities designed to manage [~~STORM WATER~~] **stormwater** runoff from specific areas of the City to meet the City's water quality goals, and to support new development in a cost effective manner. Properties being developed may have the option to or be required to participate in the financing of the facilities, and in return requirements for onsite controls are eliminated or reduced. Proposed facilities are shown on the Proposed Regional [~~STORM WATER~~] **stormwater** Facilities Map in the Clearing, Grading, and [~~STORM WATER~~] **stormwater** Management Technical Notebook.

**13.20.030 [~~STORM WATER~~] Stormwater capital facilities charges imposed.**

There are hereby established [~~STORM WATER~~] **stormwater** capital facilities charges which shall be imposed upon all

parcels which are proposed to be developed within the City. No building permit, short subdivision or subdivision approval, or other permit allowing development within the City shall be granted except upon payment of a citywide [~~STORM WATER~~] **stormwater** capital facilities charge and, if established, a sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge. Public capital projects are subject to the sub-basin [~~STORM WATER~~] **stormwater** capital facilities charges.

**13.20.040 Citywide [~~STORM WATER~~] **stormwater** capital facilities charge.**

The citywide [~~STORM WATER~~] **stormwater** capital facilities charge established by RMC 13.20.030 shall be calculated for property development based upon the number of impervious units proposed to be created by the development. The charge is \$1,342.00 for each impervious unit. The total charge to be paid in connection with any development approval shall be determined by multiplying the total number of impervious units to be created by the proposed development by the charge for each unit.

**13.20.045 Downtown sub-basin [~~STORM WATER~~] stormwater capital facilities charge.**

The downtown sub-basin is an area generally bordered by the Sammamish River to the west, Bear Creek to the east, the railroad corridor to the south and NE 95th Street to the north. The sub-basin is depicted in a map in the [~~CLEARING, GRADING, AND STORM WATER MANAGEMENT~~] Stormwater Technical Notebook.

A. Parcels which are proposed to be developed within the downtown sub-basin shall not be required to construct on-site [~~STORM WATER~~] stormwater detention and water quality facilities as required elsewhere in this code. In lieu of such construction, a downtown sub-basin [~~STORM WATER~~] stormwater capital facilities charge is hereby imposed upon all such parcels. The downtown sub-basin [~~STORM WATER~~] stormwater capital facilities charge shall be used by the City to design, acquire property for, and conduct other activities necessary to construct regional [~~STORM WATER~~] stormwater conveyance, detention and water quality facilities (the regional system).

B. The downtown sub-basin [~~STORM WATER~~] stormwater capital facilities charge shall be calculated for property development based upon the number of impervious units

proposed to be created by the development. The charge is \$5,979.00 for each impervious unit. A credit of 80 percent may be applied to the number of nonpollution generating impervious units that are managed by an approved private infiltration facility meeting current standards. The total charge to be paid in connection with any development approval shall be determined by multiplying the total number of impervious units to be created by the proposed development by the charge for each such unit minus the number of creditable impervious units multiplied by 0.80 of the charge for each unit.

C. The downtown sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge provided for in this section shall be in addition to the citywide [~~STORM WATER~~] **stormwater** capital facilities charge established by RMC 13.20.030 and 13.20.040. No building permit, short subdivision or subdivision approval, or other permit allowing development within the downtown sub-basin, shall be granted except upon payment of said downtown sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge.

D. Owners of properties adjacent to the Sammamish River or adjacent to the publicly owned property immediately adjacent to the Sammamish River may seek to have their

properties opt out of the City's regional (sub-basin) [~~STORM WATER~~] **stormwater** system and the downtown sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge or may seek a reduced downtown sub-basin [~~STORM WATER~~] **stormwater** capital facility charge. These properties must also have (or be able to construct) a private discharge system to the river.

1. Any owner of property that seeks to opt out shall make a proposal to the City identifying the ability of a property or set of properties to be served by a private discharge system to the river. Private properties under common control and/or properties that are part of an existing private drainage system may be included in an opt-out proposal. Properties separated by a public right-of-way may be included only if they are connected by an existing private drainage system. The Technical Committee will review the proposal and will approve it if the Technical Committee determines that the proposed private drainage system:

a. detains and treats all [~~STORM WATER~~] **stormwater** from the properties proposed or required to be served by the private drainage—~~[STORM WATER]~~ **stormwater** system in a manner that meets all city water quality and quantity control standards;



b. can be constructed, installed, or improved without interfering with the ongoing operation of any other utility line or improvement within the public right-of-way or public property;

c. can be constructed, installed, or improved within easements or other property interests owned or controlled by the applicant;

d. will not adversely impact other properties in the vicinity; and

e. otherwise meets the requirements of the City's codes and standards.

2. The Director of Public Works and any property owner who would qualify to opt out of the regional [~~STORM WATER~~] **stormwater** system and downtown sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge may agree on a reduced downtown sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge in exchange for the property owner not opting out. The reduced charge shall be based on the estimated cost to design and construct the private [~~STORM WATER~~] **stormwater** detention and water quality facilities that would be necessary to provide a private [~~STORM WATER~~] **stormwater** discharge system meeting the City's regulations, together with the amount by which the value of the property owner's

property would be affected by the use of a portion of that land for the private [~~STORM WATER~~] **stormwater** facilities. If the Director of Public Works and the property owner agree on the amount of the reduced downtown sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge, the reduced charge shall be agreed to in a written instrument to be recorded against the title of the property. The reduced charge shall thereafter be applied to all properties or parcels subject to the agreement, and the property owner may not thereafter opt out of the regional (sub-basin) [~~STORM WATER~~] **stormwater** system and the reduced downtown sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge for those properties or parcels without the City's consent.

3. The ability to opt out provided by this section applies only to the regional [~~STORM WATER~~] **stormwater** system and the downtown sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge. All other charges, including, but not limited to, the citywide capital facilities charge, the monthly [~~STORM WATER~~] **stormwater** rates, and the [~~STORM WATER~~] **stormwater** engineering, plan review, and processing fees associated with development applications, provided elsewhere in this title shall continue to apply to properties that have opted out or for which a reduced downtown sub-basin [~~STORM~~

WATER] stormwater capital facilities charge has been agreed upon.

**13.20.047 Overlake sub-basin [~~STORM WATER~~] stormwater capital facilities charge.**

The Overlake sub-basin is an area generally bordered by 148th Ave NE to the west, 156th Ave NE to the east, NE Bel-Red Road to the south and NE 40th Street to the north. The sub-basin is depicted in a map in the Clearing, Grading, and [~~STORM WATER~~] Stormwater Management Technical Notebook. The Overlake Village Design District is a portion of the Overlake sub-basin identified within the Redmond Community Development Guide.

A. Parcels which are proposed to be developed within the Overlake sub-basin shall be required to construct only those onsite [~~STORM WATER~~] stormwater detention and water quality facilities noted below and [~~AS FURTHER DESCRIBED IN THE CLEARING, GRADING, AND STORM WATER MANAGEMENT TECHNICAL NOTEBOOK.~~] **as further described in the Stormwater Technical Notebook.**

- 1. Fully infiltrate roof runoff where soils allow. (This may impact a project's ability to achieve the maximum allowable impervious coverage.)**

2. Meet Minimum Requirement #5 by fully infiltrating other hard surfaces where feasible.

3. Construct any interim stormwater facilities required to protect downstream properties until regional facilities are constructed.

~~[• THOSE ONSITE STORM WATER TREATMENT AND/OR INFILTRATION FACILITIES REQUIRED IN THE OVERLAKE VILLAGE DESIGN DISTRICT.]~~

~~[• LOW IMPACT DEVELOPMENT REQUIRED WHERE FEASIBLE.]~~

~~[• INTERIM STORM WATER FACILITIES THAT MAY BE REQUIRED TO PROTECT DOWNSTREAM PROPERTIES UNTIL REGIONAL FACILITIES ARE CONSTRUCTED.]~~

In lieu of construction of additional facilities, an Overlake sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge is hereby imposed upon all such parcels. The Overlake sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge shall be used by the City to design, acquire property for, and conduct other activities necessary to construct regional stormwater conveyance, detention and water quality facilities (the regional system).

B. The Overlake sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge shall be calculated for property development based upon the number of impervious units

proposed to be created by the development. The charge is \$10,929.00 for each impervious unit. A credit of 80 percent may be applied to the number of impervious units that are managed by an approved private infiltration facility meeting current standards. The total charge to be paid in connection with any development approval shall be determined by multiplying the total number of impervious units to be created by the proposed development by the charge for each such unit minus the number of creditable impervious units multiplied by 0.80 of the charge for each unit.

C. The Overlake sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge provided for in this section shall be in addition to the citywide [~~STORM WATER~~] **stormwater** capital facilities charge established by Sections 13.20.030 and 13.20.040. No building permit, short subdivision or subdivision approval, or other permit allowing development within the Overlake sub-basin shall be granted except upon payment of said Overlake sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge.

**13.20.050 [~~STORM WATER~~] Stormwater capital improvement fund.**

There is established a [~~STORM WATER~~] **stormwater** capital improvement fund into which shall be paid all [~~STORM WATER~~] **stormwater** capital facilities charges collected under this chapter, all area and frontage charges collected under

previous ordinances, and all contributions made by the City and from other sources, and from which shall be paid the cost and expense of planning, designing, acquiring property, constructing and installing general and regional facilities for [~~STORM WATER~~] **stormwater** management and flood control.

**13.20.060 Disbursements to district.**

Repealed by Ord. 2306.

**13.20.070 Collection of charges.**

The [~~STORM WATER~~] **stormwater** capital facilities charges imposed by this chapter shall be paid prior to issuance of any building permit, short subdivision or subdivision approval, or other permit allowing development within the City.

**13.20.080 Recording payments.**

The Public Works Department shall establish a system for recording payments of [~~STORM WATER~~] **stormwater** capital facilities charges made pursuant to this chapter in order that credit may be recorded and given for contributions made for [~~STORM WATER~~] **stormwater** management general facilities and regional facilities in connection with that property. It is the intent of this section that development shall not be charged twice for the same proposed impervious unit and that where a proposed impervious unit has been paid for pursuant

to a short subdivision or subdivision approval, site plan approval, or other development approval required by the City, the applicant shall not be charged a second time for that unit when a building or other subsequent permit for the same development is issued.

**13.20.090 Additional requirements for development within district.**

Repealed by Ord. 2306.

**13.20.100 Additional requirements for development.**

The owners of all property within the City being improved or developed shall be responsible for the installation of an adequate [~~STORM WATER~~] **stormwater** management system within his or her property in conformity with city standards and in conformity with the comprehensive [~~STORM WATER~~] **stormwater** management plan of the City. Payment of the citywide and sub-basin capital facilities charges shall not relieve property owners and developers from installing such systems or from making such improvements to downstream [~~STORM WATER~~] **stormwater** facilities as may be necessary to convey [~~STORM WATER~~] **stormwater** water from the property to a receiving water or to a regional [~~STORM WATER~~] **stormwater** facility without downstream flooding.

Section 3.      Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

Section 4.      Effective date. This ordinance shall become effective on January 1, 2025, provided five days have passed since the date of publication of a summary in the City's official newspaper or as otherwise provided by law.



ADOPTED by the Redmond City Council this 19th day of November,  
2024.

CITY OF REDMOND

\_\_\_\_\_  
ANGELA BIRNEY, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL XANTHOS, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
DANIEL KENNY, CITY ATTORNEY

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