

CODE

**CITY OF REDMOND
ORDINANCE NO. _____**

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

WHEREAS, on May 8, 2023, Second Substitute Senate Bill (SSSB) 5290 and Engrossed Substitute House Bill (ESHB) 1293 were approved by the Washington state legislature; and

WHEREAS, SSSB 5290 addresses the Local Project Review Act project permits with the intent to consolidate, streamline, and further improve the local permit review process, and ESHB 1293 addresses the Growth Management Act design review with the intent to streamline development regulations; and

WHEREAS, the City will repeal Redmond Municipal Code chapter 4.23 Design Review Board for conformance with the requirements of SSSB 5290 and ESHB 1293; and

WHEREAS, state agencies received 60-day notice of the proposed amendments on May 2, 2024 and notice of an addendum to the proposed amendments on July 8, 2024; and

WHEREAS, the amendments regard local governmental procedures, contain no substantive standards respecting use or modification of the environment, and have been addressed by the Redmond 2050 Final Environmental Impact Statement, and are therefore exempt from requiring a SEPA threshold determination; and

WHEREAS, the Technical Committee reviewed and approved the proposed amendments and on May 1, 2024, made a recommendation for approval of the amendments to Redmond Municipal Code to the City Council, and

WHEREAS, the City Council held public meetings on July 2, 2024; July 16, 2024, and September 10, 2024, to consider the proposed amendments; and

WHEREAS, notice of City Council action on this proposed amendment was provided on September 24, 2024; and

WHEREAS, the City Council desires to adopt the amendments set forth in this ordinance.

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

Section 1. Classification. The amendments set forth by this ordinance are of a general and permanent nature and shall become a part of the Redmond Municipal Code.

Section 2. Findings and Conclusions. In support of the proposed amendments to the Redmond Municipal Code, the City Council

hereby adopts the findings and conclusions contained in the Technical Committee's Report dated May 8, 2024, including all related attachments and exhibits.

Section 3. Repeal of Redmond Municipal Code (RMC) Chapter 4.23 Design Review Board. The provisions of RMC Chapter 4.23 Design Review Board are hereby repealed as follows:

Chapter 4.23 [~~DESIGN REVIEW BOARD~~] **REPEALED**.

~~[4.23.010 PURPOSE.~~

~~THE DESIGN REVIEW BOARD IS CREATED INDEPENDENT FROM THE LEGISLATIVE AND STAFF FUNCTIONS OF THE CITY. THE PURPOSE OF THE DESIGN REVIEW BOARD IS TO REVIEW LAND USE PERMIT APPLICATIONS AND TO MAKE URBAN DESIGN DECISIONS THAT WILL PROMOTE VISUAL QUALITY THROUGHOUT THE CITY IN ACCORD WITH THE PURPOSES AND DESIGN CRITERIA SET FORTH IN REDMOND ZONING CODE (RZC) ARTICLE III, DESIGN STANDARDS.~~

~~4.23.020 AUTHORITY AND DUTIES.~~

~~A. THE DESIGN REVIEW BOARD SHALL REVIEW ALL APPLICATIONS AS NOTED IN RZC CHAPTER 21.76, REVIEW PROCEDURES.~~

~~B. THE DESIGN REVIEW BOARD MAY CREATE AD HOC COMMITTEES FOR SPECIAL STUDIES. THE BOARD AND ITS MEMBERS ARE TO BE FREE FROM THE INTERFERENCE OF INDIVIDUAL CITY COUNCIL MEMBERS, PLANNING COMMISSION MEMBERS, CITY OFFICIALS OR OTHER PERSONS.~~

~~C. THE DESIGN REVIEW BOARD MAY CONDUCT PRE-APPLICATION MEETINGS OR CONSULTATIONS WITH REPRESENTATIVES OF THE TECHNICAL COMMITTEE.~~

~~4.23.030 APPOINTMENTS AND QUALIFICATIONS.~~

~~A. THE DESIGN REVIEW BOARD SHALL CONSIST OF SEVEN MEMBERS WHO SHALL BE APPOINTED BY THE MAYOR AND CONFIRMED BY A MAJORITY VOTE OF THE CITY COUNCIL.~~

~~B. NOTICE OF AVAILABILITY OF A POSITION ON THE BOARD SHALL BE PUBLISHED IN A LOCAL NEWSPAPER OF GENERAL CIRCULATION IN THE CITY WITH SAID NOTICE TO BE PUBLISHED NO LATER THAN 30 DAYS AFTER THE EFFECTIVE DATE OF THE AVAILABILITY OR VACANCY OF THE POSITION. INTERESTED PERSONS MAY APPLY FOR THE POSITION BY SUBMITTING THEIR APPLICATION AND QUALIFICATIONS TO THE MAYOR'S OFFICE. APPLICATIONS SHALL BE ACCEPTED FOR A PERIOD OF 30 DAYS AFTER THE DATE OF PUBLICATION; PROVIDED, THAT THIS PERIOD MAY BE EXTENDED BY THE MAYOR IF DEEMED NECESSARY TO OBTAIN SUFFICIENT QUALIFIED CANDIDATES FOR APPOINTMENT. POSITIONS MAY BE FILLED FROM THE LIST OF APPLICANTS. IN THE EVENT THERE ARE NO APPLICANTS OR THERE ARE AN INSUFFICIENT NUMBER OF APPLICANTS FOR THE POSITIONS AVAILABLE, THE MAYOR MAY APPOINT PERSONS TO POSITIONS WHO ARE NOT OTHERWISE ON THE LIST OF APPLICANTS.~~

~~C. FIVE OF THE MEMBERS OF THE BOARD SHALL BE FROM THE PROFESSIONS OF ARCHITECTURE, LANDSCAPE ARCHITECTURE, URBAN DESIGN OR SIMILAR DISCIPLINES AND NEED NOT BE RESIDENTS OF THE CITY OF REDMOND. THE REMAINING TWO MEMBERS OF THE BOARD SHALL BE RESIDENTS OF REDMOND AND NEED NOT BE MEMBERS OF THE SET FORTH PROFESSIONS.~~

~~4.23.040 TERM OF OFFICE.~~

~~THE REGULAR TERM OF OFFICE FOR DESIGN REVIEW BOARD MEMBERS SHALL BE FOUR YEARS.~~

~~4.23.050 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.~~

~~4.23.060 REMOVAL.~~

~~ANY MEMBER OF THE DESIGN REVIEW BOARD MAY BE REMOVED FOR INEFFICIENCY, NEGLIGENCE OF DUTY OR MALFEASANCE. REMOVAL PROCEEDINGS MAY BE INITIATED BY THE MAYOR OR THE CITY COUNCIL AND NOTICE OF ANY PROPOSED REMOVAL SHALL BE GIVEN TO THE BOARD MEMBER AT LEAST TEN DAYS PRIOR TO ANY CITY COUNCIL VOTE UPON THE REMOVAL. WITHIN TEN DAYS OF RECEIPT OF A NOTICE OF INTENDED REMOVAL, THE BOARD MEMBER MAY REQUEST A PUBLIC HEARING ON THE REMOVAL BEFORE THE CITY COUNCIL. THE COUNCIL SHALL CONDUCT A PUBLIC HEARING, IF REQUESTED. UPON COMPLETION~~

~~OF THE HEARING, OR FOLLOWING THE EXPIRATION OF TEN DAYS FROM THE NOTICE DATE IF NO HEARING IS REQUESTED, THE COUNCIL MAY TAKE ACTION ON THE REMOVAL. A TWO-THIRDS VOTE OF THE COUNCIL IS REQUIRED FOR REMOVAL. NOTWITHSTANDING THE ABOVE, WHEN A MEMBER MISSES THREE CONSECUTIVE REGULAR BUSINESS MEETINGS WITHOUT BEING EXCUSED BY MAJORITY VOTE OF THE DESIGN REVIEW BOARD, THE MEMBER'S POSITION SHALL AUTOMATICALLY BECOME VACANT AND A SUCCESSOR SHALL BE APPOINTED.~~

~~4.23.070 RULES.~~

~~THE DESIGN REVIEW BOARD SHALL ADOPT RULES FOR THE TRANSACTION OF ITS BUSINESS. THE RULES SHALL PROVIDE FOR BUT ARE NOT TO BE LIMITED TO THE DATE, TIME, PLACE AND FORMAT OF REGULAR MEETINGS. PROVISION SHALL BE MADE FOR A RECORD OF PROCEEDINGS, REPORTS, STUDIES, FINDINGS, CONCLUSIONS AND RECOMMENDATIONS. SAID RULES SHALL PROVIDE FOR THE ELECTION OF A CHAIRMAN OF THE BOARD AND VICE CHAIRMAN FOR A ONE-YEAR TERM EACH. SAID RULES SHALL PROVIDE THAT THE MEETINGS OF THE BOARD SHALL BE OPEN TO THE PUBLIC BUT THAT NO SPECIAL NOTICE OF THE MEETINGS NEED BE GIVEN NOR SHALL SUCH MEETINGS BE PUBLIC HEARINGS ALTHOUGH NOTHING SHALL PROHIBIT THE BOARD FROM SOLICITING EXPLANATIONS AND ADDITIONAL INPUT FROM THE APPLICANT OR APPLICANT'S REPRESENTATIVES AND SUCH OTHER SOURCES AS THE BOARD DEEMS NECESSARY TO ENABLE IT TO COMPLETE ITS REVIEW OF~~

~~THE APPLICATION. RULES OF THE DESIGN REVIEW BOARD SHALL BE APPROVED BY THE CITY COUNCIL AND KEPT ON FILE WITH THE PLANNING DEPARTMENT.~~

~~4.23.080 STAFF SERVICES.~~

~~THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT SHALL BE RESPONSIBLE FOR THE GENERAL ADMINISTRATION OF THE DESIGN REVIEW BOARD AND MAY REQUEST STAFF SERVICES FROM OTHER CITY DEPARTMENTS.~~

~~4.23.090 VOTING.~~

~~THE DECISIONS OF THE DESIGN REVIEW BOARD SHALL BE MADE BY A MAJORITY VOTE OF THE QUORUM PRESENT AT THE TIME OF DECISION. A MAJORITY OF THE APPOINTED 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. ACTION MAY BE TAKEN BY A MAJORITY OF THOSE PRESENT WHEN THOSE PRESENT CONSTITUTE A QUORUM AT ANY REGULAR OR SPECIAL MEETING OF THE DESIGN REVIEW BOARD. 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 OR SPECIAL MEETING TO A DATE AND TIME CERTAIN.~~

~~4.23.100 CONFLICT OF INTEREST.~~

~~MEMBERS OF THE DESIGN REVIEW BOARD SHALL DISQUALIFY THEMSELVES FROM SITTING AS A MEMBER OF THE BOARD AND SHALL~~

~~NOT OTHERWISE PARTICIPATE ON BEHALF OF THEMSELVES OR ANY APPLICANT IN ANY DESIGN REVIEW BOARD ACTIONS IN WHICH THEY HAVE A FINANCIAL INTEREST. A FINANCIAL INTEREST SHALL BE DEEMED TO INCLUDE, BUT NOT BE LIMITED TO, A MEMBER'S OWN INTEREST OR THE INTEREST OF A CLIENT OR EMPLOYER.]~~

Section 4. 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 5. Effective Date. This ordinance shall become effective on January 1, 2025 after its publication, or publication of a summary thereof, in the city's official newspaper, or as otherwise provided by law.

ADOPTED by the Redmond City Council this _____ day of _____, 2024.

CITY OF REDMOND

ANGELA BIRNEY, MAYOR

ATTEST:

CHERYL XANTHOS, MMC, CITY CLERK

(SEAL)

OFFICE OF THE CITY ATTORNEY:

DANIEL KENNY, CITY ATTORNEY

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