

Issue	Discussion Notes	Issue Status
A Fence Regulations		
1 Weston - Increase transparency and awareness of fence requirements.	<p>Commissioner Comment: Request that the Zoning Code clarify and increase cross-references to fence regulations. Also, describe how people can easily learn whether permits are required for fence repairs, modifications, and installations.</p> <p>Staff comment: Staff noted that RZC 21.16.030 Other Applicable Regulations features a list of applicable regulations for applicants to review. Staff also agrees that cross-references should be increased throughout the code, similar to RZC 21.16.030.H. Fences. Additional work involving RZC 21.24 Fences is anticipated and provides an opportunity to continue code enhancements including cross-references.</p> <p>The city's Code Enforcement Officers enforce land use regulations and investigate complaints. For fences, they typically become involved when a party reports a fence that exceeds height limits, and occasionally when a fence obstructs vehicular sight clearances (sight distance triangles, RZC 21.52.040). During the past 12 months, fences comprised 11 of 144 issues assigned to the team, as reported by the City's customer service database. These 11 requests involved permit information, standards for development, and concerns regarding development.</p> <p>To assist people in determining permit requirements, Development Services provides:</p> <ul style="list-style-type: none"> How are fences regulated: https://www.redmond.gov/DocumentCenter/View/7511/Fences-PDF; Fences and Decks: https://www.redmond.gov/526/Fences-Decks; and Work exempt from permits: Work-Exempt-From-Permit-PDF (redmond.gov) <p>Redmond.gov also features a Frequently Asked Questions (FAQ), https://www.redmond.gov/FAQ.aspx. However, the list of FAQs does not include "fences" as a stand-alone topic. Staff agrees that information can be included here as an additional resource.</p>	Opened 9/13/23, Closed 9/27/2023
B Beekeeping		
1 Weston - Confirm RMC 7.04.154 Beekeeping provision for abatement.	<p>Commissioner Comment: Modify that the provision is specific to honeybees to avoid inadvertent interpretation of the code and impacts to native, solitary bees. Concern is primarily related to the eradication provision in 7.04.154.G and to the setback provisions in 7.04.154.F. Request that the code avoid confusion and inadvertently allow for eradication of native and pollinating species.</p> <p>Staff comment: Staff reviewed animal control regulations for King County and neighboring jurisdictions. The adopted codes differ regulating eradication and setbacks. For example, some are silent while others include similar language to Redmond. City of Redmond Code Enforcement staff noted only two responses to bee complaints during their 30-year tenure with the city.</p>	Opened 9/27/2023, Closed 10/25/2023

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	<p>Staff also consulted state departments of agriculture and fish and wildlife resources, Washington State University Extension resources, and with King County's Agriculture Policy and Economic Development Specialist. Second Substitute Senate Bill 5253 and the Washington State Department of Agriculture Managed Pollinator Protection Plan, April 2018 appear most relevant to the Commission's concern.</p> <ul style="list-style-type: none"> • SSSB 5253, eff. July 25, 2021, implemented recommendations of the Washington State Department of Agriculture Pollinator Health Program's pollinator task force. Included were promotion and protections for pollinator habitat and the health and sustainability of pollinator species. The program also provides technical assistance to local governments. • The Managed Pollinator Protection Plan emphasizes the need for improved pollinator habitat management throughout the state, provides general recommendations for beekeeper practices and hive management, and includes recommendations regarding pesticide practices that relate to the protection of pollinators. <p>Specific to RMC 7.04.154 that regulates apiary activities primarily specific to honeybees, staff included the following refinements to the Technical Committee's recommendation:</p> <ul style="list-style-type: none"> • To reflect updated organization of RCW 15.60 Apiaries: <ul style="list-style-type: none"> E. All colonies shall be registered with the Washington State Department of Agriculture in accordance with apiary law, RCW 15.60-030 <u>Apiaries</u>. • To support recommended response to changing climate conditions: <ul style="list-style-type: none"> F. Hives shall not be located within twenty-five feet of any property line, except under the following conditions: <ol style="list-style-type: none"> 1. When situated eight feet or more above adjacent ground level; <u>or</u> 2. When there is a solid fence at least six feet high separating the hive from the property line, extending at least twenty feet from the hive along the property line in both directions; <u>or</u> 3. <u>When hives are located indoors such as during inclement weather</u>. • To reference best management practices when abatement of nuisance bees becomes necessary: <ul style="list-style-type: none"> G. Bees living in trees, buildings or any other space (except in movable frame hives), abandoned colonies or diseased bees shall constitute a public nuisance and shall be abated, <u>in accordance with the Washington State Department of Agriculture Managed Pollinator Protection Plan and protocols</u> as set forth in this chapter. 	

C Critical Aquifer Recharge Area Cross-Reference

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1 Morton , Weston, Varadharajan - Critical Aquifer Recharge Area prohibited land use activities.	<p>Commissioner Comment: Commissioners emphasized the following points to be included for their review and discussion during subsequent topics, identified in the Suggested Roadmap (pg. 4):</p> <ul style="list-style-type: none"> • Describe spill or accident response protocols and operations associated with the land uses located in CARA I and II; • Define the city's risk management approach including planning, protocols, and implementation for the CARA; • Identify whether the city is considering any additional prohibitions to the land use activities listed in RZC 21.64.050.C Prohibited Land Uses and Activities in Critical Aquifer Recharge Areas I and II; and • Describe current and future recharge within the CARA, particularly CARA II, and the relationship to wells. <p>Public Comment: Mr. Morton provided verbal and written comment asking the City to take proactive steps to safeguard drinking water/aquifer from contamination. He identified the prohibited land use activities in RZC 21.64.050.C, requesting amendment on this section concerning Critical Aquifer Recharge Areas (CARAs) I and II.</p> <p>Staff comment: The following are in response to Mr. Morton's individual questions and requests:</p> <p><u>Comment 1</u> CARAs I and II lie over the same aquifer. The only difference between CARA I and CARA II is:</p> <ul style="list-style-type: none"> • In CARA I, it takes up to 5 years for groundwater contamination to reach City-owned public water wells. • In CARA II, it takes more than 5 years for groundwater contamination to reach those wells. <p>Contaminating the groundwater in CARA II is as bad for water quality and public health as contaminating the groundwater in CARA I. All 25 of the prohibited land uses and activities in CARA I should also be prohibited in CARA II.</p> <p><u>Response 1</u></p> <ul style="list-style-type: none"> • Critical Aquifer Recharge Area I (CARA I) is composed of the 6-month, 1-year, and 5-year groundwater capture zones, and includes a buffer to account for groundwater flow changes associated with temporary construction dewatering (TCD). • Critical Aquifer Recharge Area II (CARA II) is composed of the portions of the groundwater capture zones that lie beyond the 5-year groundwater capture zone, and within the 10-year groundwater capture zone as well as lands outside the 10-year groundwater capture zone that have a critical recharging effect on the aquifer. • Within the Marymoor and Southeast Redmond city limit areas, all lands that are included in CARA II are areas that have a critical recharging effect on the aquifer and are outside of the 6-month, 1-year, 5-year, 	<p>Opened 9/27/2023, Closed 10/25/2023</p>

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	<p>and 10-year capture zones. Groundwater in these areas shouldn't reach Redmond's water supply wells but do contribute to the over aquifer level. Due to most of the CARA within city limits (where the city has jurisdiction over Zoning Code) being within CARA I, the regulations focus on water quality and quantity for CARA I and water quantity for CARA II.</p> <ul style="list-style-type: none"> • The majority of the 5- and 10-year groundwater capture zones are in rural areas of unincorporated King County. Redmond has worked with King County to ensure protections of CARA II, such as developing a Memorandum of Understanding to ensure King County does not use reclaimed water within CARA II. • Groundwater protection staff are working with Planning staff to evaluate the need to update the prohibited or restricted land uses in Redmond 2050. <p><u>Suggested Roadmap for Additional Discussion</u></p> <p>Mr. Morton requested the city to update RZC 21.64.050.A.1.b and RMC 13.07.040.B.2 to state that it also includes lands outside the 10-year groundwater capture zone that have a critical recharging effect on the aquifer. Redmond will continue to look for opportunities with King County and other jurisdictions where CARA I and II are outside of Redmond city limits to ensure our CARA is protected. Groundwater protection staff are working with Planning staff to evaluate the need for updating the prohibited or restricted land uses in Redmond 2050.</p> <p><u>Comment 2</u></p> <p>The Redmond Zoning Code could require that businesses wishing to locate on Redmond's CARAs first be proactively assessed through this Program for their risk of potential groundwater contamination</p> <p><u>Response 2</u></p> <p>Business licenses requested for new businesses and home businesses are reviewed for compatibility and required protections of the CARA. Business licenses for sites within the CARA are not approved for any activities or land uses prohibited in RZC 21.64.050.C. Additionally, Redmond groundwater protection staff take a proactive approach to ensure all new businesses within the CARA are compliant with Redmond Municipal Code 13.07 (Wellhead Protection). Businesses that handle, generate, or store hazardous materials and/or conduct pollution generating activities with potential to pollute stormwater and/or groundwater are identified, assessed, and provided pollution prevention technical assistance.</p> <p><u>Comment 3</u></p> <p>Establish stricter zoning regulations for CARAs, ensuring that high-risk activities such as industrial and chemical storage facilities are prohibited within these areas. Implement setback requirements to keep development a safe distance from aquifer recharge zones.</p> <p><u>Response 3</u></p> <p>Groundwater protection staff are working on adding performance standard requirements for geothermal well systems being installed in the CARA due to potential contamination risk of our drinking water aquifer. This work</p>	

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	<p>is being done in response to the increased number of proposals for these types of systems.</p> <p>Groundwater protection staff are working with Planning staff to evaluate the need to update the prohibited or restricted land uses in CARA II in Redmond 2050 and using Washington Department of Ecology Critical Aquifer Recharge Area Guidance (2021) to inform decisions.</p> <p>CARA I was developed using a buffer to include impacts from groundwater flow direction change from temporary construction dewatering. Due to this buffer, the CARA I includes a setback. Additionally, per RZC 21.64.050.D.2, if a site is located in or straddles more than one CARA, the Director of Public Works will determine which standards shall apply based on an evaluation of the risk posed by the facility or activity. This provides for an additional setback based on risk.</p> <p><u>Comment 4</u> Require comprehensive environmental impact assessments for any development proposed in CARAs, including hydrogeological studies, soil testing, and potential contaminant modeling to evaluate the impact on groundwater quality. Developers should be obligated to fund and adhere to mitigation measures.</p> <p><u>Response 4</u> These requirements already exist in and are reviewed by staff environmental scientists to ensure all mitigation measures are put in place to protect the CARAs:</p> <ul style="list-style-type: none"> • RZC Appendix 1.F.1 requires a CARA report for any development or redevelopment within the CARAs. The purpose of the CARA report is to evaluate geologic conditions, evaluate safety and appropriateness of proposed activities, and recommend appropriate construction practices, monitoring, and other mitigation measures to ensure protection of the CARAs. • RZC Appendix 1.F.3 requires a hydrologic assessment report that is commensurate with potential risks to the CARAs associated with particular sites and particular proposals. • RZC 21.64.050.D.5 requires a phase I environmental site assessment for any development or redevelopment that disturbs 5,000 square feet or more soil in the CARAs. • RMC 13.25 requires a temporary construction dewatering (TCD) feasibility study and a TCD plan, which includes groundwater monitoring. These requirements must be followed if the project plans to use TCD. Plans are reviewed by a staff environmental scientist as well as a third-party hydrogeologist to ensure Redmond's CARAs are protected. <p><u>Comment 5</u> Incentivize low-impact development (LID) techniques within CARAs, such as permeable pavements, green roofs, and stormwater retention systems to reduce runoff and minimize pollutants entering the aquifer.</p> <p><u>Response 5</u></p>	

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	<p>Low impact development (LID) is required in minimum requirement #5 in Redmond's Stormwater Technical Notebook. LID is incentivized through the stormwater rate structure as well as in the City's Green Building Incentive Program.</p> <p>Permeable pavements are not allowed in the CARA because they are considered pollution generating surfaces (PGS). PGSs are not allowed to be infiltrated within the CARA due to the potential to contaminate the aquifer. Permeable pavement is approved by the State Department of Ecology to help control the volume of stormwater runoff generated at a site but is not an approved method of treating/capturing pollutants in stormwater runoff.</p> <p><u>Comment 6</u> Implement stringent monitoring and reporting requirements for existing and new developments in CARAs. Regular inspections should be conducted to ensure compliance with environmental safeguards.</p> <p><u>Response 6</u> RZC 21.64.050.D.6 requires any land use in the CARAs that poses a high risk of contaminating groundwater, in the opinion of the City, to have a long-term groundwater monitoring program. An example of a high-risk land use is any use associated with fueling.</p> <p>RMC 13.07.112 sets up a City program that provides technical assistance visits to any business where there is a potential for releasing contaminants into the environment. If an environmental release is identified during the visit, the City may require an investigation as a condition of continued operation and may require remediation.</p> <p>RMC 1.14.080 requires restoration of any damage to natural resources by the person who causes the damage.</p> <p><u>Comment 7</u> Educate the public to increase awareness of the importance of CARAs and the need for their protection. Stakeholders, including residents, businesses, and environmental organizations, should be engaged in the Zoning Code amendment process.</p> <p><u>Response 7</u> Redmond utilizes various methods to educate the public about the CARAs. This includes posts on various social media forums to promote pollution prevention and water conservation. In July 2023 the Our Stories, Redmond Connection video featured the Mayor and staff talking about the CARA and the importance of drinking water.</p> <p>Redmond also works with Cascade Water Alliance to provide groundwater education to the public. This is done through their podcast, which featured Redmond's drinking water system, and outreach through their social media channels and websites: https://cascadewater.org/water-efficiency/water-efficiency-overview/ and https://cascadewater.org/water-efficiency/we-need-water-because/. Additionally, Cascade Water Alliance does presentations at Redmond's schools on a variety of water-related topics, including the CARA. They also attend local events, such as Derby Days, to educate the public about drinking water, Redmond's CARA, and water conservation.</p>	

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	<p>When determining the CARA delineation and buffers a local stakeholder panel comprised of City and King County personnel, private commercial and industrial business owners, business association representatives, developers, environmental organization representatives, and a local resident were used to inform decisions.</p> <p>The RZC ReWrite uses a methodical and comprehensive communication plan in addition to the required notifications for Type VI permit reviews. The communication plan includes involvement with the community and with project stakeholders during milestones for the development and proposal of amendments to the code:</p> <ul style="list-style-type: none"> • Preliminary code amendment concept; • Draft proposed amendments; • Proposed amendments; • Project application; • SEPA determination comment and appeal periods; • Planning Commission’s public hearing; • Planning Commission’s recommendation; and • City Council’s action. <p>RZC ReWrite communication methods include:</p> <ul style="list-style-type: none"> • Direct mail; • Direct email; • GovDelivery e-news channels such as the monthly edition of Plans, Policies, and Regulations; • Project webpage; • Let’s Connect page; • Open house and office hour events; and • Special event participation such as Derby Days and the Downtown Redmond Arts Walk. <p>As of Oct. 16, 2023, the Plans, Policies, and Regulations e-news topic includes 1,444 subscribers. In addition, 107 individuals requested participation as project stakeholders and 43 as parties of record. Stakeholders include property and business owners, developers and their legal counsel, Lake Washington School District, OneRedmond, civic organizations and groups, faith-based organizations, and nonprofit organizations.</p>	
D Northwest Design District Allowed Uses		
1 Lawler, Kendall , Hubrath - Clarify allowance of ambulatory or outpatient services	<p>Public Comment: Ambulatory or outpatient services was thought to be included in the allowed uses for the Northwest Design District. The use class allows for dentists and clinics.</p> <p>Staff comment: Staff referenced the adopting record for this zoning district. While it is unclear whether the land use was originally intended to be included, the traffic analysis demonstrates that it falls within the range of vehicular trips and demand that would result from currently allowed land uses. Staff agrees that ambulatory and outpatient services may be permitted. RZC Table 21.14.080B (below) shows the code portion with the corresponding refinement. Similar refinements will be reflected in RZC 21.04.030.F Mixed Use Zones and Table</p>	Opened 9/27/2023, Closed 10/25/2023

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21.14.080.2 General Allowed Uses and Cross-References in the NWDD Zoning (Nonresidential). Lawler, Kendall, and Hubrath concurred with staff's proposed refinements.

RZC 21.14.080, Northwest Design District

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Table 21.14.080B Allowed Uses and Basic Development Standards					
Section	Use	Maximums		Parking Ratio: Unit of Measure (Minimum Required; Maximum Allowed)	Special Regulations
		Height (Stories) w/o TDR or NWDD Green Incentives; w/TDR or NWDD Green Incentives	FAR w/o TDR or NWDD Green Incentives; w/TDR or NWDD Green Incentives		
10	Rapid charging station				
11	Wireless communication facilities			Adequate to accommodate peak use	See RZC Chapter 21.56, Wireless Communication Facilities, for specific development requirements.
12	Local utilities				
13	Regional utilities				Conditional use permit required.
Arts, Entertainment, and Recreation					
14	Arts, entertainment, recreation, and assembly			1,000 sq. ft. gfa (2.0, 3.0)	Max 10,000 sq. ft. gfa.
15	Natural and other recreational park	4; 5	0.45; 1.0	1,000 sq. ft. gfa (0, adequate to accommodate peak use)	
Education, Public Administration, Health Care, and Other Institutions					
#	Ambulatory or outpatient services	4; 5	0.45; 1.0	See Special Regulations	Parking: The number of spaces must be adequate to accommodate the peak customer and employee shift, demonstrated by a parking study or other study submitted by the applicant and approved by the Code Administrator.
16	Day care center			Employee on maximum shift (1.0, 1.0)	See RZC 21.08.310.

E Minor Amendment Process

1	Van Niman - Distinguish between minor versus substantive amendments to the zoning code	<p>Commissioner Comment: Request for staff to distinguish between minor code amendments in contrast to substantive amendments to the zoning code.</p> <p>Staff comment: The maintenance program for the Zoning Code provides opportunity for the city to coordinate code with the Comprehensive Plan, functional plans, standard details, operations, and enacted legislation. The general maintenance schedule includes:</p>	<p>Opened 9/27/2023, Closed 10/25/2023</p>
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Amendment Type	Approximate Interval
Minor (cleanup)	Annual
For Standards, Policy, Operations, & Legislation	Annual
Substantive (as needed)	3 years
Refresher (as needed)	5 years
ReWrite (2 to 5-year process)	10 - 15 years

Minor cleanups are in alignment with current policy, maintain current development standards, and/or ensure conformity with state or federal laws. These are typically small in scope, relating to aspects such as grammar, format, general clarity and conciseness, and increasing predictability such as through cross-references.

Substantive amendments typically involve corresponding changes to policy and operations, modify standards through which development is regulated, and/or set forth new regulations including those reflecting new state or federal laws. Substantive amendments often involve robust research, analysis of their benefits and risks, and comparison to neighboring and regional jurisdictions.