

CODE

**CITY OF REDMOND  
ORDINANCE NO.**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING THE REDMOND ZONING CODE IN ORDER TO MAKE THE INTERIM AMENDMENTS ADOPTED BY ORDINANCE NO. 2902 PERMANENT; AMENDING RZC 21.76.050, PERMIT TYPES AND PROCEDURES, AND RZC 21.76.060, PROCESS STEPS AND DECISION MAKERS, TO REMOVE THE CITY COUNCIL AS AN APPELLATE BODY ON TYPE III PERMIT APPROVALS AND PROVIDING FOR DECISIONS OF THE HEARING EXAMINER ON SUCH PERMITS TO BE APPEALABLE TO THE KING COUNTY SUPERIOR COURT; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

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WHEREAS, until recently the Redmond City Council has served as the appellate body for appeals from Redmond Hearing Examiner decisions on Type I, Type II and Type III permit approvals; and

WHEREAS, having the Council serve as an appellate body has prevented the Council from communicating with constituents regarding projects and permits that could be appealed to the Council based on the appearance of fairness doctrine; and

WHEREAS, on June 20, 2017, the Redmond City Council passed Ordinance No. 2889, removing the Council from the appellate process for Type I and Type II permits and approvals; and

WHEREAS, on December 5, 2017, the Redmond City Council passed Ordinance No. 2902, adopting an interim regulation removing the

Council from the appellate process for Type III permits and approvals; and

WHEREAS, the Redmond Planning Commission held a public hearing on the interim regulation adopted by Ordinance No. 2902 on April 4, 2018, and after considering all testimony received and receiving further input from staff, recommended approval of the permanent regulations attached to this ordinance on April 18, 2018; and

WHEREAS, the Redmond City Council considered the recommendation of the Redmond Planning Commission at the Council's June 5, 2018, meeting and determined to adopt the same.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Classification. The amendments set forth on Exhibit 1 to this ordinance are of a general and permanent nature and shall become part of the Redmond Zoning Code.

Section 2. Findings, Conclusions, and Analysis. In support of the amendments to the Redmond Zoning Code made by this ordinance, the Redmond City Council hereby adopts the Findings, Conclusions, and Analysis contained in the Planning Commission Report (City File No. LAND-2018-00121 and SEPA-2018-00238) dated April 25, 2018, including the related attachments and exhibits to that report.

Section 3.      Zoning Code Amended.      RZC 21.76.050, Permit Types and Procedures, and RZC 21.76.060, Process Steps and Decision Makers, are hereby amended to read as set forth on Exhibit 1, attached hereto and incorporated herein by this reference as if set forth in full in this Ordinance.

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.      Authority to Make Necessary Corrections.      The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's clerical errors, references, ordinance numbering, section/subsection numbers and any reference thereto.

Section 6.      Effect of Adoption.      The amendments adopted by this ordinance are permanent regulations adopted during the period established by Ordinance No. 2902, RCW 36.70A.390, and RCW 35A.63.220 in which the interim regulations adopted by Ordinance No. 2902 are in effect. The amendments adopted by this ordinance supersede and control over the interim regulations adopted by Ordinance No. 2902 and the interim regulations adopted

by Ordinance No. 2902 are repealed as of the effective date of this ordinance.

Section 7. Effective Date. This ordinance shall become effective five days after its publication, or publication of a summary hereof, in the City's official newspaper, or as otherwise provided by law.

ADOPTED by the Redmond City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

CITY OF REDMOND

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JOHN MARCHIONE, MAYOR

ATTEST:

\_\_\_\_\_  
MICHELLE M. HART, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

\_\_\_\_\_  
JAMES HANEY, CITY ATTORNEY

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