MEMO TO: City Council

FROM: John Marchione, Mayor

DATE: September 17, 2013

SUBJECT: ORDINANCE: REDMOND ZONING CODE AMENDMENTS TO (A)

EXPAND HOURS OF OPERATION IN THE MANUFACTURING PARK (MP) ZONE FOR EATING AND DRINKING FACILITIES AND (B) ALLOW DRIVE-THROUGH FACILITIES FOR HEALTH AND PERSONAL CARE USES IN THE GENERAL COMMERCIAL (GC)

ZONE

I. RECOMMENDED ACTION

Adopt the ordinance in Attachment A amending Redmond Zoning Code (RZC) sections 21.14.040 and 21.14.020. The amendments would a) expand hours of operation in the Manufacturing Park (MP) zone for eating and drinking facilities and (b) allow drive-through facilities for health and personal care uses (e.g., drug stores) in the General Commercial (GC) zone.

II. DEPARTMENT CONTACT PERSONS

Rob Odle, Director, Planning and Community Development, 425-556-2417 Colleen Kelly, Assistant Director, Community Planning, 425-556-2423 Lori Peckol, AICP, Policy Planning Manager, 425-556-2411 Sarah Stiteler, AICP, Senior Planner, 425-556-2469

III. DESCRIPTION/BACKGROUND

The City-initiated amendment to RZC 21.14.040 would increase the evening hours of operation for eating and drinking establishments within MP zoned areas from 10:00 p.m. to 12 a.m. (midnight) daily. Currently, the hours of operation are from 6:00 a.m. to 10:00 p.m. With this amendment, these businesses will have longer hours during which they are able to serve customers, including on weekends during times of higher patronage.

The applicant for the proposed amendment to RZC 21.14.020, Mr. Stuart Anderson, applied for a Zoning Code text amendment as part of the 2012-2013 Comprehensive Plan docketing period. The Technical Committee recommended that the amendment apply to health and personal care uses, which includes drug stores, within the General Commercial zone citywide. The proposal would allow the drive-through use for health and personal care uses under the same conditions as they are allowed within the GC zone for banking and the purchase of food.

City Council

RE: ORDINANCE: REDMOND ZONING CODE AMENDMENTS TO: (A) EXPAND HOURS OF OPERATION FOR EATING AND DRINKING FACILITIES IN THE MANUFACTURING PARK (MP) ZONE AND (B) ALLOW FOR DRIVE-THROUGH FACILITIES FOR PERSONAL CARE RETAIL SERVICES IN THE GENERAL COMMERCIAL (GC) ZONE

September 17, 2013

Page 2

The Planning Commission reviewed and recommended the proposed amendments. The Commission's full discussion can be found in the Planning Commission Reports. These materials were distributed to the Council on August 16, 2013.

City Council Review

Staff briefed the City Council regarding the proposed amendments at the Planning and Public Works Committee on August 13, 2013 and at the Council's August 20, 2013, meeting. Council members did not have any issues for further discussion and asked staff to return with an ordinance for action on the amendments for the September 17, 2013, meeting.

IV. IMPACT

- **A.** <u>Service Delivery</u>: The attached ordinance would amend the City's Zoning Code RZC 21.14.040 and RZC 21.14.020. The changes, if approved, are not expected to have a significant impact on service delivery.
- **B.** <u>Fiscal</u>: The City will continue to provide services such as water, sewer, stormwater, and emergency services for these uses within the Manufacturing Park (MP) and General Commercial (GC) zones. The cost of providing these services for businesses with extended hours or drive-through facilities is not expected to have a significant fiscal impact.

V. ALTERNATIVES

- **A.** Adopt the ordinance, thus amending the City's Zoning Code. The Planning Commission and staff recommend this alternative for the reasons described in this memo and the Planning Commission Report dated August 14, 2013.
- **B.** Reject Planning Commission and staff recommendations. This action would maintain the existing hours within the Manufacturing Park (MP) zone for eating and drinking establishments and maintain the current allowances for drive-through facilities within the General Commercial (GC) zone.

VI. TIME CONSTRAINTS

Completion of a timely response will allow improved customer access to applicable uses within the Manufacturing Park (MP) and General Commercial (GC) zones.

City Council

RE: ORDINANCE: REDMOND ZONING CODE AMENDMENTS TO: (A) EXPAND HOURS OF OPERATION FOR EATING AND DRINKING FACILITIES IN THE MANUFACTURING PARK (MP) ZONE AND (B) ALLOW FOR DRIVE-THROUGH FACILITIES FOR PERSONAL CARE RETAIL SERVICES IN THE GENERAL COMMERCIAL (GC) ZONE

September 17, 2013

Page 3

VII.	LIST	OF	ATT	ACHN	MENTS

Attachment A: Ordinance amending the Redmond Zoning Code

Exhibit 1: Zoning Text Amendment for RZC 21.14.040 Exhibit 2: Zoning Text Amendment for RZC 21.14.020

/s/		9/3/2013
Robert G. Odle, Planning Director		Date
Approved for Council Agenda:/s/		9/6/2013
	John Marchione, Mayor	Date

ATTACHMENT A

CITY OF REDMOND ORDINANCE NO.

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING THE REDMOND ZONING CODE (RZC)TO EXTEND THE HOURS OF OPERATION FOR EATING AND DRINKING ESTABLISHMENTS IN THE MANUFACTURING PARK (MP) ZONE, AND ALLOW DRIVE-THROUGH FACILITIES FOR HEALTH AND PERSONAL CARE USES IN THE GENERAL COMMERCIAL (GC) ZONE, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Growth Management Act requires that development regulations shall be subject to continuing evaluation and review; and

WHEREAS, the proposed amendments to add drive-through facilities for the sale of health and personal care retail goods in the General Commercial (GC) zone and extended hours for eating and drinking establishments in the Manufacturing Park (MP) zone will provide additional convenience to patrons; and

WHEREAS, state agencies received 60-day notice of the proposed amendments to Redmond's Zoning Code on June 17, 2013; and

WHEREAS, State Environmental Policy Act checklists were prepared and Determinations of Non-Significance were issued on June 7, 2013, for the proposed amendment to the General Commercial (GC) zone and June 25, 2013, for the proposed amendment to the Manufacturing Park (MP) zone; and

Page 1 of 4 Ordinance No. _____

WHEREAS, the Planning Commission conducted a public hearing on each proposed amendment on July 17, 2013, to receive public comment; and

WHEREAS, upon completion of the public hearings, the Planning Commission issued its findings, conclusions, and recommendations in reports to the Redmond City Council dated July 18, 2013; and

WHEREAS, the City Council held a public meeting on August 20, 2013, to review the proposed amendments; and

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

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

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

Section 2. Findings and Conclusions. In support of the proposed amendments to the Redmond Zoning Code section 21.14.040 within the Manufacturing Park (MP) zone and section 21.14.020 within the General Commercial (GC) zone, the City Council hereby adopts the findings and conclusions contained in the Planning Commission Reports dated July 18, 2013, including all related attachments and exhibits to these reports.

Page 2 of 4 Ordinance No. _____

Regulations. This section is hereby amended to revise the permitted hours of operation for eating and drinking establishments in the Manufacturing Park (MP) zone to be 6:00 a.m. to 12:00 a.m. daily as shown in Exhibit A attached hereto and incorporated herein by this reference as if set forth in full.

Section 4. RZC 21.14.020 General Commercial (GC)

Regulations. This section is hereby amended to allow drivethrough facilities for health and personal care uses in the

General Commercial (GC) zone, as shown in Exhibit B attached
hereto and incorporated herein by this reference as set forth in

full.

Section 5. 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 6. Effective Date. This ordinance shall take effect five days after passage and publication of an approved summary consisting of the title.

Page 3 of 4 Ordinance No. ____

ADOPTED by the Redmond C	ity Council this	day	of
, 2013.			
	CITY OF REDMOND		
			
	JOHN MARCHIONE, MAYOR		
ATTEST:			
MICHELLE M. HART, MMC, CITY CLE	(SEAL) ERK		
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.			

Page 4 of 4 Ord

Ordinance No. ____

EXHIBIT 1

6	Professional services					 Limited to a) research and development services, and b) other uses that support another permitted use in the MP zone.
7	Administrative services				1,000 sq ft gfa (2.0, 30)	 Limited to corporate headquarters and regional offices associated with manufacturing or wholesale trade uses in an MP zone in Redmond.
8	Services to buildings and dwellings					
9	Full-service restaurant				Employee on	1. Shall be located in multi-tenant building or a single-building in a multi-building, multi-
10	Cafeteria or limited				maximum shift	tenant complex.
10	service restaurant	5	0.5	1.0	(1.0, 1.0)	50-person seating capacity, except when associated with manufacture of food or
11	Bar or drinking place	3	0.5	1.0	1,000 sq ft gfa (10.0, 10.0)	kindred products. In that case, maximum is 100-person seating capacity, so long as the seating area does not occupy more than 25% of combined gross floor area. The seating limit does not apply when the use is secondary to a winery or brewery, but the 25% limit continues to apply. 3. Hours of operation limited to 6am-10pm.12:00 a.m. daily.
12	Caterer				1,000 sq ft gfa	
13	Food service contractor				(2.0, 3.0)	

Excerpt from Manufacturing Park Zone, RZC.21.14.040

EXHIBIT 2

9	Health and personal care	3	0.70	1,000 sq ft gfa (4.0, 5.0)	COPY HERE.		
10	Finance and insurance				Drive-through facilities permitted. Adequate vehicle queuing space shall be provided outside the public right-of-way, on-site vehicular circulation aisles, and the area between the building and the street. Type II landscaping shall screen drive-through lanes.		
11	Real estate services						
12	Professional services						
13	Administrative services						
14	Full-service restaurant			1,000 sq ft gfa (9.0, 9.0)	Drive-through facilities permitted. Adequate vehicle queuing space shall be provide		
15 Cafeteria or limited service restaurant 16 Bar or drinking place			1,000 sq ft gfa (10.0, 10.0)	outside the public right-of-way, on-site vehicular circulation aisles, and the area between the building and the street.			
					3. Type II landscaping shall screen drive-through lane.		

Excerpt from General Commercial (GC) zone