CITY OF REDMOND ORDINANCE NO. 2471

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING RCDG 20F 30 20-070(3) IN ORDER TO EXEMPT TEMPORARY USE PERMIT APPLICATIONS FOR PARKING IN THE DOWNTOWN AND OVERLAKE NEIGHBORHOODS FROM THE REQUIREMENT TO PAY APPLICATION FEES, DGA L090055, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the United States is in the midst of a significant recession, and

WHEREAS, despite the recession, construction in the Downtown and Overlake neighborhoods of the City continues to be strong, and multiple new developments are under construction in both areas, and

WHEREAS, the City has a shortage of parking in the Downtown and Overlake neighborhoods, both on public streets and on private property, and the parking that is available is insufficient to accommodate the temporary construction-related parking needs without significantly impacting existing businesses, and

WHEREAS, as a means of accommodating temporary construction-related parking while maintaining the ability of existing businesses to operate and thrive, the Redmond City Council enacted Ordinance No 2439, as an interim control, providing that temporary use permit applications for parking in

the Downtown and Overlake Neighborhoods were exempt from the payment of application fees, and

WHEREAS, the Technical Committee of the City of Redmond has recommended that the fee exemption provided in Ordinance No 2439 be made a permanent part of the Redmond Community Development Guide, and

WHEREAS, the Redmond Planning Commission held a public hearing on April 22, 2009, to consider making the exemption permanent and after considering all materials and testimony submitted at the hearing, adopted a report to the City Council on May 20, 2009, recommending the permanent adoption of the exemption, and

WHEREAS, the Redmond City Council has considered the Planning Commission's recommendation and has determined to adopt this ordinance

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

Section 1 Classification Section 3 of this ordinance is of a general and permanent nature and shall become a part of the code

Section 2 Findings, Conclusions, and Analysis In support of the RCDG amendment adopted by this ordinance, the Redmond City Council adopts the findings, conclusions, and

analysis contained in the Planning Commission's Report on DGA L090055 dated May 20, 2009

Section 3 Amendment RCDG 20F 30 20-070(3) is amended to read as follows

- (3) Fee Walvers
- When a City department applies for a (a) permit required by RCDG Titles 20C, Land Use Regulations, Title 20D, City-Wide Regulations, Chapter 15 08 RMC, Building Code, and RCDG Title 20F, Procedures. Administration and department shall not be required to pay application fees Where an application will require substantial review time or expenditures, the Administrator require that the department applying for the permit reimburse departments reviewing the application for some or all of the time and costs expended in the review
- may (b) The Council City application fees for any permit required by RCDG Titles 20C, Land Use Regulations, 20D, City-Wide Regulations, Chapter 15 08 RMC. and RCDG Building Code, Title 20F. Administration and Procedures. for housing projects that meet the requirements of this subsection
 - housing (I) The wıll ultimately owned by households earning 60 percent of the King County median family ıncome adjusted for household size. nonprofit organizations, or public agencies
 - (11) The housing will remain affordable to households earning

- 60 percent or less of the King County median family income adjusted for household size for at least five years. The City Council may condition the waiver for a longer period of time if needed to recover the community's investment.
- (111) The housing will help meet an unfulfilled portion of Redmond's affordable housing targets
- (iv) The location will meet
 Redmond's policies and zoning for
 the proposed housing type and
 density
- (v) The proposal will result in a benefit to the community
- (v1) The waiver will not result in an unacceptable adverse impact on the service providers funded by the fees proposed for a waiver
- City Council may (c) The walve application fees for any permit required by RCDG Titles 20C, Land Use Regulations, City-Wide 20D, Regulations, Chapter 15 08 Building Code, and RCDG Title 20F, and Administration Procedures, for environmental restoration or enhancement projects that meet the requirements of this subsection
 - (1) The project will be carried out by nonprofit organizations, or other persons or groups demonstrating similar intent
 - (11) The applicant shall
 demonstrate that the primary
 purpose of the project is

environmental restoration or enhancement

- (111) The project will help meet an unfulfilled habitat restoration need identified by the City
- (iv) The project and its location
 shall meet all applicable policies
 and regulations
- (v) The proposal will result in a benefit to the community
- (vi) The waiver will not result in an unacceptable adverse impact on the service providers funded by the fees proposed for a waiver
- (d) Any request—for a fee-waiver shall be made in writing when the application is filed.
- (e) The City Council may condition—a waiver to ensure the project will meet the requirements of this subsection or to lessen impacts on the service providers funded by the fees that are waived
- (d) Temporary use permit applications for off-site construction employee parking are exempt from the payment of application fees if all of the following requirements are met:
 - (i) The construction site where the construction employees will be working is located in the Downtown or Overlake neighborhoods.
 - (ii) The developer/general contractor
 is responsible for providing/organizing transportation for construction employees between the parking site and construction site.

- (iii) The developer/general contractor is responsible for obtaining any necessary lease/permission from the property owner to park on the off-site parking location.
- (e) Any request for a fee waiver shall be made in writing when the application is filed.
- to ensure the project will meet the requirements of this subsection or to lessen impacts on the service providers funded by the fees that are waived.

Section 4 Severability If any section, sentence, clause or phrase of this ordinance or any of the codes or regulations adopted hereby 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 or the adopted codes or regulations

Section 5 Effective date This ordinance shall take effect and be in full force five days after its passage and publication of a summary or as otherwise required by law

ADOPTED by the Redmond City Council this 16th day of June,

CITY OF REDMOND

JOHN MARCHIONE, MAYOR

ATTEST

MICHELLE M MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED/AS TO FORM

OFFICE OF THE CITY ATTORNEY

By

FILED WITH THE CHTY/CLERK

PASSED BY THE CITY COUNCIL

SIGNED BY THE MAYOR

PUBLISHED

EFFECTIVE DATE

ORDINANCE NO 2471

June 10, 2009 June 16, 2009

June 16, 2009

June 22, 2009

June 27, 2009

APPROVED 7-0 Allen Carson Cole Margeson McCormick, Myers and Vache