

ORDINANCE NO. 2332

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING THE REDMOND MUNICIPAL CODE AND THE REDMOND COMMUNITY DEVELOPMENT GUIDE TO ADOPT REGULATIONS PERTAINING TO COMPATIBILITY BETWEEN USES IN MANUFACTURING PARK AND RESIDENTIAL ZONES, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2004 the City undertook a major update to its Comprehensive Plan consistent with planning obligations under the Growth Management Act; and

WHEREAS, the City adopted policy LU-12, expressing the intent that residential development should mitigate, within its boundaries, the potential adverse impacts associated with locating near uses in Manufacturing Park zones; and

WHEREAS, the City adopted policy LU-13, which directs the City to require that applicants proposing residential development in or near Manufacturing Park zones notify potential residents of the undesirable or harmful impacts that may occur as a result of locating near uses in a Manufacturing Park zone; and

WHEREAS, the City of Redmond desires to amend Sections 20D.230, Transitions between Zones, 20D.100, Noise Standards, and to create Section 20C.30.72, Notification Special Requirements of the Redmond Community Development Guide to carry out adopted policy; and

WHEREAS, on November 30, 2006 the City provided 60-day notice to state agencies reviewing Comprehensive Plan and development regulation updates of this proposed amendment; and

WHEREAS, the Planning Commission conducted a public hearing on December 6, 2006 to receive public comment on the proposed amendment to Redmond's land-use and zoning maps; and

WHEREAS, a State Environmental Policy Act Checklist was prepared and a Determination of Non-Significance was issued on January 17, 2007 for the proposed amendment; and

WHEREAS, the City Council held a public meeting to review the proposed amendment on March 13, 2007; and

WHEREAS, the Washington State Department of Ecology received 90-day notice of the proposed amendments to 20D.100, Noise Standards, on March 14, 2007; and

WHEREAS, the City of Redmond desires to amend the Redmond Community Development Guide to implement land-use policies adopted as part of the 2004 update to the Comprehensive Plan, NOW, THEREFORE,

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

Section 1. Analysis. In support of the proposed amendment to modify sections 20D.230, 20D.100, and create section 20C.30.72 of the Redmond Community Development Guide, the City Council hereby adopts the analysis contained in the Technical Committee Report dated November 22, 2006, including the related attachments and exhibits to that report, and the Planning Commission Report dated January 31, 2007, including the related attachments and exhibits to that report.

Section 2. Revisions to Transitions between Zones Regulations. Section 20D.230, Transitions between Zones, of the Redmond Municipal Code and Redmond

Community Development Guide is hereby amended as shown in Exhibit 1, incorporated herein by this reference as if set forth in full to this ordinance.

Section 3. Revisions to Noise Standards Regulations. Section 20D.100, Noise Standards, of the Redmond Municipal Code and Redmond Community Development Guide is hereby amended as shown in Exhibit 1, incorporated herein by this reference as if set forth in full to this ordinance.

Section 4. Creation of Notification of Special Requirements. Section 20C.30.72, Notification Special Requirements, of the Redmond Municipal Code and Redmond Community Development Guide is hereby created, as shown in Exhibit 1, incorporated herein by this reference as if set forth in full to this ordinance.

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, being an exercise of a power specifically delegated to the city legislative body, is not subject to referendum. Pursuant to RCW 70.107.060(3), the portion of this ordinance amending 20D.100 shall take effect 90 days after passage and publication unless the State Department of Ecology disapproves the amendments. All other portions of the ordinance shall take effect five days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND

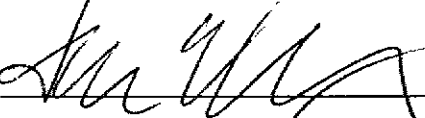


MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:

Sandra L. Marion
CITY CLERK, MALISA FILES

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: 

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
SIGNED BY THE MAYOR:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. 2332

March 27, 2007
April 3, 2007
April 3, 2007
April 9, 2007
April 14, 2007

Exhibit 1

AMENDED CODE

20D.230 Transitions between Zones*

20D.230.10 Purpose.

20D.230.20 Transition Overlay.

20D.230.20-010 Applicability.

20D.230.20-020 When Compliance with Transitional Regulations is Required.

20D.230.30 Development Standards applicable in the Transition Overlay.

20D.230.30-010 Compliance Required.

20D.230.30-020 Location of Uses and Site Operations.

20D.230.30-030 Authority to Condition Permits and Approvals to Enhance Compatibility.

*User Guide – How to Use the Transitional Regulations:

1. Determine if the property is within a Transition Overlay. RCDG 20D.230.20-020, When Compliance with Transitional Regulations is Required, shows when transition overlays apply.
2. Determine where in the Transition Overlay the property is located. Different requirements apply in different areas.
3. Determine the applicable requirements. The requirements are located in this chapter and with other similar types of regulations. For example, the transitional height limits are located with other height limits. Properties located on the border of a Transition Overlay and a protected zone will have to comply with the following requirements:
 1. Construction and maintenance of a 20-foot-wide buffer. In certain locations, the buffer is wider than 20 feet.
 2. A special setback.
 3. Height limits.
 4. Guidelines on the location of parking and driveways.
 5. Guidelines on the location of uses and site operational requirements.
 6. Special sign requirements.
 7. Exterior lighting requirements.
 8. Supplemental design standards.

Other properties in the Transition Overlay must comply with all of the above provisions except for 1 and 2.

20D.230.10 Purpose.

Promoting compatibility between uses is one of the key goals of development regulations. The City of Redmond uses several different techniques to achieve this goal. They include prohibiting the expansion of commercial, office, and manufacturing zones into residential areas, using transitional zones to separate incompatible uses, using transitional regulations to protect nearby uses that may otherwise be incompatible, using operational regulations to provide that the activities undertaken as part of uses will be compatible with other uses, and constructing public improvements that lessen adverse impacts on nearby uses.

This and other chapters contain the transitional regulations. They apply to uses on the edges of zones that allow more intense uses than abutting zones. This and other chapters include regulations on site design, construction, uses, and site operation to protect uses from adverse impacts and therefore increasing compatibility. In addition to these transitional regulations, other techniques, such as the transitional zones and city-wide development standards, are also used to minimize potential use conflicts and adverse impacts. (Ord. 2027)

◆ Comprehensive Plan policies LU-75, LU-87, LU-89, and LU-109 require that development standards, design standards, building and site design, landscaping, and the location of uses should encourage compatibility between uses. These policies and neighborhood policies guide the implementation of this chapter.

20D.230.20 Transition Overlay.

20D.230.20-010 Applicability.

- (1) Unless otherwise provided by this chapter, where RCDG 20D.230.20-020, When Compliance with Transitional Regulations is Required, contains a circle (○) or a box (□) in the cell formed at the intersection of a row and a column, the zone listed in the row shall comply with the transitional regulations in this and other chapters when the zone borders the zone listed in the column.
- (2) Unless otherwise provided by this chapter, where RCDG 20D.230.20-020, When Compliance with Transitional Regulations is Required, contains a triangle (s) in the cell formed at the intersection of a row and a column, the zone listed in the row may have to comply with the transitional regulations in this and other chapters when it borders the zone listed in the column. If the Administrator determines that the allowed uses and allowed intensity may result in potential adverse impacts in the zone listed in the row under the heading "Zones that are to be Protected by Transitional Regulations", then the transitional regulations in this chapter shall apply. (Ord. 2027)
- (3) Property in a Manufacturing Park (MP) zone rezoned to a residential zone on or after [the effective date of this ordinance] shall not be designated "protected," as defined in this chapter, nor shall property in MP zones or other zones that would otherwise be designated "complying" as a result of that rezone be designated as such. Instead, the developer of the property rezoned to a residential zone shall have the responsibility of providing within its own boundaries protection from the impacts of uses similar to the protections that would otherwise be accorded to "protected" zones in this chapter and Transition Overlay regulations in other chapters. Those protections would buffer residential uses from, and mitigate the impacts associated with, uses typical of Manufacturing Park zones, which may include, but are not limited to, various manufacturing, assembly, warehouse, entertainment, and other uses that operate both at day and at night, at noise levels consistent with existing regulations governing Manufacturing Park zones. The mitigation may be achieved through visual and audio screening, increased setbacks, building placement, open space, landscaping, architectural screening, berms, fences, topographical separation, or other methods that meet the intent of this provision as determined by the Code Administrator. (Ord. XXXX)

20D.230.20-020 When Compliance with Transitional Regulations is Required.

- (1) Protected and Complying Zones.

		Zones that are to be Protected by Transitional Regulations (Protected Zones)																	
		A	UR	RA-5	R-1	R-2	R-3	R-4	R-5	R-6	R-8	R-12	R-18	R-20	R-30	NC ¹	ORS	ORM	
Zones Required to Comply with Transitional Regulations (Complying Zones)	R-12	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>							<input type="radio"/>		
	R-18	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>							<input type="radio"/>		
	R-20	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>						<input type="checkbox"/>		
	R-30	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>						<input type="checkbox"/>		
	NC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>						<input type="checkbox"/>		
	GC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	<input type="radio"/>
	RC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	<input type="radio"/>
	CC-1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	<input type="radio"/>
	CC-2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	<input type="radio"/>
	CC-3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	<input type="radio"/>
	CC-4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	<input type="radio"/>
	CC-5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	<input type="radio"/>
	CC-6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>				<input type="checkbox"/>	<input type="radio"/>	
	BP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	<input type="radio"/>
	OV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	<input type="radio"/>
MP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	<input type="radio"/>	
I	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	<input type="radio"/>	
DD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	<input type="radio"/>	<input type="triangle-up"/>	<input type="triangle-up"/>	<input type="triangle-up"/>	<input type="triangle-up"/>	<input type="checkbox"/>	<input type="triangle-up"/>	

¹Does not apply if residential uses are not proposed within a Neighborhood Commercial zone within a commercial or employment zone.

A 300-foot wide Transition Overlay shall be required.

A 150-foot wide Transition Overlay shall be required.

Where the Administrator has determined that the transitional regulations shall apply, the Administrator shall determine the width of the Transition Overlay. The Transition Overlay shall be between 100 and 300 feet wide based on the type and intensity of the uses allowed in the zones.

- (2) See RCDG 20C.10.10-020, Establishment of Zoning Districts, for the zones represented by the symbols in RCDG 20D.230.20-020, When Compliance with Transitional Regulations is Required.
- (3) DD (Design District) applies to all design districts including the Gateway Design Districts (GDD-1, GDD-2, and GDD-1).
- (4) ORS (Outside Redmond Single-Family) refers to primarily single-family residential zones in neighboring jurisdictions that have an allowed density of six or fewer housing units per acre.
- (5) ORM (Outside Redmond Multi-Family) refers to primarily small lot single-family residential zones and primarily multi-family residential zones in neighboring jurisdictions that have an allowed density of seven or more housing units per acre.
- (6) Except as otherwise provided in this division, the Transition Overlay shall be located within the complying zone.
- (7) The transition zone shall be measured at right angles along the boundary of the complying zone. Where this division allows areas within the protected zone to be included in the Transition Overlay, the Transition Overlay shall include these areas where they abut the complying zone.
- (8) The Transition Overlay shall include the following areas within the protected zone:
 - (a) State Route (SR) 520 and railroad rights-of-way. City, county, or private street rights-of-way shall not be included within the protected zone where the street or road rights-of-way are within or border a complying zone.

- (b) The Sammamish River, parks or easements for park and open space uses owned by a public agency, and trail rights-of-way or corridors where a public agency owns or leases the right-of-way or corridor or has an easement or equitable servitude for the right-of-way or corridor.
- (c) Native growth protection easements and easements or equitable servitudes with similar purposes. (Ord. 2027)

20D.230.30 Development Standards applicable in the Transition Overlay.

20D.230.30-010 Compliance Required.

The Transition Overlay development standards are located in the chapters that contain similar requirements or in this division. Transition Overlay development standards shall apply in addition to the development standards in the underlying zone. Where there is a conflict between the standards, the most restrictive shall apply. (Ord. 2027)

20D.230.30-020 Location of Uses and Site Operations.

Within the Transition Overlay:

- (1) Uses shall be located on a site so as to minimize adverse impacts on protected zones.
- (2) All maintenance and testing activities may take place from 7:00 a.m. through 7:00 p.m. on Monday through Friday and from 9:00 a.m. through 6:00 p.m. on Saturday. On legal holidays for Washington State, no maintenance and testing activities may take place. Emergency maintenance activities may take place at any time and on any day.
- (3) Refuse collection and recycling areas should be located away from bordering protected zones and screened from street level views. This screening shall be done by placing the areas behind buildings or by the use of berms, hedges, walls, or equivalent or better methods. Refuse collection and recycling areas shall not be located within a front yard setback or in a setback along a Neighborhood Protection Street.
- (4) Outside of the Industry (I) zone, all exterior work activities allowed by the underlying zone shall be prohibited except for the following uses: restaurants, plant nurseries, entertainment and recreation uses that are commonly performed outside, sales of motor vehicle fuels, car washes, parking lots, outdoor markets, and sidewalk sales.
- (5) Outside of the Industry (I) zone, no exterior storage of goods or materials shall be allowed within the Transition Overlay. Exterior storage of construction materials and construction equipment during temporary construction activities is allowed. (Ord. 2027)

20D.230.30-030 Authority to Condition Permits and Approvals to Enhance Compatibility.

Both within and outside Transition Overlays, decision-makers authorized to decide discretionary approvals by the Community Development Guide may condition discretionary approvals and development permits, including but not limited to site plan approvals, to minimize adverse impacts on other properties and uses and to carry out the policies of the comprehensive plan. (Ord. 2027)

20D.100 Noise Standards

20D.100.10-010 Purpose.

20D.100.10-020 Applicability.

20D.100.10-030 Prohibited Noise.

20D.100.10-040 Identification of Noise Environments and Maximum Permissible Noise Levels.

20D.100.10-050 Exceptions.

20D.100.10-060 Restrictions on Residential Development Adjacent to Arterials.

20D.100.10-070 Arterial Improvement Requirements.

20D.100.10-080 Measurement of Sound.

20D.100.10-010 Purpose.

It is the policy of the City to minimize the exposure of citizens to the physiological and psychological dangers of excessive noise and to protect, promote and preserve the public health, safety and general welfare. The purpose of this chapter is to control the level of noise in a manner that promotes commerce, the use, value and enjoyment of property, sleep and repose, and the quality of the environment.

It is also the City's intent to regulate noise as a nuisance or public disturbance in addition to any other means of regulation or enforcement established in this chapter. Regulation of nuisance and public disturbance noises is set forth in Chapter 9.42 RMC and regulation of noise related to operation of motor vehicles is set forth in Chapter 9.43 RMC. (Ord. 2006)

20D.100.10-020 Applicability.

These standards shall apply to all lands within the City. (Ord. 2006)

20D.100.10-030 Prohibited Noise.

- (1) General Prohibition. Unless otherwise specified, no person or thing shall make noise exceeding the maximum permissible noise levels required by this chapter.
- (2) Recurrent or Continuous Noise.
 - (a) For receiving properties within a Class A EDNA, noise from the recurrent or continuous use or operation of stationary equipment or appliances shall not be perceptible by a person of ordinary sensitivity, without instruments, at any point of any boundary line of the receiving property. This subsection applies whether the noise is generated within or outside a Class A EDNA if the receiving property is within a Class A EDNA. Commercial equipment, including emergency generators, shall comply with this subsection. Measures shall be taken to reduce noise, such as relocating, enclosing or screening the noise source or limiting the hours of operation.
 - (b) This subsection shall not apply to nonresidential emergency generators that existed on or before the December 24, 1998. New or replacement, nonresidential, emergency generators shall comply with this subsection. Furthermore, testing of emergency generators shall be limited to after 8:00 a.m. and no later than 8:00 p.m.
 - (c) This subsection shall not apply to sounds listed in RCDG 20D.100.10-050, Exceptions, or any sound that is less than a 45 dBA noise level between 7:01 a.m. and 10:00 p.m. or 35 dBA noise level between 10:01 p.m. and 7:00 a.m. This subsection also shall not apply to manufacturing or industrial uses that existed on or before December 24, 1998.
- (3) Specific Prohibitions. The following are examples of activities declared to be loud, excessively noisy and in violation of this section:

- (a) The use of any fixed or mobile device or loud speaker outside a building for commercial advertising purposes or for the purposes of attracting attention to any performance, show, or sale or display of merchandise, where the sound may be heard from any public street, park, or public place. Nothing in this section is intended to prohibit incidental sounds emanating from a sports, entertainment, or public event or ice cream vending vehicles.
- (b) The sale of anything by outcry within an area of the City zoned primarily for residential uses.
- (c) The owning or keeping of any animal which causes a noise disturbance by frequent or habitual howling, barking, or other noise making. The section also applies to all private or public facilities, including any animal pounds and kennels that hold or treat animals.
- (d) The repair, modification or testing of any motor vehicle, off-road motor vehicle, motorized watercraft in or near a residential use district in such a manner as to cause a noise disturbance or violate the provisions of this chapter.
- (e) The operation of any loudspeaker or other source of sound in a place of indoor public entertainment which exceeds 85 dBA at any point normally occupied by a person, without a conspicuous and legible sign located outside near the entrance which states:

Warning!

Sound Level Inside May Cause

Permanent Hearing Impairment

- (f) The creation of unnecessary or unusually loud noises within the vicinity of a school, hospital, nursing home, court of law, or other designated area where quiet is necessary. (Ord. 2006)

20D.100.10-040 Identification of Noise Environments and Maximum Permissible Noise Levels.

- (1) Environmental designations for noise abatement (EDNA) are established based on consideration of historical, present and future land use of each zoning district.
- (2) No person shall cause or permit sound to intrude onto the real property of another person that exceeds the maximum permissible sound levels established by this chapter. The point of measurement shall be at the property boundary of the receiving property or anywhere within the receiving property.
- (3) Maximum permissible noise levels are given below and are consistent with State requirements (Chapter 70.197 RCW and Chapter 173-60 WAC):

Table 1: Maximum Permissible Noise Levels

EDNA of Noise Source (Land Use Zones)	EDNA of Receiving Property (Land Use Zones)			
	Class A (All R zones & RA)		Class B (UR, NC, CO, CB, GC, RC, CC)	Class C (MP, I, BP, OV)
	Daytime 7:00 a.m.–10:00 p.m.	Nighttime 10:00 p.m.–7:00 a.m.		
Class A (All R zones & RA)	55 dBA	45 dBA	57 dBA	60 dBA
Class B (UR, NC, CO, CB, GC,	57 dBA	47 dBA	60 dBA	65 dBA

RC, CC)				
Class C (MP, I, BP, OV)	60 dBA	50 dBA	65 dBA	70 dBA
Legend				
EDNA = Environmental Designation for Noise Abatement				
dBA = decibels				

(Ord. 2006)

20D.100.10-050 Exceptions.

The following are exceptions to the maximum permitted noise levels established in RCDG 20D.100.10-040:

- (1) Exceptions at Any Time. The following sounds are exceptions to the provisions of this chapter at any time:
 - (a) The maximum permitted noise levels as established in RCDG 20.100.10-040 may be exceeded by five dBA for a total of 15 minutes in any one-hour period, or 10 dBA for a total of five minutes in any one-hour period, or 15 dBA for a total of 1.5 minutes in any one-hour period.
 - (b) Sounds originating from aircraft in flight and sounds that originate at airports which are directly related to flight operations.
 - (c) Sounds created by railroad trains engaged in interstate commerce or mass transit.
 - (d) Sounds created by warning devices not operating continuously for more than five minutes.
 - (e) Sounds created by bells, chimes, and carillons.
 - (f) Sounds created by safety and protective devices where noise suppressions would defeat the intent of the device or is not economically feasible.
 - (g) Sounds originating from City-approved parades and other public events.
 - (h) Sounds caused by natural phenomena and unamplified human voices.
 - (i) Sounds caused by motor vehicles when regulated by Chapter 173-62 WAC.
 - (j) Sounds from the startup of refinery boilers.
 - (k) Sounds caused by emergency equipment and work necessary in the interests of law enforcement or for the safety, health or welfare of the community. Nothing in this section shall be construed to permit law enforcement, ambulance, fire or other emergency personnel to make excessive noise in the performance of their duties when such noise is clearly unnecessary.
 - (l) Sounds caused by emergency residential generators when operating as necessary for their intended purpose. Commercial generators are not included as an exception.
 - (m) Sounds created by motor vehicles, licensed or unlicensed, when operated off public highways except when such sounds are received in residential zones (Class A EDNA).
- (2) Daytime Exceptions. The following may exceed the maximum permissible noise levels of RCDG 20D.100.10-040 on weekdays between the hours of 7:00 a.m. and 10:00 p.m., and on weekends between the hours of 9:00 a.m. and 10:00 p.m.

- (a) Sounds originating from residential property related to temporary projects for the maintenance or repair of homes, grounds and appurtenances.
 - (b) Sounds from new construction, additions or remodels of single-family homes and accessory structures in residential zones (Class A) caused by the homeowner. Sounds from construction by hired contractors shall be limited to the hours specified in subsection (5)(b) of this section.
 - (c) Sounds created by the discharge of firearms at authorized shooting ranges.
 - (d) Sounds created by motorized watercraft.
 - (e) Sounds from the installation or repair of essential utility services.
 - (f) Sounds originating from forest harvesting and silvicultural activities.
 - (g) Sounds created by blasting.
- (3) Twenty-Four-Hour Residential Zone Exceptions. Within residential zones (Class A EDNA), the following activities are subject to the daytime maximum permissible noise levels at all times (24 hours a day):
- (a) Sounds created by existing electrical substations and stationary equipment used to convey water, wastewater or natural gas by a utility.
 - (b) Sounds created by sources in industrial and manufacturing districts which, over the previous three years, have consistently operated in excess of 15 hours per day as demonstrated routine or as a consequence of process necessity. Changes in working hours or activity, which would increase the noise allowed under this exception, require the approval of the Administrator.

(4) Manufacturing Park Land Rezoned to Residential Zone Exceptions. Manufacturing Park land that is rezoned to a residential zone on or after [the effective date of this ordinance] shall be considered Class C receiving property and Class A source property for the purpose of calculating maximum permissible noise levels. Interior portions (residences and associated indoor space) of a residential development shall be required to achieve noise attenuation to 45dBA through insulation, site design, or other methods.

(4)(5) Construction Noise Exceptions.

- (a) Sounds from temporary construction may exceed the maximum permissible noise levels between the hours of 7:00 a.m. and 10:00 p.m. unless it impacts residential zones (Class A EDNA).
- (b) Construction noise that impacts residential zones (Class A EDNA) has the following restricted hours unless it is for single-family home repair, maintenance or construction and meets the requirements set forth in subsections (2)(a) and (2)(b) of this section:

Monday through Friday:	7:00 a.m. to 7:00 p.m.
Saturdays:	9:00 a.m. to 6:00 p.m.
Sunday or Legal Holiday:	Prohibited

(Legal holidays for enforcement of this subsection shall be limited to New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas.)

- (c) The point of measurement shall be at the property boundary of the receiving property or anywhere within the receiving property.
- (d) The Administrator, or the Director of Public Works for street and utility projects, may authorize expanded hours of temporary construction if at least one of the following criteria are met:

- (i) Construction is necessary to accommodate transportation improvements or other work within the right-of-way, or construction on schools and essential government facilities which cannot be undertaken during exempt hours. In considering expanded hours for street and utility projects, the Director of Public Works shall evaluate the project duration, potential noise impacts, traffic and safety impacts and cost of the project with and without expanded hours. If expanded hours are necessary, the Director shall post a public notice board to inform neighboring property owners of the scope and duration of the construction project.
- (ii) Emergency work.
- (iii) Sounds caused by construction will not exceed the maximum permissible noise levels contained in RCDG 20D.100.10-040. (Ord. 2006)

20D.100.10-060 Restrictions on Residential Development Adjacent to Arterials.

- (1) This section applies to all new residential short plats, subdivisions, and multi-family projects (three or more units) proposed after December 24, 1998.
- (2) For all new residential short plats, subdivisions, and multi-family projects proposed within 100 feet of an arterial or State highway that has an existing or projected traffic volume of 20,000 or more average daily trips, the applicant shall include sound attenuation measures in the site design and/or the design and construction plans of the structure(s).
- (3) The applicant shall demonstrate that proposed measures provide sound attenuation and the methods go beyond standard building construction practices. Measures that reduce noise at the site, such as building location, design, berms, and barriers, to help mitigate outside noise exposure should be used whenever practical in preference to measures which only protect interior spaces. Noise walls, such as blank walls along the site perimeter, should be avoided and shall only be considered after all other mitigation measures are determined infeasible and impractical. The Technical Committee shall approve appropriate methods for reducing noise levels. (Ord. 2006)

20D.100.10-070 Arterial Improvement Requirements.

- (1) This section applies to arterial and State highway improvement projects in residential zones (Class A EDNA).
- (2) In residential zones (Class A EDNA), arterial and State highway improvement projects, not including the addition of walkways, bicycle lanes and minor widening (such as turn lanes), must include a noise analysis of the affected environment by a qualified noise consultant if:
 - (a) The existing or projected noise level exceeds 67 dBA peak noise hour Leq; or
 - (b) The projected exterior noise level as a result of the project is estimated to increase beyond 67 dBA peak noise hour Leq; or
 - (c) The exterior noise level is expected to increase by five dBA or more as a result of the project.
- (3) The point of exterior noise level measurement for purposes of this section will be five feet above existing grade anywhere along a parallel line 60 feet on either side of the arterial centerline.
- (4) Noise mitigation measures intended to reduce exterior noise levels to 67 dBA peak noise hour Leq or lower shall be determined by the Director of Public Works. Measures such as location, design, setbacks, earthen berms, landscaping and berm/wall barriers are

preferable to the use of tall, linear, blank walls. Use of noise walls should be limited or avoided if other feasible measures are available. If noise walls are determined to be necessary, they should be located to maximize effectiveness and designed to avoid a long, linear, blank appearance. Noise walls should be limited to the lowest effective height, combined with earthen berms where feasible, screened by landscaping, modulated, and constructed with durable and decorative materials. If additional funding is necessary, the Director shall make a recommendation to the City Council. The criteria for evaluating noise mitigation measures are:

- (a) Whether reasonable noise mitigation measures are available which will reduce exterior noise levels by five dBA or more; and
- (b) Whether the financial impacts of noise mitigation measures are not disproportionate to the overall cost of the arterial improvement project; and
- (c) Whether benefited property owners contribute to the cost of mitigation; provided, that this factor only applies if existing exterior noise levels exceed 67 dBA peak noise hour Leq; and
- (d) Whether the benefited community is supportive of noise mitigation measures. (Ord. 2006)

20D.100.10-080 Measurement of Sound.

- (1) Sound Level Meter. If the measurement of sound is made with a sound level meter, the instrument shall be in good operating condition and shall meet the requirements for a Type I or Type II instrument, as described in American National Standards Institute Specifications as now exist or as hereafter amended or modified.
- (2) Location of Measurement. Unless otherwise specified, the point of measurement shall be at the property boundary of the receiving property or anywhere within it.
- (3) More Than One EDNA. Where a receiving property lies within more than one EDNA, the maximum permissible noise level shall be determined by the most sensitive EDNA.
- (4) Technical Corrections. When the location, distance or technique prescribed in this chapter for measurement of sound is impractical or would yield misleading or inaccurate results, measurements shall be taken at other locations or distances using appropriate correction factors, as specified by the Administrator or a qualified noise consultant. (Ord. 2006)

20C.30.72 Notification Special Requirements.

20C.30.72-010 Purpose.

The purpose of the Notification Special Requirements is to promote among potential new residents awareness of existing and potential manufacturing and industrial uses when prospective residents are considering purchasing property located within, adjacent to, or near properties in Manufacturing Park or Industrial zones.

20C.30.72-020 Applicability.

Notification as described in this division shall be required when: 1) a site is developed in a residential zone that was created from an existing Manufacturing Park zone, 2) a site is developed in a residential zone that is adjacent to or within 300 feet of a Manufacturing Park or Industrial zone (measured from the edge nearest the MP or I zone), or 3) a residential development is created within an existing MP or I zone.

20C.30.72-030 Requirements.

(1) For the properties described in section 020 above, the City shall require the owners of said properties, as a condition of land-use entitlement, to record a Notice of Manufacturing Park and Industrial Uses against said properties, and all properties resulting from subdivision of the properties. The notice shall read as follows:

(a) This property is within, adjacent to, or within 300 feet of property zoned Manufacturing Park (MP) or Industry (I). Activity may occur on such property that creates undesirable or detrimental impacts both day and night, including, but not limited to, noise, dust, light, and traffic. Uses on such property include various manufacturing, assembly, resource extraction, warehouse, entertainment, and other activities. It is the City of Redmond's policy to support existing and future uses in MP and I zones as allowed in the Redmond Community Development Guide and Redmond Municipal Code, and that the undesirable and/or detrimental impacts described above are allowed up to the legal limit. Nothing in the Redmond Municipal Code or Redmond Community Development Guide shall be construed to require that legal existing or future uses abate activities that are consistent with the Municipal Code and Development Guide.

(b) This notice shall be recorded against this property and any future subdivisions of this property as long as the Manufacturing Park or Industrial zone that warranted this notice exists. This notice shall remain recorded against this property even if future subdivisions of the property are not within 300 feet of the Manufacturing Park or Industrial zone that warranted this notice. (Ord. XXXX)