

CITY OF REDMOND  
ORDINANCE NO. 2589

AN ORDINANCE OF THE CITY OF REDMOND,  
WASHINGTON, ADOPTING RMC CHAPTER 6.34,  
LIMITATION ON EXTERNAL EFFECTS OF USES,  
PROVIDING FOR SEVERABILITY AND ESTABLISHING  
AN EFFECTIVE DATE

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WHEREAS, as part of the City's rewrite of its development regulations, the Redmond City Council has determined to move existing RCDG Chapter 20D.95 to a new RMC Chapter 6.34, Limitation on External Effects of Uses.

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

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City Code.

Section 2. Adoption of Chapter. RMC Chapter 6.34, Limitation on External Effects of Uses, is hereby added to read as follows:

Chapter 6.34 LIMITATION ON EXTERNAL EFFECTS OF  
USES

Sections:

- 6.34.010 Purpose.
- 6.34.020 Applicability.
- 6.34.030 Smoke emissions.
- 6.34.040 Odor emissions.
- 6.34.050 Radioactivity.
- 6.34.060 Electromagnetic interference.
- 6.34.070 Loading operations.

- 6.34.080 Hazardous materials.
- 6.34.090 Enforcement and penalties.

**6.34.010 Purpose.**

(A) The purpose of this chapter is to regulate heat, glare, air pollution, odor, radioactive emissions, or electromagnetic interference in order to minimize adverse impacts on nearby uses.

**6.34.020 Applicability.**

(A) All uses, activities, and structures shall comply with the requirements of this chapter. Uses, activities, or structures that do not comply with these standards shall be brought into conformance with them. The nonconforming use provisions of the Redmond Zoning Code shall not apply to relieve uses, activities, or structures from the necessity to comply with these requirements.

**6.34.030 Smoke emissions.**

(A) No air contaminant that is of such a shade or density as to obscure an observer's vision to a degree in excess of 20 percent opacity shall be emitted into the atmosphere from any source.

(B) Exceptions.

(1) No air contaminant shall be emitted into the atmosphere from any pilot plant or

experimental operation for a period or periods aggregating more than three minutes in any 60 consecutive minutes which is of such a shade or density as to obscure an observer's vision to a degree in excess of 40 percent opacity. This emission standard for pilot plants and experimental operations shall be in effect for a period not to exceed 180 operating days, cumulative total, from the date such operations commence; thereafter, the 20 percent opacity limitations provided in subsection (A) of this section shall apply to emissions from pilot plants and experimental operations.

(2) Emissions from fireplaces used for noncommercial or recreational purposes shall be exempt from subsection (A) of this section.

(3) Subsection (A) of this section shall not apply to emissions during the buildup of a new fire, cleaning of fires, soot blowing, start-up, any process modification or adjustment or occasional cleaning of control equipment, the shade or appearance of which is not darker than an equivalent opacity so as to obscure an observer's view to a degree not greater than 40 percent for a period or periods

aggregating no more than three minutes in any one hour.

(4) Subsection (A) of this section shall not apply to fugitive dust.

**6.34.040 Odor emissions.**

(A) This section shall only apply to uses established after December 24, 1998, or buildings constructed after December 24, 1998.

(B) Recurrently generated offensive odors shall not be perceptible by a person of ordinary sensitivity, without instruments, at any point of any boundary line of the lot or lots on which the use or structure is located. Odors from temporary construction activities and vehicles that leave the lot (such as trucks, trains, airplanes and helicopters) are excluded.

**6.34.050 Radioactivity.**

(A) The emission of radioactive material shall comply with the latest requirements of the State of Washington and U.S. Government pertaining to radiation control and radioactive materials.

**6.34.060 Electromagnetic interference.**

(A) Electric fields and magnetic fields shall not be created that adversely affect the public health, safety, and welfare including, but not limited to, interference with the normal operation of equipment or instruments or normal radio, telephone, or television reception from off the premises where the activity is conducted. This section does not apply to telecommunication facilities which are regulated by the Federal Communications Commission under the Federal Telecommunication Act of 1996 or its successor or to the operation of utilities that are regulated by the Washington Utilities and Transportation Commission.

**6.34.070 Loading operations.**

(A) This section shall only apply to uses established after December 24, 1998, or buildings constructed after December 24, 1998.

(B) Truck or railroad loading or unloading operations located within 200 feet of a residential zone shall not be conducted between the hours of 10:00 p.m. and 6:00 a.m. unless conducted entirely within an enclosed structure.

**6.34.080 Hazardous materials.**

(A) Uses that use and/or store hazardous materials (including hazardous wastes) on site shall comply with all fire and building codes applicable to structures containing hazardous materials and with all State and federal requirements. Adequate precautions shall be taken to protect against negative off-site impacts from a hazardous materials release by the using best available technology.

**6.34.090 Enforcement and penalties.**

(A) This chapter shall be enforced as provided in RMC 1.14 and violations shall be subject to civil and criminal penalties as provided therein.

Section 3. 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 or constitutionality of any other section, sentence, clause or phrase of this ordinance.

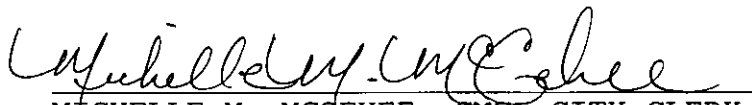
Section 4. Effective Date. This ordinance shall take effect five (5) days after publication of an approved summary consisting of the title, or as otherwise provided by law.

ADOPTED by the Redmond City Council this 5<sup>th</sup> day of April,  
2011.

CITY OF REDMOND

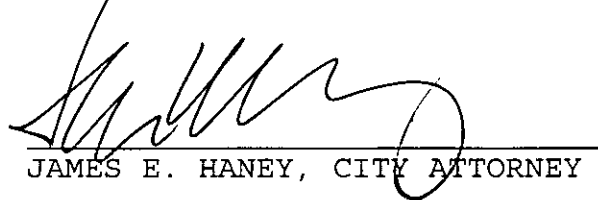
  
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JOHN MARCHIONE, MAYOR

ATTEST:

  
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MICHELLE M. MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM  
OFFICE OF THE CITY ATTORNEY

  
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JAMES E. HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK:	March 30, 2011
PASSED BY THE CITY COUNCIL:	April 5, 2011
SIGNED BY THE MAYOR:	April 5, 2011
PUBLISHED:	April 11, 2011
EFFECTIVE DATE:	April 16, 2011
ORDINANCE NO. 2589	

ADOPTED 7-0: Allen, Carson, Cole, Margeson, Myers, Stilin and Vache