

**ORDINANCE NO. 1886**

**ORIGINAL**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ESTABLISHING AN INTERIM OFFICIAL ZONING REGULATION TO PROVIDE FOR INTERIM FLOOR AREA RATIOS AND INTERIM FLOOR AREA TRANSFER REGULATIONS FOR THE AGRICULTURAL LANDS TRANSFER OF DEVELOPMENT RIGHTS PROGRAM, DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

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WHEREAS, the City of Redmond adopted its GMA Comprehensive Plan on July 18, 1995, and

WHEREAS, the comprehensive plan and the Growth Management Act require a transfer of development rights program for the Agriculture Zone, and

WHEREAS, the City of Redmond adopted an agricultural lands transfer of development rights program in Ordinance No. 1873 on January 30, 1996, and

WHEREAS, the agricultural lands transfer of development rights program adopted by Ordinance No. 1873 is now legally operational and allows the transfer of development rights to provide for increases in building heights, decreases in the required public or private park land, increases in impervious surfaces, and increases in parking; and

WHEREAS, the agricultural lands transfer of development rights program adopted by Ordinance No. 1873 is not yet operational for increases in floor area, and

WHEREAS, the City of Redmond has received inquiries about the adopted agricultural lands transfer of development rights program, a request to issue certificates of developments rights, and inquiries from persons wishing to purchase development rights for increases in floor space and for the other modifications for which the development rights can now be used, and

WHEREAS, the City Council desires to make the an agricultural lands transfer of development rights program operational for increases in floor area to fully accommodate the large surge of growth currently being experienced by Redmond and these inquiries, and

WHEREAS, the high rate of growth may otherwise hinder implementation of the agricultural lands transfer of development rights program and threaten to compromise the goals, policies, and pattern of land use envisioned by the City Council in adopting the comprehensive plan, and

WHEREAS, for the reasons stated above, the City Council has determined that an emergency exists which requires immediate enactment of the interim floor area transfer regulations for the agricultural lands transfer of development rights program to fully implement the comprehensive plan, NOW THEREFORE,

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

Section 1. Declaration of Emergency. For the reasons set forth in the recitals above, the City Council hereby declares that an emergency exists necessitating the adoption of interim floor area ratios (FARs) and floor area transfer regulations for the agricultural lands transfer of development rights program to fully implement the comprehensive plan, with the expectation that permanent enactment of these regulations will occur this summer.

Section 2. Adoption of Interim FAR Provisions for Receiving Areas.  
New Sections 20C.10.250(95) and 20C.10.250(97) are hereby added to the Redmond Community Development Guide to read as follows:

<b>Section 20C.10.250(95) Maximum FARs without TDRs</b>	
<b>Zone or Design Area</b>	<b>Maximum Floor Area Ratios (FARs) without Transfers of Development Rights (TDRs)</b>
Old Town	1.25
Mixed Use Center	0.308 <sup>1</sup>
Valley View, Bear Creek, and Trestle	1
Town Square	1.25
Sammamish Trail	1.25
Leary	1.25
River Bend	1.25
Foot Hill	1.25
North Point, East Hill, and Carter	1.25
GC	0.35
BP (Outside the Overlake Neighborhood only)	0.45
LI	0.50
HI	0.50

<sup>1</sup> Residential uses may exceed this limit without transferring floor area under the TDR program up to an FAR of 0.7 counting only the residential gross square footage. Additional non-residential gross square footage is only allowed if the policies and regulations are amended to allow more non-residential development in this design area.

**20C.10.250(97) Use of Development Rights in the City Center Design Areas and Business Park, Manufacturing Park, and Industry Zones**

(1) The Transfer of Development Rights from the Agriculture Zone is provided for in chapter 20C.20A of the Community Development Guide. The purpose of this section is to describe the receiving zones in which those development rights can be used and how they can be implemented. Sections 20C.20A.300 through 20C.20A.328 provide for the measurement and use of development rights in the receiving zones.

(2) Development rights may be used in all City Center (CC) Design Areas and all General Commercial (GC), Business Park (BP), Light Manufacturing (LI), and Heavy Industrial (HI) zones. Projects incorporating additional transferred development rights must present sufficient documentation in the form of a deed of transfer as described in Section 20C.20.320 and an extinguishment document as described in Section 20C.20A.322 to demonstrate that the transfer has been finalized.

(3) Section 20C.10.250(95) sets a maximum floor area ratio (FAR) for all developments unless the development transfers the floor space above that maximum FAR to the site through the transfer of development rights (TDR) program authorized by Chapter 20C.20A

and this section. The maximum FAR without TDRs applies to the gross floor area of all buildings on the site, excluding parking areas for motor vehicles which are not maintained as a stock in trade.

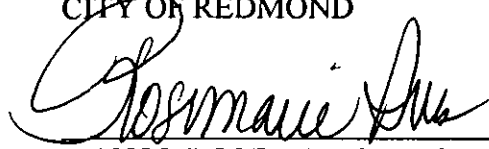
(4) Regardless of the maximum FAR without TDRs in Section 20C.10.250(95), each lot in the City Center (CC) Design Areas and all General Commercial (GC), Business Park (BP), Light Manufacturing (LI), and Heavy Industrial (HI) zones shall be allowed one building with at least 10,000 square feet of gross floor area. It shall not be necessary to transfer development rights to the site under the transfer of development rights program to be entitled to the minimum amount of space allowed by this section.

Section 3. Public Hearing. Pursuant to RCW 36.70A.390, the City Council shall hold a public hearing for the purposes of making findings of fact and to consider extending the interim zoning regulations established by this ordinance on June 4, 1996 at 8:00 p.m. or as soon thereafter as the matter may be heard by the City Council. The City Clerk is hereby directed to give notice of the public hearing according to the methods established by Council resolution.

Section 4. Effective Date. This ordinance, being the exercise of a power specifically delegated to the legislative body of the City, is not subject to referendum. Having been declared an emergency and having passed by the affirmative vote of at least a majority plus one of the entire membership of the City Council, this ordinance shall take effect and be in full force immediately upon passage. The City Clerk is directed to publish a summary of this ordinance, consisting of the title, at the earliest possible date. The interim floor area ratios and floor area transfer regulations for the agricultural lands transfer of development rights program established by this ordinance shall remain in effect pending further action of the City Council after the public hearing provided for in Section 3 above, provided, these such interim regulations shall not be in effect for longer than six (6) months from the date this ordinance is passed, except as provided in RCW 36.70A.390.

Section 5. Ordinance shall not apply to Pending Applications Meeting Certain Requirements. This ordinance shall not apply to any development which has applied for site plan approval before the adoption of this ordinance provided the applicant files a complete building

permit application with the City of Redmond within 90 calendar days of the adoption of this ordinance. If the building permit application(s) does not cover the entire development, this exemption shall only apply to the portion of the development included in the building permit application(s) filed within 90 calendar days of the adoption of this ordinance.

CITY OF REDMOND  
  
MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:

  
CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK:	May 6, 1996
PASSED BY THE CITY COUNCIL:	May 7, 1996
SIGNED BY THE MAYOR:	May 7, 1996
PUBLISHED:	May 15, 1996
EFFECTIVE DATE:	May 7, 1996
ORDINANCE NO.: <u>1886</u>	