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ORDINANCE NO. 1949

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ESTABLISHING AN INTERIM OFFICIAL LAND USE CONTROL BY AMENDING SUBSECTION 20C.40.100(15)(d)(2) OF THE REDMOND MUNICIPAL CODE AND COMMUNITY DEVELOPMENT GUIDE IN ORDER TO AUTHORIZE THE CONSTRUCTION OF STREETS AND UTILITIES IN CLASS IV LANDSLIDE HAZARD AREAS UNDER CERTAIN CONDITIONS.

WHEREAS, the Growth Management Act requires the City of Redmond to encourage and accommodate sufficient urban growth within its boundaries to meet its 2012 population and employment growth targets; and

WHEREAS, the City's ability to accommodate growth depends upon its ability to provide adequate infrastructure, in the form of streets and utilities, in order to serve that growth; and

WHEREAS, in certain portions of the City, geologic hazard areas, i.e., areas with steep slopes that have landslide, seismic, or erosion hazard characteristics, make the provision of streets and utilities to serve both existing and new growth difficult or impossible without locating such streets and utilities within the geologic hazard areas; and

WHEREAS, Section 20C.40.100 completely prohibits all development, including the construction of streets and utilities, within Class IV landslide hazard areas, without consideration having been given to the public need for such facilities, the availability of alternate routes, and the ability of the City to mitigate any impacts that could arise as a consequence of that construction; and

WHEREAS, if the complete prohibition continues, the City will be unable to provide adequate public streets and utilities in order to accommodate the rapid growth the City is experiencing and to maintain and improve existing levels of service; and

WHEREAS, failure to change the prohibition at the present time may cause some proposed street and utility extensions to be delayed, abandoned, or redesigned, thus preventing development which has been anticipated and counted on by the City to meet its growth targets and causing pending street and utility projects to increase in cost or be abandoned; and

WHEREAS, upon the recommendation of the Planning Department, the City Council has determined that the installation and construction of streets and utilities should be allowed in geologic hazard areas provided certain conditions are met, and that the same should be enacted as an interim land use control pending the conduct of a public hearing on the amendment set forth in this ordinance and the adoption of a permanent regulation addressing the issue, NOW, THEREFORE,

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

Section 1. Adoption of Interim Official Land Use Control. An interim land use control in the form of an amendment to Subsection 20C.040.100(15)(d)(2) of the Redmond Municipal Code and Community Development Guide is hereby adopted to read as follows:

Class IV Landslide Hazard Areas: Development shall be prohibited in Class IV (very high) landslide hazards areas except for the installation and construction of streets and/or utilities, subject to the criteria below. The Technical Committee shall refer the proposed project to the City Council for review and approval.

A. The proposed street and/or utility is identified in an adopted plan, such as the Comprehensive Plan, Capital Facility Plan, Transportation Improvement Plan or other Utility Facility Plan.

B. Alternative locations, which avoid impact to Class IV landslide hazard areas are evaluated

and are determined to be economically or functionally infeasible.

C. There is a geotechnical evaluation to identify the risks of damage from the proposal, both on-site and off-site, to ascertain that the proposal will not increase the risk of occurrence of the potential geologic hazard; and to identify measures to eliminate or reduce risks.

When no alternative exists, the impact shall be minimized by limiting the magnitude of the proposed construction to the extent possible. Any impacts shall be rectified by repairing, rehabilitating, restoring, replacing or providing substitute resources consistent with the mitigation and performance standards contained in Sections 20C.40.110 and 20C.40.120.

Section 2. Public Hearing. Pursuant to RCW 36.70A.390, the City Council shall hold a public hearing for the purpose of making findings of fact and for the purpose of considering extension of the interim land use control established by this Ordinance on October 7, 1997 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 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the legislative body of the City, is not subject to referendum and shall take effect and be in full force five (5) days after publication of the attached summary, which is hereby approved. The City Clerk is directed to publish a summary of this ordinance, consisting of the title, at the earliest possible date. The interim official land use control 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 that such interim land use control 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 and by further ordinance of the City.

CITY OF REDMOND

Rosemarie Ives
MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:

Dandra L. Mattson
CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: *[Signature]*

FILED WITH THE CITY CLERK:	August 14, 1997
PASSED BY THE CITY COUNCIL:	August 19, 1997
SIGNED BY THE MAYOR:	August 20, 1997
PUBLISHED:	August 23, 1997
EFFECTIVE DATE:	August 28, 1997
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