

CODE

**CITY OF REDMOND
ORDINANCE NO. 2781**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING REDMOND ZONING CODE 21.12 OVERLAKE REGULATIONS, TO ALLOW FOR BUILDINGS UP TO NINE STORIES WITH THE POTENTIAL TO BUILD UP TO TEN STORIES WHEN TRANSFERABLE DEVELOPMENT RIGHTS ARE USED, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Growth Management Act requires that comprehensive plan and development regulations shall be subject to continuing evaluation and review; and

WHEREAS, Microsoft Corporation proposed amendments to the Redmond Zoning Code for height limits in a portion of the Overlake Business and Advanced Technology (OBAT) zone; and

WHEREAS, state agencies received 60-day notice of the proposed amendments to the Redmond Zoning Code on September 4, 2014; and

WHEREAS, a State Environmental Policy Act Checklist was prepared and a Determination of Non-Significance was issued on September 17, 2014; and

WHEREAS, the Planning Commission held study sessions on this topic on September 17 and September 24, 2014, and conducted a public hearing on this topic on September 24, 2014; and

WHEREAS, the City Council held a public meeting to review the recommended amendments on January 6, 2015; and

WHEREAS, the City of Redmond desires to amend the Redmond Zoning Code as it pertains to height limits in the OBAT zone.

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 Zoning Code.

Section 2. Findings and Conclusions. The City Council hereby adopts the findings and conclusions contained in the Planning Commission Report (City file no. LAND-2014-01335).

Section 3. Zoning Code Amended. The Redmond Zoning Code is amended as shown in Exhibit 1, incorporated herein by this reference as if set forth in full to this ordinance.

Section 4. 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 5. Effective Date. This ordinance shall become effective five days after its publication, or publication of a summary thereof, in the city's official newspaper, or as otherwise provided by law.

ADOPTED by the Redmond City Council this 3rd day of February, 2015.

CITY OF REDMOND



JOHN MARCHIONE, MAYOR

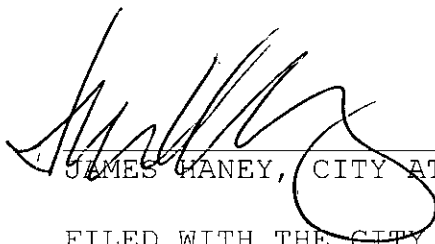
ATTEST:



MICHELLE M. HART, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:



JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK: January 20, 2015
PASSED BY THE CITY COUNCIL: February 3, 2015
SIGNED BY THE MAYOR: February 5, 2015
PUBLISHED: February 9, 2015
EFFECTIVE DATE: February 14, 2015
ORDINANCE NO. 2781

YES: Allen, Carson, Flynn, Myers, Shutz, Stilin

Exhibit 1: Amendments to Redmond Zoning Code

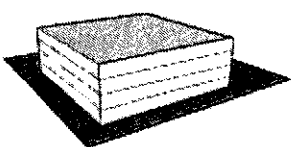
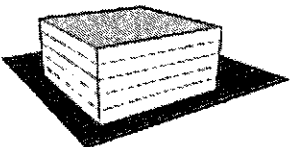
ARTICLE I ZONE BASED REGULATIONS

RZC 21.12 OVERLAKE REGULATIONS

21.12.180 OBAT Purpose

The purpose of the Overlake Business and Advanced Technology Zone is to: A) Implement the vision and policies for the Overlake Business and Advanced Technology zone set forth in the Redmond Comprehensive Plan; B) Provide a high-wage employment area that accommodates advanced technology, research and development, corporate offices, high technology manufacturing and similar uses to serve City and regional economic goals; C) Maintain a campus-like environment with significant areas of trees and open spaces; D) Provide for a low to moderate intensity of development to match available public facilities; E) Enhance compatibility between the uses in this zone and neighboring residential areas; F) Encourage walking, bicycling, carpools, vanpools, and transit use; and G) Provide opportunities for multifamily residential development and limited convenience commercial and service uses to help reduce motor vehicle trips in the area by serving employees from nearby businesses.

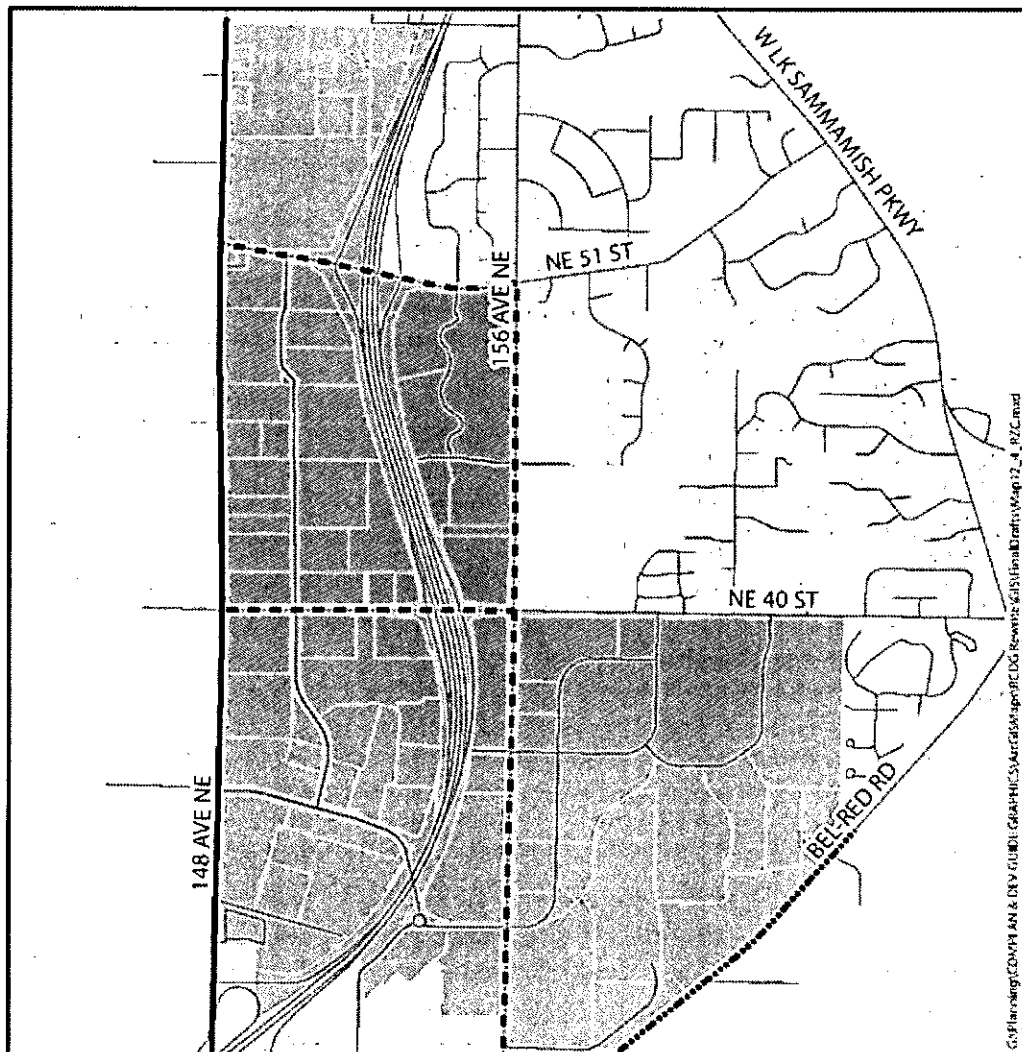
21.12.190 OBAT Maximum Development Yield

Table 21.12.190A Maximum Development Yield					
	Base	Bonuses Available, and Quantity	Max.	Illustrations	
Floor area ratio (FAR)	1.47	None in this example	1.47	Example of a 4-story building with FAR = 1.47	Example of 5-story building with FAR = 1.47
Height	4 stories (9 stories in 148-Foot Height Overlay area)	TDRs or GBP: 1 story	5 stories (10 stories in 148-Foot Height Overlay Area)		

21.12.200 OBAT Regulations Common to All Uses

A. Regulations Common to All Uses.

Table 21.12.200B Regulations Common to All Uses			
	Regulation	Standard	Exceptions
Minimum	Setbacks		
	Front and Street	10 feet	<ol style="list-style-type: none"> Improvements less than 30 inches above grade, including decks, patios, walks and driveways, are permitted in setbacks. Fences, landscaping, flagpoles, street furniture, transit shelters and slope stability structures are permitted in setback areas, provided that all other applicable requirements are met. No other structures, including accessory structures, are permitted in setback areas. See Map 12.4, <i>Overlake Business and Advanced Technology (OBAT) Setbacks</i>, below for front and street setbacks along 148th Avenue NE. Setbacks shall be: <ol style="list-style-type: none"> 20 feet for buildings 20 feet or less in height; or 30 feet for buildings greater than 20 feet in height. See Map 12.4 below for Front and Street setbacks along Bel-Red Road.
	Rear	20 feet	
	Side	30 feet	
	Landscaping		
Landscaping	20 percent		
Maximum	Setbacks		
	Front and Street	45 feet	Applies in the locations noted on Map 12.4 below only.
	Impervious surface area, Height, and FAR		
	Impervious surface area	80 percent	
	Height	Varies	<ol style="list-style-type: none"> 9-story buildings shall not exceed 134 feet 10-story buildings shall not exceed 148 feet
FAR	Varies	<ol style="list-style-type: none"> All legal lots are allowed the greater of either the maximum allowed FAR or 10,000 square feet of buildings provided all other applicable site requirements are met. The FAR for nonresidential and residential uses within a given development are individually calculated and may be added to together for a cumulative total, provided that the respective maximum FAR for each use is not exceeded, unless otherwise provided for. 	
	Drive-through	n/a	<ol style="list-style-type: none"> Drive-through facilities are prohibited except where expressly permitted in the Allowed Uses and Basic Development Standards table below.
Map 12.4 Overlake Business and Advanced Technology (OBAT) Setbacks			



C:\Planning\COMPLAN & DEV GUID\GRAPHIC\5\ARC\OBAT\OBAT\Map12_4_PZC.mxd

Legend	Special Front and Street Setback 20 or 30 FT MIN	Parcel
	45 FT MAX	OBAT Zone
	120 FT MIN	

Map 12.4
Overlake Business and Advanced Technology (OBAT) Setbacks
 Effective: April 16, 2011

0 500 1,000 1,500 2,000 2,500
 Feet

Note: Online users may click the map for a full-size version in PDF format.

B. Landscaping.

No changes.

C. Street Cross Sections.

No changes.

21.12.210 OBAT Allowed Uses and Basic Development Standards

A. **Allowed Uses and Basic Development Standards.** The following table (see below) contains the basic zoning regulations that apply to uses in the Overlake Business and Advanced Technology (OBAT) zone. To use the chart, read down the left-hand column titled "Use." When you have located the use that interests you, read across to find regulations that apply to that use. Uses are permitted unless otherwise specified in the Special Regulations column. Permitted uses may require land use permit approval. See RZC 21.76.020, *Overview of the Development Process*, for more information. Uses not listed are not permitted.

§	Use	Max. FAR	Max. Height	Parking Ratio: Unit of Measure (Min. required, Max. allowed)	Special Regulations
		Base; w / TDRs or GBP	Base; w / TDRs or GBP		
Residential					
1	Multifamily Structures	1.0; 1.0	5; 6	Unit (1.0, 2.25) plus 1 guest space per 4 units for projects of 6 units or more	
2	Mixed-Use Residential				
3	Dormitory			Bed (0.75, 0.75)	
4	SRO			Bedroom (0.5, 1.0)	
General sales or services					

**Table 21.12.210B
OBAT Allowed Uses and Basic Development Standards**

§	Use	Max. FAR	Max. Height	Parking Ratio: Unit of Measure (Min. required, Max. allowed)	Special Regulations
		Base; w / TDRs or GBP	Base; w / TDRs or GBP		
5	General Sales or Service	.40; .47	4; 5; 2; 10	1,000 SF GFA (2.0, 3.0)	<ol style="list-style-type: none"> The following uses are prohibited: <ol style="list-style-type: none"> Pet and animal sales or services; Veterinary services; Full-service restaurant; and Travel arrangement and reservation services. Convenience uses only. If open to the general public, use shall: <ol style="list-style-type: none"> Be located in multi-tenant buildings or as part of mixed-use developments; and, Not exceed 20,000 square feet of gross floor area on a single site or 30,000 square feet of gross floor area on a single site if an athletic club or fitness center is included. If open only to internal employees, use is not subject to the above constraints. Automobile sales, rental and service not allowed except for service to public transit or company-owned vehicles provided the following conditions are met: <ol style="list-style-type: none"> Requires a conditional use permit. See RZC 21.76.070.K, Conditional Use Permit. Service for company-owned vehicles shall be accessory to another use. Not permitted within a Transition Overlay. Gasoline service requires a conditional use permit. See RZC 21.76.070.K, Conditional Use Permit. The maximum number of parking stalls allowed may be increased to 5.0 per 1,000 square feet of gross floor area for the retail components of mixed-use developments.
6	Real Estate Services	.40; .47	4; 5; 2; 10	1,000 SF GFA (2.0, 3.0)	<ol style="list-style-type: none"> Property management services only.
Manufacturing and Wholesale Trade					
7	Manufacturing and Wholesale Trade	.40; .47	4; 5; 2; 10	1,000 SF GFA (2.0, 3.0)	<ol style="list-style-type: none"> Outdoor storage not permitted.
Transportation, Communication, Information, and Utilities					
8	Road, Ground Passenger and Transit Transportation			1,000 SF GFA (2.0, 3.0)	
9	Rapid charging station	.40; .47	4; 5; 2; 10	Adequate to accommodate peak use	<ol style="list-style-type: none"> Shall not be located on a parcel that abuts a residential zone.
10	Battery exchange station				
11	Communications and Information			1,000 SF GFA (2.0, 3.0)	

**Table 21.12.210B
OBAT Allowed Uses and Basic Development Standards**

§	Use	Max. FAR	Max. Height	Parking Ratio: Unit of Measure (Min. required, Max. allowed)	Special Regulations
		Base; w / TDRs or GBP	Base; w / TDRs or GBP		
12	Local Utilities; Regional Utilities			Adequate to accommodate peak use	1. Requires a conditional use permit if 40 feet in height or greater. See RZC 21.76.070.K, <i>Conditional Use Permit</i> .
13	Large Satellite Dishes/Amateur Radio Tower				1. See RZC 21.56, <i>Wireless Communication Facilities</i> .
14	Antenna Array and Base Station	.40; .47	49; 510	Adequate to accommodate peak use	1. A Conditional Use Permit may be required; see RZC 21.56, <i>Wireless Communication Facilities</i> , for specific development requirements.
15	Antenna Support Structures				1. Requires a conditional use permit (see RZC 21.76.070.K, <i>Conditional Use Permit</i>) and must comply with RZC 21.56, <i>Wireless Communication Facilities</i> .
Arts, Entertainment, and Recreation					
16	Arts, Entertainment, and Recreation	.40; .47	49; 510	1,000 SF GFA (2.0, 3.0)	
Education, Public Administration, Health Care, and other Institutions					
17	Education, Public Administration, Health Care, and other Institutions except those listed below	.40; .47	49; 510	See Special Regulations	1. Associations, nonprofit organizations, etc., are not permitted. 2. Parking: The number of spaces must be adequate to accommodate the peak shift as determined by the Administrator after considering the probable number of employees, etc.
18	Day Care Center	.47; .47		Employee on maximum shift (1.0, 1.0)	1. Play equipment shall be located no less than 10 feet from any property line. 2. Shall not be located closer than 300 feet from existing day care operation in residential zone. 3. If built at greater than 0.40 FAR without use of TDRs, deed restrictions shall be placed on building space to require space is used permanently for a day care center and no other uses.

**Table 21.12.210B
OBAT Allowed Uses and Basic Development Standards**

§	Use	Max. FAR	Max. Height	Parking Ratio: Unit of Measure (Min. required, Max. allowed)	Special Regulations
		Base; w / TDRs or GBP	Base; w / TDRs or GBP		
19	Religious Institutions	.40; .47		Assembly uses: 1,000 sq ft gfa (10.0, 10.0), or number of fixed seats (0.2, 0.2) Other uses: 1,000 sq ft gfa (2.0, 3.0)	<ol style="list-style-type: none"> 1. A seat is one fixed seat or 18 inches on a pew or bench or seven square feet in the general assembly area (including aisle space, but excluding stage, podium, lobby, and space for musical instruments). 2. Storage locations of buses/vans over 10,000 gvw shall be shown on a plan and screened from neighboring properties or right-of-way. 3. Decorative fencing or decorative walls and landscaping, on side or back lots are required when necessary to prevent visual impacts on neighboring properties and public shoreline areas. 4. Steeple, bell towers, crosses or other symbolic religious icons mounted on the rooftop may exceed the maximum shoreline building height by 15 feet. (SMP) 5. Maximum height for separate structures on-site, such as bell towers, crosses, statuary, or other symbolic religious icons is 50 feet. 6. A traffic mitigation plan is required. The plan shall address traffic control, parking management (including mitigation of overflow parking into adjoining residential areas), and traffic movement to the arterial street system. 7. Requires a conditional use permit if 750 seats or greater. See RZC 21.76.070.K, <i>Conditional Use Permit</i>.
Construction-Related Businesses					
20	Construction-Related Businesses	.40; .47	49; <u>510</u>	1,000 SF GFA (2.0, 3.0)	<ol style="list-style-type: none"> 1. Shall not include a showroom open to the general public.

B. *Repealed.*

C. **Building Height.**

1. Height Tradeoff.

a. The maximum building height on a site may be exceeded when building height reductions are required at building edges, along a street or park, to achieve better design and stepped building height through the development approval process. The amount of floor area that is allowed to exceed the prescribed maximum building height (without use of bonuses or transfer of development rights) shall not exceed (without use of bonuses or transfer of development rights) shall not exceed the floor area that was removed or omitted to create the stepped building façade and shall not exceed one additional floor above the prescribed maximum building height.

a.b. In no case shall a building exceed 9 stories without TDRs or 10 stories with TDRs.

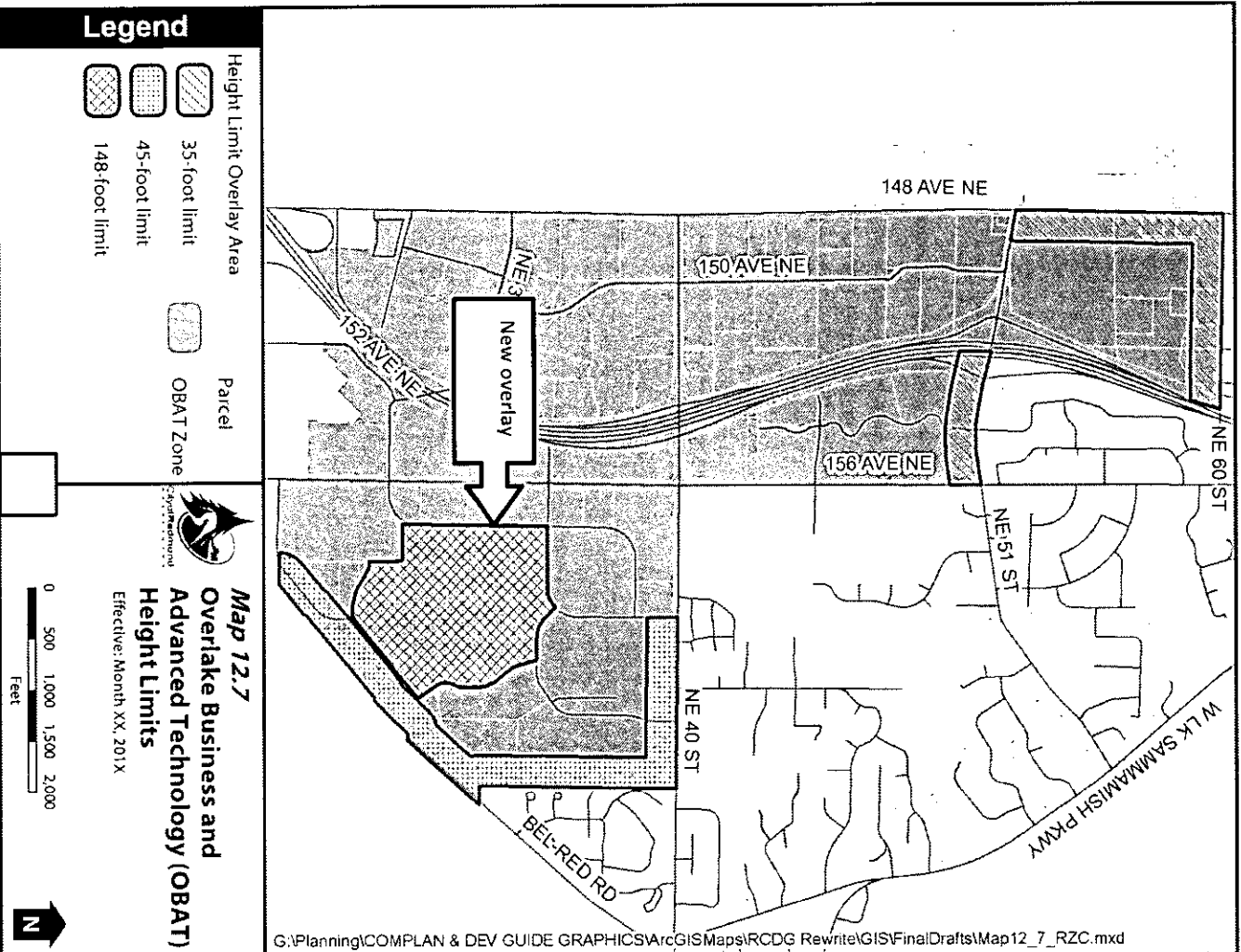
2. Height Limit Overlay.

a. Purpose. This section establishes special height limits as shown on Map 12.7, Overlake Business and Advanced Technology (OBAT) Height Limits. The intent of this requirement

is to promote compatibility on the edges of zones that allow more intense uses than abutting zones and to minimize adverse impacts such as glare.

b. Map 12.7-Overlake Business and Advanced Technology (OBAT) Height Limits.

REVISED Map 12.7
Overlake Business and Advanced Technology (OBAT) Height Limits



Note: Online users may click the map for a full-size version in PDF format.

c. Requirements.

1. The Height Limit Overlay Map shows two kinds of overlays:

a. Reduced limits on maximum height for structures located within 300 feet of the OBAT Zone boundary with lower intensity zones; and

~~a.~~ b. Increased limits on maximum height for structures in an interior portion of the OBAT zone.

2. 45-Foot Height Limit Overlay. Within this overlay, maximum structure height shall be 45 feet or three stories, whichever is lower.

3. 35-Foot Height Limit Overlay.

a. Within this overlay, maximum structure height shall be 35 feet.

b. The maximum structure height may be increased up to 45 feet if at least one of the following features is provided;

1. At least one quarter of the on-site parking is provided in underground parking structures.

2. The existing grade under the proposed structure pad is at least 10 feet below the grade at the property lines of all properties that border or are across the street from the development site.

3. Transfer of development rights or Green Building and Green Infrastructure Incentive Program (GBP) are used to increase structure height.

4. 148-Foot Height Limit Overlay. Within this overlay, maximum structure height shall be 9 stories and 134 feet without TDRs or 10 stories and 148 feet with TDRs.

3. Allowed structure height may be further increased within the 35-foot and 45-foot is-overlays if the following conditions are met:

c. The modified building height does not exceed the maximum height permitted by the RZC 21.12.210, OBAT Allowed Uses and Basic Development Standards.

d. The proposal with the height allowance will provide an equivalent or better transition to lower height residential zones as the limit imposed through the height overlay. Permit decision maker may consider:

1. Landscape features, such as retention or enhancement of vegetation;

2. Building design features, such as massing or roofline;

3. Site design features, such as use of landscaped berms; or

4. Other features that meet the intent of this section. (Ord. 2642)

No changes to remainder of RZC 21.12