

## RZC 21.76 Review Procedures

*(Sections 21.76.010 through 21.76.060 are hereby maintained and not amended as part of City File No. L100393)*

*(Sections 21.76.080 through 21.76.100 are hereby maintained and not amended as part of City File No. L100393)*

### 21.76.070 LAND USE ACTIONS AND DECISION CRITERIA

(A) Purpose. The purpose of this chapter is to establish the procedures (if different than the standard review type) and the decision criteria for each development application or special procedure. With the exception of Criteria Applicable to all Land Use Permits in RZC 21.76.070(B) below, the actions are listed in alphabetical order.

(B) Criteria Applicable to All Land Use Permits.

(1) Purpose. The purpose of this section is to provide general criteria that ensure overall consistency between proposed land use permits and applicable regulations and the Comprehensive Plan

(2) Scope. The decision criteria below shall apply to all land use permits.

(3) Criteria.

(a) Consistency. Land use permits are reviewed by the City to determine consistency between the proposed project and the applicable regulations and Comprehensive Plan provisions.

(i) A proposed project's consistency with the City's development regulations shall be determined by consideration of:

(A.) The type of land use;

(B.) The level of development, such as units per acre or other measures of density;

(C.) Availability of infrastructure, including public facilities and services needed to serve the development; and

(D.) The character of the development, such as development standards.

(ii) Upon review of a land use permit and accompanying site plan, the decision-maker shall determine whether building design and/or site design complies with the following provisions:

(A.) The Comprehensive Plan, RZC 21.02, Preface, RZC Article I, Zone Based Regulations, RZC Article II, Citywide Regulations, and the Appendices that carry out these titles;

(B.) The provisions of RMC Title 15 that affect building location and general site design;

(C.) The Washington State Environmental Policy Act (SEPA) if not otherwise satisfied;

(D.) RZC Article VI, Review Procedures, to the extent it provides the procedures to ensure compliance with the requirements in subsections (a)(ii)(B) and (C) of this section.

(E.) Both within and outside Transition Overlays, decision makers authorized by the RZC to decide upon discretionary approvals, may condition such 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.



- (b) Limitations on Review. During project review, the City shall not re-examine alternatives to or hear appeals on the items identified in subsection (a)(i) of this section, except for issues of code interpretation.
- (c) Burden and Nature of Proof. The burden of proof for demonstrating that the application is consistent with the applicable regulations is on the proponent. The project application must be supported by proof that it conforms to the applicable elements of the City's development regulations, Comprehensive Plan and that any significant adverse environmental impacts have been adequately addressed.

(C) Administrative Design Flexibility.

- (1) Purpose. The purpose of this section is to promote creativity in site design, allow flexibility in the application of standards in certain zones, and to achieve the creation of sites and uses that may benefit the public by the application of flexible standards not otherwise possible under conventional development regulations.
- (2) Scope. Administrative design flexibility shall only be considered for adjusting standards in the categories listed below for each type of land use. Requests for adjustment to standards not listed shall be processed as a variance as set forth in RZC 21.76.070(BB), Variances.
- (3) Process Type. Requests for administrative design flexibility shall be processed and decided as part of the decision on the underlying permit.
- (4) Decision Criteria.
  - (a) Criteria for Projects other than in Downtown or Overlake Districts.
    - (i) Criteria for Non-Single-Family Projects.
      - (A.) Superiority in achieving the Comprehensive Plan neighborhood goals and policies, and superior design in terms of architecture, building materials, site design, landscaping and open space. Projects shall seek to create greater amounts of privacy, maintenance of views, preservation of trees, preservation of historic resources, vegetation and habitat, and provide for adequate security.
      - (B.) The applicant must prove that the project meets the criteria outlined above, based on:
        - (i.) Measurable improvements, such as an increase in the number of trees saved, increased amount of open space, or increased landscaping area;
        - (ii.) Objective improvements, such as increased solar access or increased privacy; and
        - (iii.) Conceptual architectural sketches, showing two sketches (with and without administrative design flexibility), indicating the improvement gained by application of the administrative design flexibility.
    - (ii) Criteria for Additions or Modifications to Existing Single Family Structures.
      - (A.) The modification will not have a significant adverse impact on adjoining property owners;
      - (B.) The modification shall not be unduly injurious to property owners in the vicinity or their enjoyment of their property;
      - (C.) The request is due to special physical circumstances relating to the size, shape, topography, location or surroundings of the subject property;
      - (D.) The project otherwise complies with the requirements of the RZC.
- (5) Residential Flexible Standards. Administrative design flexibility in residential zones is limited to the following development standards:
  - (a) Setbacks. Front, side and rear setbacks may be reduced up to 20 percent in all residential zones, provided that setbacks from Lake Sammamish shall not be eligible for design flexibility. A minimum of 18 feet of driveway shall be provided between the garage, carport, or other fenced parking area and the street property line except when alleys are used for vehicular access.



(b) Impervious Surface. In the R-8 through R-20 zones, the impervious surface area can be increased an additional five percent.

(6) Commercial Flexible Standards. Administrative design flexibility is limited to the Neighborhood Commercial zones (NC-1 and NC-2) and General Commercial (GC) zoning districts. Administrative design flexibility is further limited to the following standards:

(a) Lot coverage/impervious surface may be increased an additional five percent.

(b) Minimum building setbacks may be reduced up to 20 percent.

(7) Business and Manufacturing Park Flexible Standards. Administrative design flexibility is limited to the Business Park (BP), Manufacturing (MP) and Industrial (I) zones. Administrative design flexibility is further limited to the following standards:

(a) Lot coverage/impervious surface may be increased an additional five percent.

(b) Minimum building setbacks may be reduced up to 20 percent.

(8) Decision Criteria for Downtown and Overlake.

(a) Deviation from standards listed in subsection (b) below may be allowed if an applicant demonstrates that the deviations would result in a development that:

(i) Better meets the intent of the goals and policies for the zone in which the site is located;

(ii) Is superior in design in terms of architecture, building materials, site design, landscaping and open space; and

(iii) Provides benefit in terms of desired use and activity.

(b) Standards that may be modified by application of administrative design flexibility in Downtown and Overlake are as follows:

(i) Parking Lot Location. Requirements for the location of on-site parking may be modified within the development (except for parking within residential yard areas) to provide for greater joint-use and quasi-public parking opportunities and uses which are highly desirable in the subject design area.

(ii) For Downtown, mid-block pedestrian walkways and vehicular lanes, per RZC 21.10.150, Downtown Pedestrian System, may be modified to allow variations in locations and minimum widths for these items to provide superiority in site design and function which benefits both the property owner and public.

(iii) Street standards for attached dwelling unit subdivision developments.

(iv) Other Site Requirements and Standards. All other site requirements and standards except density, number of stories, and FAR may be modified within the development to provide superiority in site design; i.e., greater amounts of privacy, maintenance of views, greater environmental benefit, distinctive and high quality of design, improved pedestrian access, preservation of vegetation, provision of usable open space, adequate light, air, and security.

(D) Administrative Interpretation.

(1) Purpose. The purpose of this section is to provide for the interpretation of the Zoning Code. The primary objective of administrative interpretation is to ascertain the intent of the code provision at issue and to give effect to that intent. Administrative interpretation shall not be used to amend or change the code.

(2) Scope. The RZC shall be interpreted whenever any of its provisions, or the application of such provisions to any specific set of circumstances, is ambiguous; i.e., where the Code is subject to two or more reasonable interpretations.



(3) Procedures. The Code Administrator shall be responsible for interpreting the provisions of this code, except where expressly provided otherwise. Any interested person may apply for an interpretation of this code. Applications for administrative interpretation are processed as Type I reviews.

(4) Decision Criteria.

- (a) The provisions of the RZC shall be considered to be the minimum requirements adopted for the promotion and protection of the public health, safety, and general welfare, and all administrative interpretations shall be made in this context.
- (b) The RZC is not intended to interfere with, abrogate or annul any easements, covenants, or other agreements between parties, except where the agreements may conflict with the enforcement of the RZC.
- (c) In the case of conflicts between parts of the RZC or between the RZC and other rules, regulations, resolutions, ordinances or statutes lawfully adopted by other authority having jurisdiction within the City, the most restrictive shall govern. In the case of conflicts between the text, maps, and charts of the RZC, the text shall govern unless otherwise stated.
- (d) Interpretation of the Official Zoning Map shall be as set forth in RZC 21.04.020(B).
- (e) Interpretation of the Redmond Comprehensive Plan is to be made recognizing that the boundaries of the plan categories are not exact but illustrate general relationships and locations.
- (f) Administrative interpretation shall utilize generally recognized principles of statutory and ordinance interpretation adopted by the courts of this state.

(E) Alteration of Geologic Hazard Areas.

- (1) Purpose. The purpose of this section is to provide for the construction of streets and/or utilities that are identified on an adopted City plan, where no reasonable alternative to locating in a Landslide Hazard Area exists.
- (2) Scope. An Alteration of Geologic Hazard Areas is an exception for streets and utilities identified in an adopted plan as of October 1, 1997 (such as the Comprehensive Plan, Capital Facility Plan, Transportation Improvement Plan or Utility Facility Plan) from strict adherence to the Critical Areas Chapter of the RZC as it relates to Landslide Hazard Areas.

(3) Decision Criteria.

- (a) There must be no reasonable alternative to locating in a Landslide Hazard Area. Alternative locations which would avoid impact to the Landslide Hazard Area must be shown to be economically or functionally infeasible.
- (b) A geotechnical evaluation must be conducted to identify the risks of damage from the proposal, both on-site and off-site, and to identify measures to eliminate or reduce risks. The proposal must not increase the risk of occurrence of the potential geologic hazard.
- (c) Impacts shall be minimized by limiting the magnitude of the proposed construction to the extent possible. Any impacts must be eliminated or mitigated by repairing, rehabilitating, restoring, replacing, or providing substitute resources consistent with the mitigation and performance standards set forth in RZC 21.64.010(L) and (M).

(F) Archaeological Sites. The decision criteria for Archeological Sites are found in RZC 21.30.

(G) Binding Site Plan. The decision criteria for binding site plans are found in RZC Article V.

(H) Boundary Line Adjustment. The decision criteria for boundary line adjustments are found RZC Article V.

(I) Certificate of Appropriateness. The decision criteria for Certificate of Appropriateness are found in RZC 21.30.

(J) Comprehensive Plan Map and/or Policy Amendment.



- (1) Purpose. The purpose of this section is to provide a mechanism to allow modifications to the City's Comprehensive Plan Map or policies.
- (2) Procedure. The Growth Management Act, RCW 36.70A, provides that comprehensive plan amendments can occur no more than once a year with limited exceptions. For any given year, a due date is assigned for receiving applications. Applications received after the due date will be added to the comprehensive plan docket and considered for the following year's amendments. All Comprehensive Land Use Plan Map amendments shall also be accompanied by concurrent Zoning Map amendments.
- (3) Amendment Criteria. Redmond Comprehensive Plan Policy PI-16 sets out the following comprehensive plan amendment criteria:
  - (a) Consistency with the Growth Management Act (GMA), the State of Washington Department of Commerce Procedural Criteria, and the King County Countywide Planning Policies (CPPs);
  - (b) Consistency with the Comprehensive Plan policies and the designation criteria;
  - (c) Consistency with the preferred growth and development pattern in Section B of the Land Use Element of the Comprehensive Plan;
  - (d) The capability of the land including the prevalence of critical areas;
  - (e) The capacity of public facilities and whether public facilities and services can be provided cost-effectively at the intensity allowed by the designation;
  - (f) Whether the allowed uses are compatible with nearby uses;
  - (g) If the purpose of the amendment is to change the allowed use in an area, the need for the land uses that would be allowed by the Comprehensive Plan amendment and whether the amendment would result in the loss of the capacity to meet other needed land uses, especially whether the proposed amendment complies with the policy on no net loss of housing capacity; and
  - (h) For issues that have been considered within the last four annual updates or Comprehensive Land Use Plan amendments, whether there has been a change in circumstances that makes the proposed plan designation or policy change appropriate or whether the amendment is needed to remedy a mistake.
- (4) Exemptions. Changes in the organization, format, appearance, profiles, narrative, illustrations, examples or other nonmaterial changes to the Comprehensive Plan may be made by the Department of Planning and Community Development and are exempt from this section. Amendments to facility plans for City-managed utilities shall follow those procedures described in the Utilities Element of the Redmond Comprehensive Plan.
- (5) Approval by Ordinance. All amendments shall be approved by ordinance by the Redmond City Council.
- (6) Proposed Amendments for a Neighborhood Commercial Designation. The following additional procedures apply for proposed amendments to the Comprehensive Land Use Plan Map and Zoning Map for a Neighborhood Commercial designation.
  - (a) Conceptual Site Plan. The applicant shall include with the application a conceptual site plan indicating proposed land uses, vehicular and non-motorized access and parking, building height, building entrances, landscaping, open space, and community gathering areas. Architectural design, exact building shapes and other detailed information required in a site plan shall not be required. The plan shall demonstrate feasibility of compliance with Redmond's Comprehensive Plan policies and Redmond Zoning Code regulations associated with Neighborhood Commercial land use and zoning designation (RZC 21.14.010 Neighborhood Commercial 1 or RZC 21.14.015 Neighborhood Commercial 2).
  - (b) Neighborhood Meeting. Applicants are required to hold a neighborhood meeting between two and eight weeks following submittal of the application. City staff shall be invited to attend the meeting. Notice of the meeting shall be mailed at least 21 days prior to the meeting to all property owners and residents within the respective neighborhood boundaries of the proposed project and to any other person known to the City to have expressed an interest in the individual amendment. The notice shall include the conceptual site plan.



Neighborhood meeting purpose and requirements shall also apply, RZC 21.76.060(C), Neighborhood Meetings.

(c) Availability of Application. The application, including the conceptual site plan shall be available for public review at the Development Services Center for a minimum of fourteen days prior to the neighborhood meeting.

(d) Comments from Neighborhood Meeting. The applicant shall consider the comments received at the neighborhood meeting and shall consider recommendations from City staff, if any, regarding potential revisions to the conceptual site plan to address neighborhood concerns. The applicant shall either (a) submit a revised conceptual site plan incorporating any such revisions, or (b) advise the City that no revisions will be made, within 60 days from the date of the neighborhood meeting. If the applicant does not resubmit or notify the City within the 60 day period, the City will process the application as submitted without revisions.

(e) Neighborhood Commercial Review Panel.

(a) After receipt of the revised conceptual site plan or after 60 days has passed from the date of the neighborhood meeting, the City shall schedule the application for review by a Neighborhood Commercial Review Panel consisting of the following representatives to be appointed by the Mayor:

(i) One member of the Redmond Planning Commission;

(ii) Two members of the Redmond Design Review Board;

(iii) One member of the Redmond Technical Committee;

(iv) Three citizen representatives, to be selected according to the following order of priority:

(A.) Members of any active Citizen Advisory Committee (CAC) for the neighborhood in which the proposal is located; or

(B.) Members of any former CAC for the neighborhood in which the proposal is located;

(v) In instances where there is no representative who meets the criteria set forth in subsection (E)(4)(a)(iv) of this section, the Mayor may appoint a member of a Redmond board, commission, or committee or an active civic leader from the neighborhood in which the project is located.

(vi) In addition to the seven representatives identified above, a Youth Advocate member is encouraged to participate on the review panel as a non-voting member.

(b) The Neighborhood Commercial Review Panel shall provide a recommendation to the Technical Committee regarding whether the application for a Comprehensive Land Use Plan Map and Zoning Map amendment should be approved, modified or denied and shall include any recommended conditions for approval.

(c) The Neighborhood Commercial Review Panel's recommendation shall be included as an attachment to the Technical Committee Report and to the Planning Commission Report, and referenced in the findings of fact.

(K) Conditional Use Permit.

(1) Purpose. The purpose of this section is to establish the criteria that the City will use in making a decision upon an application for a conditional use permit. A conditional use is a use which may be appropriate on a specific parcel of land within a given zoning district under certain conditions, but which is not appropriate on all parcels within the same zoning district. A conditional use permit allows the City to consider the appropriateness of the use on a specific parcel in terms of compatibility with other uses in the same zone and vicinity and to impose conditions to ensure such compatibility.



- (2) Scope. A Conditional Use Permit shall be required for any land use designated as requiring a Conditional Use Permit in the applicable permitted use chart, unless otherwise noted in the chart.
- (3) Phasing. A project may be developed in phases, if more than three years have lapsed since final approval of the project, uncompleted divisions shall be subject to the current City standards.
- (4) Decision Criteria. The City may approve or approve with modifications the conditional use only if the applicant demonstrates that:
  - (a) The conditional use is consistent with the RZC and the Comprehensive Plan;
  - (b) The conditional use is designed in a manner which is compatible with and responds to the existing or intended character, appearance, quality of development, and physical characteristics of the subject property and immediate vicinity;
  - (c) The location, size and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties;
  - (d) The type of use, hours of operation, and appropriateness of the use in relation to adjacent uses minimize unusual hazards or characteristics of the use that would have adverse impacts;
  - (e) The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;
  - (f) The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions are established to mitigate adverse impacts on such facilities.

(L) Development Agreement.

- (1) Purpose. The purpose of this section is to provide a mechanism whereby developers and the City can be certain that upon approval a project may proceed in accordance with existing policies and regulations and that public facilities and services will be adequate to serve existing and new development at such time as development occurs. Development agreements are authorized by RCW 36.70B.170, *et seq.*
- (2) Scope. Any person having ownership or control of real property within the City desiring to enter may apply for a development agreement in order to set forth the development standards and other provisions that will apply to and govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement.
- (3) Decision Criteria. A development agreement may be entered into if the following criteria are met:
  - (a) The agreement must be consistent with the applicable development regulations for the property;
  - (b) All impacts of the development must be mitigated by the measures set forth in the agreement or the agreement must provide a mechanism for analyzing and mitigating such impacts as they occur;
  - (c) The agreement must reserve the City's authority to impose new or different regulations to the extent required by a serious threat to public health and safety;
  - (d) The duration of the agreement must be reasonable in light of the anticipated build-out period for the proposed development and the needs of the City; and
  - (e) The agreement must be in the public interest and provide a public benefit.

(M) Essential Public Facilities.

- (1) Purpose. The purpose of this section is, as required by State law, to provide a process to site necessary public uses that may otherwise be difficult to site. This process also provides for greater involvement of the community and identifies and minimizes adverse impacts. Essential public facilities are defined in RZC Article VII.



- (2) Scope. This section establishes the criteria that the City will use in making a decision upon an application for an essential public facility. This section provides an alternative process for permitting those uses which qualify as essential public facilities under the criteria set forth below. A proposal may be reviewed as an essential public facility under this section when the applicant makes a written request for such review to the Administrator, or when the Administrator requires that a proposal be reviewed as an essential public facility. A proposal qualifies as an essential public facility when:
- (a) The facility meets the definition of Essential Public Facility.
  - (b) The facility is a type difficult to site because of one of the following:
    - (i) The facility needs a type of site of which there are few sites,
    - (ii) The facility can locate only near another public facility,
    - (iii) The facility has or is generally perceived by the public to have significant adverse impacts that make it difficult to site, or
    - (iv) The facility is of a type that has been difficult to site in the past;
  - (c) There is need for the facility and Redmond is in the facility service area.
- (3) Procedure. Applications that seek approval for an essential public facility shall follow the procedures established in RZC 21.76.050(l) for a Type IV permit process. In addition to the decision criteria described in subsection 5 below, secure community transition facilities shall also be consistent with subsection 7 below.
- (4) Review Process-Alternative Sites/Public Involvement.
- (a) An applicant may have one or more alternative sites considered at the same time during this process.
  - (b) The Administrator has the authority to require the consideration of sites outside the City of Redmond, except where the facility is a state or regional facility for which a siting decision has already been made.
  - (c) A public involvement process shall be required. The purpose of the public involvement process is to involve the persons within the zone of likely and foreseeable impacts, and to assist in the development of potential incentives or modifications which would make siting of that facility more acceptable.
    - (i) The applicant shall propose an acceptable public involvement process to be reviewed and approved by the Administrator.
    - (ii) Public involvement activities shall be conducted by and paid for by the applicant.
    - (iii) The public involvement process shall be initiated by the applicant as early as feasibly possible.
  - (d) The Administrator may require a multi-jurisdictional review process if the facility serves a regional, countywide, statewide, or national need, if such a process has not been conducted prior to submittal of the application. If this process is required, the applicant shall design an acceptable process to be reviewed and approved by the Administrator. If such a process has already been conducted, no additional multi-jurisdictional process will be required. Applicants shall be required to pay for any process conducted. This requirement is not applicable to secure community transition facilities.
  - (e) An analysis of the facility's impact on City finances shall be undertaken.
- (5) Decision Criteria.
- (a) Except where the facility is a state or regional facility for which a siting decision has already been made, alternative sites covering the service area of the proposed facility must be considered, and the site proposed must be the most appropriate site taking into consideration the requirements of the facility and the impacts on surrounding uses and the environment;



- (b) A determination must be made that there is a public need for the facility, unless the facility is a state or regional facility for which need has already been established;
  - (c) The impact of the facility on the surrounding uses and environment, the City and the region must be minimized;
  - (d) Conditions and/or mitigation measures relative to the design and/or operation of the facility must be identified and imposed to make the facility compatible with the surrounding uses and the environment to the extent practicable;
  - (e) A package of incentives must be developed that would make siting the facility within the community more acceptable;
  - (f) A determination must be made as to whether the factors that make the facility difficult to site can be modified to increase the range of available sites or to minimize impacts on affected areas and the environment, except where the facility is a state or regional facility for which a siting decision has already been made;
  - (g) The proposal shall comply with any applicable mitigation measures identified in the financial impact analysis;
  - (h) The proposed facility must be consistent with the Redmond Comprehensive Plan, unless the Comprehensive Plan would preclude the location of such facilities anywhere within the City;
  - (i) The facility must comply with any applicable state siting and permitting requirements; and
  - (j) Alternative sites shall cover the service area of the proposed facility. This criteria is not applicable to secure community transition facilities.
- (6) The City shall not deny or condition an essential public facility in such a manner as to preclude the siting or expansion of any state or regional essential public facility in the City. In the event that a state or regional essential public facility cannot, by the imposition of reasonable conditions of approval, be made to meet the criteria in subsection (5) above, the City shall approve the siting or expansion of the state or regional essential public facility with such reasonable conditions of approval as may allow the essential public facility to meet the criteria to the maximum extent practicable.
- (7) Secure Community Transition Facilities.
- (a) Purpose and Intent. The purpose and intent of requiring standards for secure community transition facilities (SCTFs) is to comply with Chapter 71.09 RCW, while maintaining compatibility with other land use and services permitted within the City.
  - (b) Applicability. The standards in this section apply to all SCTFs, and are not subject to variance. These standards are in addition to the general standards applicable to essential public facilities found elsewhere in this subsection M.
  - (c) Siting Criteria.
    - (i) SCTFs should be located near transit facilities, where practical.
    - (ii) SCTFs are only permitted in the areas designated on the Secure Community Transition Facilities Permitted Locations Map, adopted by this reference and set forth as paragraph (f) of this section.
    - (iii) No SCTF shall be permitted to locate within one mile, as measured nearest property line to nearest property line, from any existing SCTF, work release, pre-release, or similar facility, as defined in RCW 71.09.250(8).
  - (d) On-Site Facilities Required. Each SCTF shall have the capability to provide on-site dining, on-site laundry or laundry service, and on-site recreation facilities to serve the residents.
  - (e) Application materials. In addition to the regular application materials required for land use review, an application for an SCTF shall also include:



- (i) A description of the siting process used for the SCTF, including alternative locations considered;
- (ii) An analysis showing that consideration was given to potential sites such that the siting of the facility will not result in a concentration of similar facilities in a particular neighborhood, community, jurisdiction, or region;
- (iii) Proposed mitigation measures, including the use of buffering from adjoining uses;
- (iv) A general overview of planned security for the facility; and
- (v) A schedule and analysis of all public input solicited or to be solicited during the siting process; and
- (f) Secure Community Transition Facilities Permitted Locations Map.







(N) Final Plat. The decision criteria for Final Plats are found in RZC Article V.

(O) Historic Landmark Designation. The decision criteria for Historic Landmark Designations are found in RZC 21.30.

(P) Master Planned Development.

(1) Purpose. The purpose of this section is to provide a mechanism to allow the master planning of sites where development is proposed to occur in phases, where coordination of public facilities is needed, when a master plan is needed to determine how best to develop the area, when a master plan is needed to integrate various uses, or when multiple ownerships are to be coordinated into a unified development. The MPD process establishes conditions of approval for all concurrent and subsequent development applications and thereby ensures that infrastructure, public services, and open space and recreation areas will be provided in a timely manner and be tailored to the MPD site. The MPD process also provides long-term guidance for a large area so that the continuity of development is maintained.

(2) Applicability. MPDs are:

- (a) Allowed in all zones for projects encompassing at least three acres (for multifamily, commercial, and mixed use) or 50 dwelling units (for single-family);
- (b) Required in the Overlake Village Subarea for all projects encompassing at least three acres;
- (c) Optional in the Overlake Village Subarea and in Downtown zones for projects encompassing less than three acres;
- (d) Required in the East Sammamish Valley area pursuant to RZC 21.08.190(B); and
- (e) Required in the Southeast Redmond neighborhood pursuant to RZC 21.08.200(B)(3).

(3) Scope of Approval. The MPD approval shall constitute a limitation on the use and design of the site.

- (a) Approval Time Frame for MPDs Located in the Overlake Village Subarea and for MPDs Greater than 10 Acres Located in Downtown. Development plans may include multiple phases to be developed successively over a period of no more than 10 years. If after 10 years uncompleted phases remain, the applicant may request of the Technical Committee one extension of no more than five years. The Technical Committee may grant the extension if the applicant demonstrates economic hardship, change of ownership, unanticipated construction or site design problems, or other circumstances beyond his/her control determined acceptable by the Technical Committee. The MPD approval shall expire no more than 15 years from the original approval.
- (b) Approval Time Frame for All Other MPDs. Development plans may include multiple phases to be developed successively over a period of no more than five years. If after five years uncompleted phases remain, the applicant may request of the Technical Committee one extension of no more than five years. The Technical Committee may grant the extension if the applicant demonstrates economic hardship, change of ownership, unanticipated construction and/or site design problems, or other circumstances beyond his/her control determined acceptable by the Technical Committee. The MPD approval shall expire no more than 10 years from the original approval.
- (c) MPD and Subdivision. An MPD that requires platting shall not receive final plat approval until the City has granted an MPD approval.
- (d) Approval Process. The approval process includes the City's review and consideration of the general project concept, including its intensity and overall design. Each land use permit associated with the MPD would then relate to specific site and development requirements as defined by the approval and the RZC.

(4) Procedures. MPDs shall be processed using the following procedures:

- (a) MPDs in the Overlake Village Subarea that are larger than three acres in size, and MPDs in the Downtown that are larger than ten acres in size, shall follow a Type V process as set forth in RZC 21.76.050(J).
  - (i) A recommendation from the Design Review Board shall be required.

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- (ii) The applicant shall host a neighborhood meeting early in the MPD review process.
  - (iii) MPD approval extensions, and MPD amendments that meet the criteria for administrative modifications, shall be reviewed under RZC 21.76.090.
- (b) All other master planned developments shall follow the process that is followed for the underlying land use permit. For example, an MPD that accompanies a site plan entitlement would follow a Type II process.
- (i) A neighborhood meeting to gather public input shall be held prior to the applicant making a formal application for the underlying land use permit.
  - (ii) MPD approval extensions, and MPD amendments that meet the criteria for administrative modifications, shall be reviewed under RZC 21.76.090(D), Administrative Modifications.
- (c) A Master Plan shall be completed prior to approval of any subdivision, binding plan or issuance of land use permit approval for any development excluding those alterations to a building that qualify for review as an Administrative Modification under RZC 21.76.090(D).
- (5) Decision Criteria. Master planned developments shall meet the following criteria:
- (a) All elements of the MPD shall support and be consistent with the RZC and all applicable Comprehensive Plan policies.
  - (b) MPDs proposed in the Overlake Village Subarea shall be consistent with the Overlake Village Master Plan and Implementation Strategy and shall include the items listed in (c) below in addition to the following:
    - (i) A height and bulk study that demonstrates how building mass, height and scale relate to open spaces, pedestrian pathways, streets and other buildings;
    - (ii) An analysis of shading effects of taller buildings (for sites smaller than three acres, only required if the Technical Committee or Design Review Board determine based upon the height and bulk study that analysis of shading effects is needed); and
    - (iii) Phasing plan for bonus features and affordable housing component showing that the completion of improvements of bonus features and affordable housing shall be commensurate with the progress on the construction of the development (for sites smaller than three acres, only required if the Technical Committee determines necessary).
  - (c) All MPDs shall include the items listed below:
    - (i) A design concept that is in conformance with all applicable Comprehensive Plan policies and development regulations;
    - (ii) Conceptual site plan indicating all proposed land uses (architectural design, exact building shapes, locations and other detailed information required in a site plan shall not be required);
    - (iii) Transportation and circulation plan indicating the layout and conceptual design of all streets, pedestrian pathways, parking, and location of transit facilities (as available), in plan view and cross section for streets (cross sections only required for projects in the Downtown);
    - (iv) Location of proposed space for parks, open space and any cultural facilities;
    - (v) Phasing plan describing anticipated time frames for development, and showing that completion of affordable housing shall be commensurate with the progress on the construction of the development;
    - (vi) Location of any environmentally critical areas;
    - (vii) Landscape and tree retention concepts, including consideration of the health and structural stability of retained trees, as determined by an arborist report;



- (viii) Preliminary plan indicating required connections to adjacent properties for transportation and open space systems;
- (ix) Overall approach to sustainable design, including consideration of the use of environmentally sustainable materials such as permeable pavement, where possible; and
- (x) Preliminary plan for other major infrastructure improvements (may be waived by the Technical Committee for sites in Overlake smaller than three acres).
- (d) The master plan must comply with all site requirements or design guidelines that would ordinarily apply to projects developed in the underlying zone.
- (e) Property included in an MPD must be under the same ownership, or there must be a signed agreement establishing control over multiple ownerships.
- (6) Vesting. Where MPDs are required, they must be completed in conjunction with a development agreement, as described in Chapter 36.70B RCW, in order to vest to development regulations in place at the time of the agreement. Where MPDs are optional, applicants wishing to vest may pursue a development agreement as described in Chapter 36.70B RCW.
- (7) Nothing in this section shall preclude the acquisition of land prior to application or approval of a master plan.
- (Q) Plat Alteration. Decision criteria for plat alterations are found in RZC Article V.
- (R) Plat Vacation. Decision criteria for plat vacations are found in RZC Article V.
- (S) Preliminary Plat. Decision criteria for preliminary plats are found in RZC Article V.
- (T) Reasonable Accommodations for Persons with Disabilities.
  - (1) Purpose. The purpose of this section is to comply with the requirements of the Federal Fair Housing Act and Fair Housing Act Amendments. The Federal Fair Housing Act and Fair Housing Act Amendments require that reasonable accommodations be made in the rules, policies, practices, or services, when such accommodations may be necessary to afford disabled persons equal opportunity to use and enjoy a dwelling. The rights created by the statutes are requirements of federal law and shall be interpreted and applied in accordance with federal case law.
  - (2) Scope. The Administrator or his or her designee is therefore authorized to make reasonable accommodations in the provisions of the RZC as such provisions apply to dwellings occupied or to be occupied by disabled persons as defined by the Federal Fair Housing Act and Fair Housing Act Amendments.
  - (3) Procedure.
    - (a) Request. A request for a reasonable accommodation in the form of a modification of the State Building Code including, but not limited to, the Group LI requirements may be made to the Administrator or his or her designee. Such accommodation shall be reasonable, personal to the applicant and granted pursuant to the definitions and requirements of the Fair Housing Act and Fair Housing Act Amendments as the same exists or is hereafter amended.
    - (b) Decision. The written decision of the Administrator or his or her designee shall be provided to the applicant and copies of the decision posted at the post office, city hall, library, and on or near the subject site, and mailed to all property owners within 300 feet of the subject site.
    - (c) Recording of Decision. Notice of the decision of the Administrator or his or her designee shall be recorded with the King County Department of Records and Elections to apprise prospective purchasers of the reasonable accommodation granted hereunder. All such notices shall conspicuously state that all accommodations granted under this section are personal to the applicant and that they expire when the applicant terminates his or her occupancy at the subject site.



- (d) Appeals. The decision of the Administrator or his or her designee shall be appealable only to King County Superior Court as provided in Chapter 36.70C RCW. The petition for review must be filed and served upon all necessary parties as set forth in State law and within the 21-day time period set forth in RCW 36.70C.040.
- (4) Criteria. The Administrator or his or her designee may determine that such reasonable accommodations may be necessary in order to comply with the Federal Fair Housing Act and Fair Housing Act Amendments. All such accommodations shall be personal to the applicant and shall expire immediately if the disabled applicant terminates occupancy at the subject site.
- (U) Reasonable Use Exception (Critical Areas/Hazardous Liquid Pipelines and High Capacity Transit Corridor Preservation)
- (1) Purpose. The purpose of this section is to provide a mechanism to allow relief from the Critical Areas regulations (RZC 21.64), Hazardous Liquid Pipeline regulations (RZC 21.26) or High Capacity Transit Corridor Preservation regulations (RZC 21.28) regulations when strict adherence to such regulations would deny all reasonable economic use of private property, or in the case of a public project, where application of the Critical Areas regulations would prohibit construction of the public project. In such cases, the applicant may seek a reasonable use exception from the standards listed above.
- (2) Scope. Any person seeking relief from strict adherence to the standards and regulations as provided in RZC 21.64, Critical Areas, or the strict application of setback requirements provided in RZC 21.26, Hazardous Liquid Pipelines or RZC 21.28, High Capacity Transit Corridor Preservation, may apply for a Reasonable Use Exception. If an applicant demonstrates to the satisfaction of the approval authority that strict application of these standards would deny all reasonable economic use of the property, or in the case of public projects, where the Critical Areas regulations would prohibit construction of the public project, development may be permitted subject to appropriate conditions.
- (3) Decision Criteria - Critical Areas Reasonable Economic Use (Private). An applicant for a private project seeking relief from the strict application of RZC 21.64, Critical Areas, shall demonstrate the following:
- (a) No reasonable economic use with less impact on the critical area and the buffer is feasible and reasonable; and
  - (b) There is no feasible and reasonable on-site alternative to the activities proposed, considering possible changes in site layout, reductions in density and similar factors. The application for an exception shall include an analysis of whether there is any practicable on-site alternative to the proposed development with less impact, including other allowed uses, reduction in density, phasing of project implementation, change in timing of activities, revision of lot layout, or related site planning considerations that would allow a reasonable use with less adverse impacts to the critical area; and
  - (c) The proposed activities, as conditioned, will result in the minimum possible impacts to affected critical areas; and
  - (d) The proposed development does not pose an unreasonable threat to the public health, safety or welfare on or off the development proposal site and is consistent with the public interest; and
  - (e) All reasonable mitigation measures have been implemented or assured; and
  - (f) Any development permitted in the critical area is the minimum necessary to allow for reasonable economic use of the property; and
  - (g) The inability to derive reasonable economic use is not the result of the applicant's actions.
- (4) Decision Criteria - Critical Areas Reasonable Use (Public Project). A public agency proposing a public project, where strict application of RZC 21.64, Critical Areas would prohibit construction of the public project, may apply for a Reasonable Use Exception. Requests for relief from RZC 21.64.060(D), Landslide Hazard Areas, shall apply for an Alteration of Geologic Hazard Areas as noted in RZC 21.76.070(E), Alteration of Geologic Hazard Areas. If the public agency or City department demonstrates to the satisfaction of the Technical Committee that strict application of these standards would deny construction of a public project, the project may be permitted subject to following criteria.



- (a) There is no feasible and reasonable on-site alternative to the activities proposed. The application for an exception shall include an analysis of whether there is any practicable on-site alternative to the proposed development with less impact, including reduction or revision of project scope, phasing of project implementation, change in timing of activities, or related site planning considerations that would allow a project design with less adverse impacts to the critical area; and
  - (b) The proposed public project, as conditioned, will result in the minimum possible impacts to affected critical areas; and
  - (c) The proposed public project does not pose an unreasonable threat to the public health, safety or welfare on or off the project site and is consistent with the public interest; and
  - (d) All reasonable mitigation measures have been implemented or assured; and
  - (e) Any development permitted in the critical area is the minimum necessary to construct and operate the public project.
  - (f) The public agency or appropriate City department shall provide an analysis of mitigation opportunities in order to evaluate whether the proposal minimizes the impact on the critical area.
  - (g) If a public project cannot be constructed without modification of required setbacks, building height and/or lot coverage limits, buffers, and landscape widths, the public agency or Department shall modify the fixed regulations only to the extent necessary to allow construction of the public project, while providing as much critical area protection as is possible under the circumstances and while maintaining appropriate public health and safety standards. Such modifications shall only be allowed upon obtaining the applicable land use permit, such as a variance or administrative design flexibility.
  - (h) Adequate mitigation and monitoring shall be required to address the adverse impacts on critical areas and their ecological functions and values of any modification of the required regulations under this provision.
  - (i) Any public project requiring a reduction of the standards applicable within a critical area in order to provide the necessary public project shall be located as far from the critical area as practical. Total building coverage and all other impervious surfaces shall be minimized, as appropriate, to limit intrusion into the critical area.
  - (j) The public project shall use, to the maximum extent possible, the best available construction, design, and development techniques that result in the least impact to ecological functions and values of the critical area.
  - (k) Any net loss of function of the critical area on the site and adverse impacts to wetland or riparian stream corridor functions upstream or downstream from the site shall be minimized to the maximum extent practicable.
- (5) Decision Criteria - Reasonable Economic Use-Hazardous Liquid Pipelines. The required setback from the hazardous liquid pipeline corridor shall not deny all reasonable economic use of property. If an applicant demonstrates to the satisfaction of the Hearing Examiner that strict application of the required setback would deny all reasonable economic use of the property, the setback may be lessened subject to appropriate conditions. An applicant for relief from strict application of the required setback shall demonstrate the following:
- (a) No reasonable economic use of the applicant's property can be made if the required setback is strictly applied;
  - (b) The proposed setback is the minimum necessary to provide the applicant with a reasonable economic use of the property;
  - (c) All reasonable mitigation measures have or will be implemented or assured;
  - (d) The inability to derive any reasonable economic use is not the result of the applicant's actions or those of the applicant's predecessors in title; and
  - (e) The pipeline location has been definitively determined.



- (f) As a condition of any relief granted under this section, the applicant shall be required to record an instrument against the title of the property notifying all subsequent purchasers of the fact that a lesser setback from the pipeline has been approved and of any and all conditions placed on the grant of relief.
- (6) Decision Criteria - Reasonable Economic Use-High Capacity Transit Corridor Preservation. The application of regulations outlined in RZC 21.28 shall not deny all reasonable economic use of private property. If an applicant demonstrates to the satisfaction of the decision-making body for the underlying land use permit that strict application of the regulations would deny all reasonable economic use of the property, the requirements may be lessened subject to appropriate conditions. An applicant for relief from strict application of the standards shall demonstrate the following:
  - (a) Strict application of these regulations would prevent all reasonable economic use of the property;
  - (b) There is no feasible and reasonable on-site alternative to the activities proposed; the applicant shall include an analysis of whether there is any practicable on-site alternative to the proposed development with less impact to these regulations, including other allowed uses, reduction in density, phasing of project implementation, change in timing of activities, or related site planning considerations that would allow a reasonable use in conjunction with the application of these regulations; and
  - (c) The inability to derive reasonable economic use is not the result of the applicant's actions.
  - (d) If a reasonable economic use of a site cannot exist without modification of required setbacks, the City shall modify the fixed regulations only to the extent necessary to provide for reasonable use of the property while providing as much setback area for transit as is possible under the circumstances.
- (V) Shoreline Exemption, Shoreline Substantial Development Permit, Shoreline Conditional Use Permit and Shoreline Variance. See RZC 21.68.
- (W) Short Plat. Decision criteria for short plats can be found in RZC Article V.
- (X) Sign Permit/Program.
  - (1) Purpose. The purpose of this section is to provide a mechanism for reviewing sign permits and sign programs in order to ensure that signs are constructed and maintained in a safe manner and that signs are located so as to provide effective communication while avoiding visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance.
  - (2) Scope. All signs require a building permit before being erected, altered, or relocated. All signs and sign programs for new development shall be reviewed as part of the land use permit process required in this Chapter and shall be subject to environmental review unless categorically exempt under SEPA. The Administrator shall review all building permits for signs that do not require another land use permit in order to determine compliance with the criteria set forth in this section.
  - (3) Decision Criteria. All signs and sign programs shall comply with this section and the requirements set forth in RZC 21.44, Signs, and RZC Article III, Design Standards.
- (Y) Site Plan Entitlement.
  - (1) Purpose. The purpose of this section is to ensure that site plans reviewed individually or collectively by the Technical Committee, Design Review Board, Landmarks and Heritage Commission, and Code Administrator achieve the following purposes:
    - (a) Compliance with the provisions of the RZC and all other applicable law;
    - (b) Coordination, as is reasonable and appropriate, with other known or anticipated development on private properties in the area and with known or anticipated right-of-way and other public projects within the area;
    - (c) The encouragement of proposals that embody good design principles that will result in high quality development on the subject property;



- (d) The adequacy of streets and utilities in the area of the subject property to serve the anticipated demand from the proposal;
  - (e) Determination that the proposed access to the subject property is the optimal location and configuration for access.
- (2) Scope. Review and approval of a Site Plan Entitlement is required for any public, semi-public or private proposal for new construction or exterior modification to a building or site, including multifamily, commercial, industrial, utility construction, expansion or exterior remodeling of structures, parking, or landscaping, where the proposed use is shown as permitted in the applicable permitted use chart. All of the above projects require the review and approval of a site plan entitlement except for:
- (a) Detached single-family residential buildings.
  - (b) Tenant improvements not encompassing or requiring modification to the exterior of an existing building; and
  - (c) Any action noted above which meets the criteria to be reviewed as an Administrative Modification as provided in RZC 21.76.090(D).
- (3) Decision Criteria.
- (a) The Technical Committee, composed of the Departments of Planning and Public Works, shall review all Development Review permits with the State Environmental Policy Act and the RZC.
  - (b) The Landmarks and Heritage Commission will review all Certificates of Appropriateness for compliance with the RZC.
- (Z) Temporary Use Permit-See RZC 21.46.
- (AA)Tree Removal Permit-See RZC 21.72.
- (BB)Variances.
- (1) Purpose. The purpose of this section is to provide a mechanism by which the City may grant relief from certain regulations, where practical difficulty renders compliance with the provisions of that code an unnecessary hardship, where the hardship is a result of the physical characteristics of the subject property and where the purpose of that code and of the Comprehensive Plan can be fulfilled.
  - (2) Scope. This section is to provide for the consideration of variances from the strict application requirements of RZC Article I, Zone Based Regulations, and RZC Article II, Citywide Regulations, when unique specified circumstances occur.
  - (3) Decision Criteria. Variances may be approved only upon a finding that:
    - (a) The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and land use district of the subject property; and
    - (b) Such variance is reasonably necessary, only because of special physical circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and in the land use district of the subject property; and
    - (c) The conditions or situations giving rise to the variance application have not been created or caused by the applicant or recent prior owner of the subject property; and
    - (d) Strict adherence to the regulation from which the variance is requested would create unnecessary hardship for the property owner; and
    - (e) The variance is the minimum necessary to grant relief to the applicant; and
    - (f) The variance does not relieve an applicant from conditions established during prior permit review; and

- (g) All approved variances otherwise comply with the requirements of the RZC and the Comprehensive Plan.
- (4) Limitation. The variance procedures shall not be used to deviate from the permitted uses requirements of the permitted land use charts contained in RZC Article I. Instead the procedures for amending the text of the RZC and the Zoning Map, pursuant to RZC 21.76.070(EF), Zoning Code Amendment – Text, and RZC21.76.070(F), Zoning Code Amendment – Zoning Map shall be utilized.
- (5) Recording. Variances shall be recorded with the King County Department of Records and Elections.

(CC)Willows Rose Hill Demonstration Project.

- (1) Purpose. The purpose of this section is to provide the procedures and requirements for the Willows Rose Hill Demonstration Project provided for in Comprehensive Plan Policy N-WR-E-4 and RZC 21.08.290(F)(4).
- (2) Procedure. The Willows Rose Hill Demonstration Project shall follow the procedures established in RZC 21.76.050(H) for a Type III permit process.
- (3) Decision Criteria. The proposed demonstration project shall comply with the following criterion:
  - (a) The applicant has sought input from the neighborhood in developing the project design using such methods as neighborhood meetings (a minimum of two) and/or design charrettes that take place prior to application submittal, as well as a minimum of one neighborhood meeting after the application is submitted;
  - (b) The proposal meets the criteria for Site Plan Entitlement as listed in RZC 21.76.070(Y);
  - (c) The proposal shall comply with Comprehensive Plan Policies adopted for the Willows/Rose Hill Neighborhood;
  - (d) A neighborhood park is included in the proposal;
  - (e) The proposal maintains the traditional character and quality of detached single-family dwellings, such as visible single-entries, pitched roofs, window frames, and porches; and
  - (f) The proposal offers a range of ownership housing choices, including cottages and triplexes and/or fourplexes;
  - (g) Only one Demonstration Project shall be permitted.

(DD)Wireless Communication Facilities.

- (1) Purpose. The purpose of this section is to provide a mechanism to address issues of safety and appearance associated with wireless communication facilities, and to provide adequate siting opportunities at appropriate locations within the City to support existing communications technologies as needed for Redmond businesses and institutions to stay competitive.



(1) Scope. The chart below identifies the process type based upon the type of facility and its location:

| Facility Type   | Zone  | Structure Type                                | Land Use Permit Type   |
|---|---|---|------------------------|
| Small satellite dish antenna  | All   | All   | None required          |
| Large satellite dish antenna  | All   | All   | WFP I                  |
| Amateur radio towers  | All   | All   | WFP I                  |
| Antenna Support Structures*   | MP and I  | All   | WFP II                 |
|   | UR, RA-5, R-1   | All   | Conditional Use Permit |
|   | All other zones than those above  | All   | Conditional Use Permit |
| *If exceeds height limits per RZC 21.56   | All   | All   | Conditional Use Permit |
| Antenna Array and Base Stations   | Collocated on existing antenna support structure, where adequate provisions for antennas and ground mounted equipment exist | All   | None required          |
|   | GC, NC-1, NC-2, BP, MP and I  | Non-residential                               | WFP I                  |
|   | All zones except GC, NC-1, NC-2, BP, MP and I   | Non-residential                               | WFP II                 |
|   | All zones   | N/A (free standing/ground mounted facilities) | WFP I                  |
|   | All zones   | Residential                                   | Conditional Use Permit |
| Wireless monopoles, lattice, and guy towers and existing pole structures extended in height | All zones except UR, RA-5 and R-1   | All   | Conditional Use Permit |
|   | RA-5, UR and R-1  | All   | Conditional Use Permit |
|   | NC-1, NC-2, GC, BP, MP and I  | All   | Conditional Use Permit |
| If facility exceeds height limits per RZC 21.56   |   |   |                        |

(3) Decision Criteria. All proposed wireless communication facilities shall not be approved unless the development regulations provided in RZC 21.56 are met.

(EE) Zoning Code Amendment - Text.

(1) Purpose. The purpose of this section is to provide the procedures and requirements for amending the text, maps and charts of the RZC, exclusive of the Zoning Map and to ensure that such amendments are consistent with the goals and policies of the Comprehensive Plan.

(2) Scope. Amendments to the RZC include amendments, additions and deletions to the text, maps, or charts of the RZC, except amendments to the Zoning Map as set forth in subsection FF below.

- (3) Procedure. Zoning Code Amendments shall follow the procedures established in RZC 21.76.050(K) for a Type VI permit process, and appropriate state statutes.
- (4) Amendment Criteria. All amendments to the RZC processed under this section shall be in conformance with the Comprehensive Plan.
- (5) Exemptions. Non-substantive changes in the organization, format, appearance, profiles, narrative, illustrations, examples or other nonmaterial changes to the RZC may be made by the Department of Planning and Community Development and are exempt from this section. Amendments to facility plans for City-managed utilities shall follow those procedures described in Utilities Element of the Comprehensive Plan.
- (6) Approval by Ordinance. All amendments shall be approved by ordinance by the Redmond City Council.

(FF) Zoning Code Amendment - Zoning Map.

- (1) Purpose. The purpose of this section is to establish the procedures and amendment criteria for amending the Official Zoning Map, adopted pursuant to RZC 21.04.020(A), Establishment of Zoning Map.
- (2) Procedure.
  - (a) Zoning Code amendments to the Official Zoning Map that are consistent with the Comprehensive Plan shall follow the procedures established in RZC 21.76.050(I) for a Type IV permit process.
  - (b) Zoning Code amendments to the Official Zoning Map that require a concurrent amendment to the Comprehensive Plan shall follow the procedures established in RZC 21.76.050(K) for a Type VI permit process.
- (3) Conditions to Amendment. The City Council may require the applicant to submit a conceptual site plan prior to final approval being granted on an amendment to the Zoning Map. The City may require the applicant to enter into a development agreement with the City as a condition of the Zoning Map amendment and may, through that agreement, impose development conditions designed to mitigate potential impacts of the amendment and development pursuant thereto.
- (4) Special Application Requirements. No application shall be filed nor accepted for filing which on its face will not comply with the Comprehensive Plan, unless an application for a Comprehensive Plan amendment is submitted and the two applications are processed concurrently. No application without signatures of owners representing 75 percent of the subject area and signatures representing 75 percent of the owners of property in the subject area shall be filed or accepted for filing.
- (5) Amendment Criteria. The following factors are to be taken into account by the Planning Commission and the City Council when considering a map amendment:
  - (a) The amendment complies with the Comprehensive Plan Land Use Map, policies, and provisions;
  - (b) The amendment bears a substantial relation to the public health and safety;
  - (c) The amendment is warranted because of changed circumstances, a mistake, or because of a need for additional property in the proposed zoning district;
  - (d) The subject property is suitable for development in general conformance with zoning standards under the proposed zoning district;
  - (e) The amendment will not be materially detrimental to uses or property in the immediate vicinity of the subject property;
  - (f) Adequate public facilities and services are likely to be available to serve the development allowed by the proposed zone;
  - (g) The probable adverse environmental impacts of the types of development allowed by the proposed zone can be mitigated taking into account all applicable regulations or the unmitigated impacts are acceptable; and

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- (h) The amendment complies with all other applicable criteria and standards in the RZC.
- (6) Approval. All amendments shall be approved by ordinance by the Redmond City Council.