

# **RMC Title 21 Redmond Zoning Code**



**City of Redmond**  
W A S H I N G T O N

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## **RZC 21.02 Preface**

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<b>21.02.020</b>	<b>Authority</b>
<b>21.02.030</b>	<b>Legislative Intent</b>
<b>21.02.040</b>	<b>Severability</b>
<b>21.02.050</b>	<b>Appendices</b>
<b>21.02.060</b>	<b>Relationship to Other Codes</b>
<b>21.02.070</b>	<b>Administrative User Guides</b>

### **21.02.010 Title**

This title shall be known and may be cited as the Redmond Zoning Code (RZC).

### **21.02.020 Authority**

The RZC is enacted under the authority granted to the City of Redmond by the Constitution of the State of Washington, the Optional Municipal Code (RCW Title 35A), and other sections of the Revised Code of Washington.

### **21.02.030 Legislative Intent**

The intent of the RZC is to provide regulations by which the citizens of the City can guide the development of their community in a logical and orderly manner, maintain a quality environment and provide for the conservation, protection and enhancement of the public health, safety and general welfare. The RZC provides for the implementation of the goals and policies of the Redmond Comprehensive Plan through the adoption, administration and enforcement of zoning maps, regulations, procedures, and programs.

The RZC provides the basis for designating land use zones, applying development and shoreline requirements, and regulating development in all areas of the City and provides pre-annexation zoning for areas presently outside the City but that may be annexed to the City in the future.

### **21.02.040 Severability**

The provisions of the RZC are declared to be severable. If any provision of the RZC or any code or document adopted by reference herein is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining provisions of the RZC. If any provision of the RZC is adjudged invalid or unconstitutional as applied to a particular property, use, building or other structure, the application of such portion of the RZC to other properties, uses, buildings, or structures shall not be affected.

### **21.02.050 Appendices**

The Redmond Municipal Code (RMC) grants the Technical Committee authority to adopt and amend technical regulations and standards in order to implement the provisions of the RZC and to govern construction details and the operation and maintenance of infrastructure required for development. These technical regulations and standards are found in the appendices to the RZC. Upon adoption by the Technical Committee, the appendices have the force of law and shall be complied with by all developers and property owners. In the event of any conflict between the appendices and the provisions of the RZC, the RZC shall control.

### **21.02.060 Relationship to Other Codes**

The RZC is part of a comprehensive program of regulation related to land use and development within the City. The RMC contains other regulations that relate, directly or indirectly, to land use and development, including but not limited to, RMC 1.16, Annexations, RMC Title 15, Buildings and Construction, RMC 3.10, Impact Fees, and RMC 6.36 Noise. In order to



understand all of the regulations that may relate to land use and development, readers are advised to consult both the RZC and the RMC.

## **21.02.070 Administrative User Guides**

A series of user guides have been developed to help users apply and understand various sections of the RZC. These guides may be obtained by contacting the Development Services Center. The user guides are created on an administrative basis and may be modified as such. Such user guides shall not be considered as part of the RZC.

## **RZC 21.04 General Provisions**

### **21.04.010 Land Use Zones Introduction**

### **21.04.020 Zoning Map**

### **21.04.030 Comprehensive Allowed Uses Chart**

### **21.04.010 Land Use Zones Introduction**

#### **(A) Zones.**

(1) Purpose. The purpose of establishing zones is to:

- (a) Provide a pattern of land use that is consistent with and fulfills the vision of Redmond's Comprehensive Plan;
- (b) Maintain stability of land uses and protect the character of the community by encouraging groupings of uses that have compatible characteristics;
- (c) Provide for appropriate, economic, and efficient use of land within the City limits; and
- (d) Provide for coordinated growth and ensure that adequate public facilities and services exist or can be provided in order to accommodate growth.

(2) Establishment of Zones.

Zoning districts in the City of Redmond are hereby established as follows:

- Urban Recreation zone - UR
- Semi-Rural zone - RA-5
- Single-Family Constrained zones - R-1, R-2, R-3
- Single-Family Urban zones - R-4, R-5, R-6, R-8, RIN
- Multifamily Urban zones - R-12, R-18, R-20, R-30
- Neighborhood Commercial zones — NC-1, NC-2
- General Commercial zone – GC
- Business Park zone - BP
- Manufacturing Park zone - MP
- Industry zone - I
- Gateway Design District - GDD
- Bear Creek Design District – BCDD1, BCDD2
- Downtown Mixed-Use (DT) zones – Old Town (OT), Anderson Park (AP), Town Center (TWNC), Valley View (VV), Trestle (TR), Bear Creek (BC), Sammamish Trail (SMT), Town Square (TSQ), River Bend (RVBD), River Trail (RVT), Carter (CTR), East Hill (EH)
- Overlake Mixed-Use (OV) zones – OV1, OV2, OV3, OV4, OV5, OBAT

### **21.04.020 Zoning Map**

- (A) Establishment of Zoning Map. The designation, location and boundaries of the zones established by RCZ 21.04.010(A)(d) are as shown and depicted on the Zoning Map(s) of the City, which shall be maintained as such and which are hereby incorporated by reference in this section and maintained on file in at the Redmond Development Services Center. Zoning for all land within the City of Redmond is established as shown on the Official Zoning Map.
- (B) Zoning Map Interpretation. Where uncertainty exists as to the location of any boundaries of the zones as shown in 21.04.020, Zoning Map, the following rules shall apply:
- (1) Where boundaries are indicated as following approximately the centerline of the streets, alleys, highways, railroads or watercourses, the actual centerlines shall be considered the boundaries;
  - (2) Where boundaries are indicated as following approximate lot lines and are map scaled at not more than 20 feet from the lines, the actual lot lines shall be considered the boundaries;
  - (3) Where the land is not subdivided or where a zone boundary divides a lot, the boundary shall be determined by map scaling unless the actual dimensions are noted on the map;
  - (4) Where boundaries are indicated as following lines of ordinary high water, government or meander line, the lines shall be considered to be the actual boundaries, and, if they should change, the boundaries shall be considered to move with them;
  - (5) Where a public right-of-way is vacated, the vacated area shall have the zone classification of the adjoining property that it merges with;
  - (6) Where an area with one owner is divided into more than one zone, each portion of the property shall have the zone designation indicated, unless subsection (2) applies.
  - (7) Where a single parcel is split between two zones and a portion of the parcel is zoned R-1 and contains critical areas, the outermost boundary of the critical area buffer shall be considered the boundary between the two zones.
- (C) Overlay Zones. Overlay zones impose restrictions on a specific geographic area within an existing zone. Property in the overlay zone remains subject to the restrictions and limitations of the underlying zone and the overlay regulations act to supplement but not replace the regulations of the underlying zone.
- (D) Concomitant Zoning Agreements and Development Agreements. Concomitant zoning agreements and development agreements impose conditions on the development of specific parcels, such as use restrictions, mitigation measures, and infrastructure requirements. Properties that are subject to concomitant zoning agreements or development agreements are indicated on the Official Zoning Map. Copies of such agreements may be obtained from the Planning Department.
- (E) Classification of Newly Annexed Territory. All newly annexed territory shall be designated Semi-Rural (RA-5) unless otherwise zoned. RA-5 zoning would remain in effect until RZC 21.04.020, Zoning Map, is amended and the annexed territory is classified in conformance with the Comprehensive Plan. All territory annexed to the City shall become subject to the regulations contained in the RZC.
- (F) Unclassified Property. All property not classified by RZC 21.04, Zoning Map, is designated RA-5 until the Zoning Map is amended in conformance with the Comprehensive Plan.



## RZC 21.04.030, Comprehensive Permitted Uses Chart

This chart is meant to serve as a compilation of permitted uses within each of the individual zone summaries. It does not include all the specific use limitations or require use requirements or limitations.

	UR	RA5	R1	R3	R4, R5	R6	R8	R1N	R12, R18, R20, R30	NC- 1	NC- 2	GC	BP	MP	I	GDD	BCDD1
<b>Residential</b>																	
Detached dwelling unit	P	P	P	P	P	P	P	P	P	P	P						P
Size-limited dwelling		P	P	P	P	P	P	P	P	P	P						
Cottage					P	P	P	P		P	P						
Accessory dwelling unit	P	P	P	P	P	P	P	P	P	P	P						
Attached dwelling unit					P/C	P/C	P/C	P/C	P/C	P	P						
Manufactured home		P	P	P	P	P	P	P	P	P	P						
Multifamily structure									P	P	P	P					P
<b>Dormitory</b>																	
Single room occupancy unit																	
Mixed-use residential structure										P	P	P	P				
Housing services for the elderly									P/C								P
Adult family home		P	P	P	P	P	P	P	P								
Long-term care facility									C								P
Residential care facility		C	C	C	C	C	C	C	C								P
Retirement residence					P/C	P/C	P/C	C	P/C								P
<b>General Sales or Service</b>																	
General Sales or Service																	
Automobile sales, rental, or service establishment										P	P	P	C	P	P		
Heavy consumer goods sales, rental, or service												P	P	P		P	
Durable consumer goods sales, rental, and service												P	P	P		P	
Consumer goods, other										P	P	P		P		P	
<b>Membership wholesale / retail warehouse</b>																	
Grocery, food, beverage, or dairy sales										P	P	P				P	
<b>Health and personal care</b>																	
Convenience store										P	P	P	P				
<b>Finance and insurance</b>																	
Real estate services										P	P	P		P		P	
<b>Professional services</b>																	
										P	P	P	P	P	P	P	



UR	RA5	R1	R3	R4, R5	R6	R8	RIN	R12, R18, R20, R30	NC- 1 2	GC	BP	MP	I	GDD	BCDD1
Caterer															
Food service contractor												P	P		
Animal kennel/shelter										P		P	P		
Personal services									P	P	P				
Pet and animal sales or service (except veterinary)										P					
Hotels, motels and other accommodation services															
Bed and breakfast inn	P/C	P	P/C	P	P	P	P	P							
Hotel or motel										P					P
Manufacturing and Wholesale Trade															
Manufacturing and Wholesale trade											P	P	P	P	P
Transportation, Communication, Information, and Utilities															
Rail transportation												P	P	P	
Road, ground passenger, and transit transportation															
Truck and freight transportation services												P	P		
Postal services															
Courier and messenger services												P			
Heliport	C	C	C	C	C	C	C	C				C	C	C	
Float plane facility															
Communications and Information															
Large Satellite Dish	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Amateur radio tower	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Antenna array	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C
Base station	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C
Antenna support structures	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Local utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Regional utilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Solid waste transfer and recycling															
Hazardous waste treatment and storage, incidental															
Hazardous waste treatment and storage, incidental											P	P	P	P	
Hazardous waste treatment and storage, incidental															
Hazardous waste treatment and storage, incidental															



	UR	RA5	R1	R3	R4, R5	R6	R8	RIN	R12, R18, R20, R30	NC- 1	NC- 2	GC	BP	MP	I	GDD	BCDD1
Zoos, Botanical Gardens, Arboreta, Etc.												P					
Amusement, sports, or recreation establishment										P	P	P	P	P			
Golf course	C	C	C	C	C	C	C	C	C								
Natural and other recreational park										P	P	P	P	P	P		P
Adult entertainment facilities														C	C	C	C
Community indoor recreation		C	P	P	P	P	P	P	P								
Parks, open space, trails and gardens	P	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C								
Athletic, sports, and play fields	C	C	C	C	C	C	C	C	C								
Marine recreation	C	C	C	C	C	C	C	C	C								
Commercial swimming pool	C	C	C	C	C	C	C	C	C								
Education, Public Administration, Health Care, and other Institutions																	
Education, Public Administration, Health Care, and other Institutions																	
Educational services																	
Grade schools			C	C	C	C	C	C	C					P			
Colleges and universities													P				P
Technical, trade, specialty schools													P	P		P	
Public administration										P	P	P				P	
Government functions, other										P	P	P					
Public safety		C	C	C	C	C	C	C	C			P					
Health and human services																	
Ambulatory or outpatient services										P	P	P	P				P
Nursing, supervision, and other rehabilitative services																	P
Day care center			C	C	C	C	C	C	C	P	P	P	P	P		P	
Family day care provider	P	P	P	P	P	P	P	P	P								
Social assistance, welfare, and charitable service										P	P						P
Religious institutions			P/C	P/C	P/C	P/C	P/C	P/C	P/C			P			P/C		
Funeral homes and services												P					



UR		RA5	R1	R3	R4, R5	R6	R8	RIN	R12, R18, R20, R30	NC- 1	NC- 2	GC	BP	MP	I	GDD	BCDD1
establishment																	
Agriculture																	
Crop production		P	P	P	P	P	P	P									P
Animal production		P	P	P													
Equestrian facility		P	P	C	C	C	C	C	C								
Other																	
Drive-up stand										P	P	P	P	P			
Roadside produce stand		P	P	P	P	P	P	P	P								
Home business		P	P	P	P	P	P	P	P								
Automobile parking facilities													P				
Kiosk										P	P	P	P	P			
Vending cart										P	P	P	P	P			
Water-enjoyment use										P	P	P	P	P			
Wetland mitigation banking																	
Piers, docks, and floats		P	P	P	P	P	P	P	P								P
Water-oriented accessory structure			P	P	P	P	P	P	P								



## RZC 21.48 Transfer of Development Rights (TDR) Program

### 21.48.010 Transfer of Development Rights Program

- (A) Purpose.
- (B) Explanation of TDRs
- (C) Sending Area Properties.
- (D) Receiving Area Properties.
- (E) Calculating Development Rights.
- (F) Use of Development Rights.
- (G) Affordable Housing Bonus.

### 21.48.020 Transfer of Development Rights Procedures

- (A) Certificate of Transferable Development Rights.
- (B) Transferring Development Rights, Easements and Deeds.
- (C) Partial Sale or Use of Development Rights.

### 21.48.010 Transfer of Development Rights Program

- (A) Purpose. The purpose of Redmond's Transfer of Development Rights (TDR) Program is to advance Comprehensive Plan goals and policies that address the protection of environmentally critical areas, historic resources (including archeological resources), open spaces, and the ability to provide affordable housing, by transferring the right to develop on the land needing protection to land more suitable for urban development.
- (B) Explanation of TDRs. Figure 48.1 illustrates the general concept of a TDR program:

Figure 48.1



(C) Sending Area Properties

- (1) Land is eligible if it complies with all of the criteria for at least one of the eligibility categories as described in Table 1 and with all of the criteria in paragraph (2) following the table.

Eligibility category	Eligibility criteria
Urban Recreation	<ol style="list-style-type: none"> <li>1. Located in the UR zone; and</li> <li>2. Wholly undeveloped or in agricultural or recreational use.</li> </ol>
Historic	<ol style="list-style-type: none"> <li>1. Listed on the Redmond Historic Resource Register; or</li> <li>2. Otherwise eligible under RZC 21.30, Historic and Archeological Resources; and,</li> <li>3. The significant historic features shall not have been previously preserved in whole and in perpetuity by a facade easement, a preservation easement, or through any agreement with any governmental agency or nonprofit organization other than this TDR program.</li> </ol>
Environmentally Critical Area	<ol style="list-style-type: none"> <li>1. Located in one or more of the following areas: <ol style="list-style-type: none"> <li>a. Species Protection Area;</li> <li>b. Category I or Category II wetland or wetland buffer;</li> <li>c. Class I or Class II stream or stream buffer;</li> <li>d. Landslide hazard area or buffer;</li> <li>e. Contiguous forest community characterized by a qualified arborist or ecologist as: <ol style="list-style-type: none"> <li>i. Having three layers of vegetation – canopy, subcanopy/shrub, and herb – dominated by native species; and</li> <li>ii. Having at least 20 percent of canopy trees estimated to be at least 50 years of age; and</li> <li>iii. Measuring at least one acre; and</li> </ol> </li> </ol> </li> <li>2. Wholly undeveloped, or partially undeveloped or vacant, where the Administrator determines that eligible environmentally critical areas listed in (1) above could be maintained without compromising the ecological functions and values of those critical areas.</li> </ol>
Affordable Housing	<ol style="list-style-type: none"> <li>1. Complies with RZC 21.48.010(G), Affordable Housing Bonus.</li> </ol>

- (2) The following criteria must also be met:

- (a) The land's development rights or development capacity shall not have been exhausted, sold, or transferred; or limited by easements, deed restrictions, equitable servitudes, or similar measures to any of the following:
  - (i) Agriculture, recreation, open space; or
  - (ii) Preservation of environmentally critical areas and their buffers, as described in Table 1, through means including, but not limited to, a native growth protection easement or open space easement;
  - (iii) Alteration by a preservation easement, or through any agreement by any governmental agency or nonprofit organization;
- (b) The land shall not have been granted a reasonable use exception under RZC 21.76.070(U), Reasonable Use Exception (Critical Areas/Hazardous Liquid Pipelines and High Capacity Transit Corridor Preservation). Nothing in this chapter shall require that a reasonable use exception granted under the Reasonable Use Provision equal the economic value of the TDRs granted under this division.
- (c) The land shall not be part of any property the Comprehensive Plan designates for use as a collector, arterial street, or highway.

(D) Receiving Area Properties. Properties eligible to use development rights transferred from sending areas are those within the following zones: all Downtown zones, Overlake Village (OV); General Commercial (GC); Overlake Business



and Advanced Technology (OBAT); Gateway Design District (GDD); Business Park (BP); Manufacturing Park (MP); and Industry (I).

(E) Calculating Development Rights.

(1) The following table assigns development rights multipliers for all eligible sending areas except historic landmarks.

Zone	Transferable Development Rights per Acre of Eligible Land
UR	1.1
RA-5	1.1
R-1	1.9
R-3	6.0
R-4	6.5
R-5	6.9
R-6	7.5
R-8	8.2
R-12	8.2
R-18	8.2
R-20	8.2
R-30	8.2
Downtown – all zones	13.8
NC-1, NC-2	8.1
GC	7.6
OV	14
OBAT	14
GDD	9.5
BP	8.7
MP	5.7
I	5.7

- (2) Sending areas in the Residential Development and Conservation Overlay zone in the North Redmond neighborhood shall be granted TDRs based on the R-1 multiplier in the preceding table.
- (3) If a zone is not listed in the table in this section, the Administrator shall classify the zone in the table row that contains the zone most similar to it based on allowed development intensity and allowed uses.
- (4) Development Right Transfers for Historic Landmarks in a Commercial Zone. For the purpose of awarding TDRs, property with eligible historic sites shall be considered to be vacant, and development rights shall be calculated according to the table in subsection (1) of this section. For example, a property with a historic structure in a GC zone shall be awarded 7.6 TDRs per eligible acre of the property.

(F) Use of Development Rights.

- (1) Each development right may be used as a right for any one of the following, subject to the limitations of this division and other zoning code chapters:
  - (a) To authorize an additional 8,712 square feet of gross floor area;
  - (b) To increase the maximum impervious surface or maximum lot coverage by 8,712 square feet, provided that the total increase does not exceed 10 percent of the allowed maximum square footage for the site;
  - (c) To increase the height of a structure, including above-ground structured parking, by one story across each 8,712-square-foot increment of gross floor area or parking floor plate. In no case shall total building height be greater than one story above the height allowed by the underlying zone; the height bonus shall not apply to structures within the shoreline jurisdiction or within the Downtown height limit overlay areas; or
  - (d) Adding up to five parking stalls, provided that the total number of parking stalls for the development, including all bonuses provided by this division, shall not exceed:
    - (i) 25 percent above the maximum allowed by the underlying zone in the Downtown and Overlake Neighborhoods; or
    - (ii) 30 percent above the maximum allowed by the underlying zone in all other neighborhoods;
    - (iii) Five stalls per 1,000 square feet of gross floor area;
    - (iv) This bonus shall not be combined with any other parking ratio bonus.
    - (v) The bonuses in subsections (1)(e)(i) and (ii) of this section shall expire by July 31, 2012, provided that, no later than the beginning of August 2011, the City shall undertake a study to evaluate whether the bonuses should be modified. That study shall take into account at a minimum an analysis of transit service, commute trip reduction programs, and parking usage. The bonus for the Overlake Neighborhood may be amended earlier as a part of the Bellevue Redmond Overlake Transportation Study (BROTS) update.
- (2) A fraction of a development right shall be entitled to the corresponding fraction of any of the above.
- (3) A land use application using Transferred Development Rights shall contain a statement describing the amount of the development rights proposed to be used and how the development rights are proposed to be used.

(G) Affordable Housing Bonus.

- (1) When zoning or site planning constraints prevent project proponents from building bonus market-rate units to which the proponents would otherwise be entitled under RZC 21.20, Affordable Housing, the Administrator shall convert the number of bonus market-rate units not developed on the site into TDRs for use or sale.
- (2) The quantity of TDRs shall be equal to the number of bonus market-rate homes not developed on the project site due to zoning or site constraints.
- (3) When TDRs are granted for providing affordable housing in Downtown, each 8,712 square feet of credit shall be equal to one TDR.

## **21.48.020 Transfer of Development Rights Procedures**

(A) Certificate of Transferable Development Rights.

- (1) The property owner must file an application with the City for issuance of a Certificate of Transferable Development Rights. The Administrator shall establish the submittal requirements necessary for application and any required application forms.
- (2) The Administrator will verify ownership and qualification of the property for the program, and will calculate the quantity of development rights based upon the use of the land at the time that the certificate is requested.



- (3) The Administrator will issue the owner Certificates of Transferrable Development Rights with an assigned serial number stating the quantity of development rights for that property and describing to what portion of the site the certificate shall apply.

(B) Transferring Development Rights, Easements and Deeds.

- (1) Prior to the time that the property owner exercises the right to sell, transfer, or use such certificates, the following shall be approved by the Administrator and the City Attorney, and the owner shall execute and record in King County's real property records:
  - (a) A TDR conservation easement for environmentally critical areas; or
  - (b) A TDR conservation easement for properties zoned Urban Recreation; or
  - (c) A TDR preservation easement for a historic resource.
- (2) The easement or deed restriction shall place the following restrictions on the property:
  - (a) Properties zoned Urban Recreation (UR) and not containing environmentally critical areas listed in RZC 21.48.010(C), Sending Area Properties, shall be restricted to agricultural or recreational uses.
  - (b) Properties containing environmentally critical areas or forested areas listed in RZC 21.48.010(C), Sending Area Properties, shall be restricted to use as fish and wildlife habitat.
  - (c) Properties classified as historic landmarks or historic landmark districts shall be restricted so as to protect the significant historic features of the structure and site.
- (3) As a condition of receiving TDRs for properties containing environmentally critical areas, the owner shall visually delineate the TDR conservation easement area with natural or natural-looking materials and colors, such as by constructing a split rail or post and rail fence, or by placing informational signs at an appropriate interval.
- (4) If the owner is selling or transferring the rights, a deed, as approved by the Administrator, shall be executed by the selling party and recorded with the King County Records and Elections Division transferring ownership of those development rights being sold. The purpose of the deed is to confirm that a developer or investor has purchased the development rights. A copy of the recorded document shall be filed with the King County Assessor's Office and the Administrator. The deed shall include the recording number(s) of the TDR conservation easement, preservation easement, or TDR deed restriction for the rights being transferred, and a legal description of the land from which development rights are granted.
- (5) Secondary Transfers. A development right may be sold or transferred more than once. If a TDR owner in a receiving area, who has utilized the rights for a development, later elects to sell the development rights acquired, the improvements allowed through the use of TDRs must first be uninstalled in accordance with an approved restoration plan.

(C) Partial Sale or Use of Development Rights.

- (1) The sending area property owner can sell all, none, or part of his/her granted development rights.
- (2) If the sale of development rights from the sending area property owner is less than the entire rights attributable to a parcel, the following additional regulations shall apply, except to those properties designated as historic landmarks:
  - (a) The owner must designate that portion of the lot involved in the proposed sale of development rights and the designated portion shall be legally described and must be shown on a map. The serial number assigned to the Certificate of Development Rights shall reflect only the portion of the property where development rights have been sold.
  - (b) When a portion of the total available development rights are sold from a lot or property, the future sale of additional development rights from that property shall occur so that the land from which the future rights are



sold is contiguous, to the greatest extent possible, to the lands from which development rights were previously sold.

- (c) If the land subject to the TDR conservation easement is subdivided, within the limitations of the zoning, any new parcel created shall continue to be subject to the TDR conservation easement and shall comply with this division.
- (3) In the case of a historic landmark, the partial sale of development rights shall require the preservation easement to be executed in full.

## **RZC 21.50 Transition Overlay Areas**

### **21.50.010 Purpose**

### **21.50.020 Transition Overlay Areas**

### **21.50.030 Use, Operations, and Development Standards in a Transition Overlay**

### **21.50.040 Southeast Redmond Noise Overlay Requirements**

### **21.50.010 Purpose**

The purpose of this division is to:

- (A) Set performance standards and create transition areas as a means of implementing the policies of the Redmond Comprehensive Plan promoting land use compatibility;
- (B) Use of techniques such as citywide development and performance standards in order to minimize potential conflicts between abutting higher and lower intensity zones; and
- (C) Regulate site design, construction, uses, and site operations in transition areas within higher intensity zones in order to protect the character of abutting lower density zones.

### **21.50.020 Transition Overlay Areas**

- (1) Transition Overlay regulations shall apply to those portions of “complying zones” within the Transition Overlay area, as designated in RZC 21.50.020(A)(5), Protected and Complying Zones.
- (2) The Administrator may waive some or all of the regulations of this division where a proposed development in a complying zone consists of uses and activities whose noise, glare, light trespass, outdoor storage, and other similar site and building impacts are equal to or less than what is allowed for development in the abutting protected zone. Where such a waiver is granted, the proposed development in the complying zone must:
  - (a) Comply with site requirements for the abutting protected zone as shown in the Allowed Uses and Basic Development Standards table in the zone chapter;
  - (b) Provide a site plan and perimeter landscaping plan that protects development in the abutting protected zone from adverse impacts resulting from the proposed development; and
  - (c) Restrict the uses and activities of the proposed development to those on which the waiver was based.

Notwithstanding the above, the City may impose select requirements of this division where it determines that doing so would mitigate adverse impacts resulting from the proposed development.

- (3) Transition Overlay development standards shall apply in addition to the development standards applicable in the underlying zone. Where there is a conflict between the standards, the most restrictive shall apply.
- (4) Property in complying zones rezoned to a protected zone on or after April 14, 2007, shall not be designated “protected,” as designated in subsection (5) below, nor shall property in zones that would otherwise be designated “complying” as a result of that rezone be designated as such. Instead, the developer of the property rezoned to a complying zone shall have the responsibility of providing within the property's own boundaries protections that would otherwise be accorded to “protected” zones in this chapter. Those protections would buffer uses in protected zones from, and mitigate the impacts associated with, uses typical of complying zones, which may include, but are not limited to, various manufacturing, assembly, warehouse, entertainment, and other uses that operate both at day and at night, at noise levels consistent with existing regulations governing complying zones. The mitigation may be achieved through visual and audio screening, increased setbacks, building placement, open space, landscaping, architectural screening, berms, fences, topographical separation, or other methods that meet the intent of this provision as determined by the Administrator.



(5) Protected and Complying Zones.

		Protected Zones (Protected by Transition Overlay Regulations)			
		UR, RA-5	R-1, R-3	R-4 – R-8, ORS1	R-12 – R-30, ORM2
Complying Zones (Required to Comply with Transition Overlay Regulations)	R-12, R-18	Δ	O	O	
	R-20, R-30, NC-1, NC-2	Δ	◆	O	
	GC, BP, OBAT, MP, I	Δ	◆	◆	O
	GDD	Δ	◆	◆	Δ

◆ A 300-foot-wide Transition Overlay shall apply.

O A 150-foot-wide Transition Overlay shall apply.

Δ Where the Administrator determines that, because of potential adverse impacts resulting from allowed uses and intensities in the complying zone, the transition overlay regulations shall apply, the Administrator shall assign a Transition Overlay width up to 300 feet. The specific width of the Transition Overlay shall be the minimum width deemed necessary by the Administrator to be sufficient to protect development in the protected zone from the potential adverse impacts of the allowed uses and intensities in the complying zone.

1 ORS (Outside Redmond Single-Family) refers to primarily single-family residential zones in neighboring jurisdictions that have an allowed density of eight or fewer housing units per gross acre.

2 ORM (Outside Redmond Multi-Family) refers to primarily small lot single-family residential zones and primarily multifamily residential zones in neighboring jurisdictions that have an allowed density greater than eight units per gross acre.

(6) Except as otherwise provided in this division, the Transition Overlay shall be located within the complying zone.

(7) The Transition Overlay shall be measured at right angles along the boundary of the complying zone, except as described in subsection (8) of this section.

(8) The Transition Overlay shall include the following areas within the protected zone:

(a) Street and railroad rights-of-way;

(b) The Sammamish River, parks or easements for park and open space uses owned by a public agency, and trail rights-of-way or corridors where a public agency owns or leases the right-of-way or corridor or has an easement or equitable servitude for the right-of-way or corridor;

(c) Native growth protection easements and easements or equitable servitudes with similar purposes; and

(d) Undeveloped critical areas and their buffers where structure construction is generally prohibited through RZC 21.64, Critical Areas, provided that the Technical Committee determines that the area is unlikely to ever be developed based on the nature and extent of the critical area.

## 21.50.030 Use, Operations, and Development Standards in a Transition Overlay

(A) Use and Operations Standards and Limitations in a Transition Overlay.

(1) Outdoor nonemergency maintenance and testing activities may only take place from 7:00 a.m. to 7:00 p.m., Monday through Friday, and from 9:00 a.m. to 6:00 p.m. Saturday. No maintenance and testing activities may take place on legal holidays. Emergency maintenance activities may take place at any time and on any day.

(2) All exterior work activities ordinarily allowed by the underlying zone shall be prohibited except for the following uses: restaurants, plant nurseries, entertainment and recreation uses that are commonly performed outside, sales of motor vehicle fuels, car washes, parking lots, outdoor markets, and sidewalk sales. This regulation does not apply in transition overlay areas in the Industry zone.

(3) Except for in the Industry (I) zone, no exterior storage of goods or materials shall be allowed within the Transition Overlay. Exterior storage of construction materials and construction equipment during temporary construction activities is allowed.



(B) Site and Building Design Standards in a Transition Overlay.

(1) Site Design Standards.

- (a) Uses shall be located on a site so as to minimize adverse impacts on protected zones.
- (b) Streets, driveways, parking, parking structures, and other vehicle use areas shall be designed, located, constructed, and maintained to minimize the impacts on protected zones of noise, and direct and reflected light trespass. Joint use driveways shall be used where possible. Parking structures shall be designed and constructed to minimize light from cars and lighting within the structure spilling over or intruding into protected zones.
- (c) New driveways, curb cuts, and streets shall be located, designed, and constructed to minimize cut-through traffic in protected zones. The Technical Committee may authorize an exception to this requirement when compliance would create an undue hardship on the applicant.
- (d) Surface parking lots, loading and refuse collection areas shall be located away from bordering protected zones and screened from street level views. This screening shall be done by placing the areas behind buildings or by the use of berms, hedges, walls, or equivalent or better methods. The Technical Committee may authorize an exception to this requirement when compliance would create an undue hardship on the applicant.
- (e) Loading and refuse collection areas shall not be located within a front setback or within the Overlake Business and Advanced Technology Zone Height and FAR Limit Overlay described in RZC 21.12.210(C), Building Height.
- (f) Nearby topography, vegetation, street patterns, parking configuration, building massing, and building and site design should be considered in order to result in a compatible fit between the proposed development and existing residential developments.

(2) Building Design Standards.

- (a) Building surfaces and design shall minimize light reflecting into protected zones and allowing light from inside the building to intrude into residential zones. Glass curtain walls, metallic wall or roof coverings, or similar materials shall not face residential zones.
- (b) Building facades visible from protected zones shall be stepped back or projected forward at intervals to provide a minimum of 40 percent facade modulation. The minimum depth of modulation shall be one foot and the minimum width shall be five feet.

(C) Signs in a Transition Overlay.

- (1) Only freestanding and wall signs shall be permitted. Freestanding signs shall be affixed directly to the ground and be no higher than five feet from the finished grade.
- (2) Signs shall only be indirectly lighted.

(D) Building Setbacks in a Transition Overlay.

- (1) The following table shows the required setback from property lines that border a protected zone or property lines adjacent to a street that borders a protected zone.

Height of Building or Portion of Building	Minimum setback in complying zones: R-12 – R-30, NC-1, NC-2, GC, BP, MP, I, GDD
Up to 30 feet	20 feet
31 to 40 feet	25 feet
41 to 50 feet	30 feet
More than 51 feet	35 feet

(a) This setback shall not apply to property lines bordering a multimodal corridor as designated in the Transportation Master Plan, or an arterial street served by all-day or peak-hour transit service.

(b) This setback shall not apply to property lines bordering the SR 520 right-of-way.

(E) Maximum Height of Structures in a Transition Overlay.

(1) Maximum Height of Structures (in feet) with and without Bonuses in a Transition Overlay.

		Maximum structure height in complying Zones (maximum height with bonuses shown in parenthesis)			
		R-12, R-18	R-20, R-30, I	BP	MP, GDD
Protected Zones	RA-5, R-1 – R-8, and ORS	40 (45)	40 (50)	35(45)	40 (45)
	R-12, R-18, NC-1, NC-2, and ORM		50 (60)	45 (55)	

(2) Maximum Height of Structures (in feet) with Bonuses in a Transition Overlay.

(3) The maximum height of structures may be increased to the height shown in subsection (1) of this section if one or more of the following features are provided and if the potential adverse impacts of the height increase on properties in the protected zone are mitigated. In no case shall the maximum height of structures set in subsection (2) of this section be exceeded through this subsection.

Feature
At least one-quarter of the on-site parking is provided in underground parking structures.
At least one-quarter of the on-site parking is located in parking structure(s) outside the transition zone.
The building has a pitched roof.
No mechanical equipment is located on the roof.
The existing grade under the proposed building pad is at least 10 feet below the grade at the property lines of all properties in the protected zone that border the development site or are across the street from the development site.
A landscape buffer at least 100 feet wide is provided along at least one public street bordering a protected zone.
TDRs are used to increase building height.

(4) The maximum height of structures set in subsections (1) and (2) of this section may be increased by the Design Review Board if all of the following conditions are met:

(a) The modified building height does not exceed the maximum height, without bonuses, permitted by the underlying zone for properties outside the transition overlay.

(b) The proposal, with the height modification, will provide an equivalent or better transition to the protected properties as the maximum height of structures without bonuses in subsection (1) of this section.



(F) Landscaping and Buffers in a Transition Overlay.

(1) Required Buffers.

(a) Landscape buffers at least 20 feet wide shall be provided in the following locations, unless otherwise provided in the Zoning Code:

(i) Along property lines that border a protected zone.

(ii) Along street frontages where any portion of the street bordering the development site borders an R-1 through R-8, ORS, or ORM zone.

(iii) Where the development site is zoned GC, MP, or I, along the street frontages where any portion of the street bordering the development site borders an R-1 through R-30, ORS or ORM zone.

(2) In addition to the requirements of RZC 21.32, Landscaping, the following planting requirements shall apply in all setbacks, open spaces, and buffers:

(a) All significant trees within 15 feet of the property line where a required transition overlay buffer or setback must be provided shall be retained unless the removal is necessary for streets, sidewalks, or utilities.

(b) Where a GC, MP, or I zone borders a residential zone on an interior property line, an evergreen hedge a minimum of three feet in height at the time it is planted and capable of achieving a continuous visual screen with a height of four feet within three years shall be planted or a combination of shrubs and a fence shall be added within the required planting area to achieve the effect of a hedge.

(3) Except as otherwise provided in this section, no structures shall be placed in required buffers.

(a) Up to 20 percent of the buffer area may be used for streets, driveways, utility crossings, trails, or ground level features such as patios.

(b) Patios shall not be placed closer than 10 feet from the property line.

(c) No existing structure, except as noted in subsections (4)(a) and (b) of this section, shall be considered a legal nonconforming use, per Ordinance 2027.

(4) Buffers may be counted towards required open space, required pervious surfaces and other requirements that they meet. Except for trails, any impervious surfaces within the buffer shall not be counted towards fulfilling open space requirements.

## **21.50.040 Southeast Redmond Noise Overlay Requirements**

**Purpose.** A noise overlay area where nonresidential uses will adjoin residential areas is established. The purpose is to protect new residential development from potential significant noise impacts from nonresidential uses.

**Applicability.** The Southeast Redmond Noise Overlay area is located as shown on Map 50.1 "Southeast Redmond Noise Overlay." The overlay shall be 350 feet wide. Where the overlay is shown over right of way, the centerline of the right of way shall be the center point of the overlay. Where the overlay is shown over a zone boundary, the center point of the overlay shall be zone boundary.

Insert Map 50.1-Southeast Redmond Noise Overlay



(1) Requirements. Development within the overlay area shall meet the following requirements:

- (a) New or expanding industrial, manufacturing, and business park uses shall provide appropriate noise restricting techniques as listed in Policy N-SE-5 of the Comprehensive Plan on their sites to protect existing and future residential development from potential significant noise impacts.
- (b) Operations and/or business activities which generate significant noise impacts, such as heavy truck traffic at nighttime with loading and unloading, should be restricted from the noise overlay area.

## **RZC 21.56 Wireless Communication Facilities**

<b>21.56.010</b>	<b>Purpose</b>
<b>21.56.020</b>	<b>Applicability</b>
<b>21.56.030</b>	<b>General Siting Criteria</b>
<b>21.56.040</b>	<b>General Development Standards</b>
<b>21.56.050</b>	<b>Design Requirements for Wireless Communication Facilities</b>
<b>21.56.060</b>	<b>Special Exceptions</b>
<b>21.56.070</b>	<b>Technical Evaluation</b>
<b>21.56.080</b>	<b>Cessation of Use</b>

### **21.56.010 Purpose**

The purpose of this chapter is to:

- (A) Establish clear regulations for the siting and design of Wireless Communication Facilities (WCFs) consistent with state and federal regulations;
- (B) Promote the health, safety, and general welfare of the Redmond community by regulating the siting of WCFs;
- (C) Minimize visual, safety, aesthetic, and environmental impacts of WCFs on surrounding areas by establishing standards for location, structural integrity, and compatibility;
- (D) Encourage the location and collocation of wireless communications equipment on existing structures;
- (E) Accommodate the growing need and demand for wireless communication services.

### **21.56.020 Applicability Permits and Exemptions**

- (A) **Permits Required.** Any person desiring to locate or install any Wireless Communication Facility (WCF) within the City of Redmond shall first obtain a permit to do so. The table set forth in RZC 21.76.070(DD), Wireless Communication Facilities, sets forth the type of permit required based upon the nature of the facility and its location.
- (B) **Exemptions.** The following WCFs shall be exempt from the requirement to obtain permits:
  - (1) **VHF and UHF Receive-Only Television Antenna(s).** VHF and UHF receive-only antenna(s) shall not be required to obtain land use permit approval nor shall they be required to obtain building permit approval. VHF/UHF antenna(s) shall be restricted to a height limit of no more than 15 feet above the existing or proposed roof.
  - (2) **Small Satellite Dish Antenna(s).** Small dish antenna(s) in all zones shall be exempt from obtaining land use permit approval in accordance with the Federal Telecommunications Act. Such antennas shall not be required to obtain building permit approval, but installation must comply with any applicable provisions of the City Building Code.
- (C) **Facilities on Public Property.** WCFs located in public rights-of-way and on other City property shall comply with RMC Chapter 12.14, Telecommunications.
- (D) **Permits may be conditioned to allow review of the continued use of the antenna support structure at five-year intervals in order to recognize that rapid technological advancements, changing markets, and legal interpretations by the FCC and by the courts may require periodic design review.**
- (E) **In addition to complying with the requirements of this chapter and the International Building Code, all wireless communication facilities located within the shorelines of the City shall comply with RZC 21.68.160, Utilities Within Shorelines.**
- (F) **All permits for antenna support structures and base stations shall be expressly conditioned upon compliance with the removal requirements of Section 80 below upon cessation of use of any such facility.**

## **RZC 21.56: Wireless Communication Facilities**



## **21.56.030 General Siting Criteria**

- (A) RZC 21.76.070(DD), Wireless Communication Facilities, identifies zoning districts and the review process for Wireless Communication Facilities. The standards in this section address site-specific location factors for Wireless Communication Facilities other than amateur radio towers and small satellite dishes.
- (B) All Wireless Communication Facilities other than small satellite dishes and amateur radio towers shall comply with the siting standards and hierarchy set forth in the following subsections.
- (C) The collocation of new antennas or other wireless communication facilities on an existing, legally established antenna support structure or an existing wireless communication facility site is allowed regardless of any prohibition otherwise set forth in the underlying zoning district.
- (D) Wireless communication facilities other than satellite dishes and amateur radio towers shall be sited within the other zoning districts of the City according to the following siting hierarchy, with (a) being the highest (most preferable) ranking site and (f) being the lowest (least preferable) ranking site. A new wireless communication facility must be located on the highest ranking site unless the applicant can demonstrate, through relevant information including, but not limited to, the report of a licensed radio frequency engineer, that the highest ranking site is not technically feasible or justified given the location of the proposed wireless communication facility and the network need. In order of ranking, from highest to lowest, the sites are:
- (1) Existing, legally established sites or antenna support structures on which other wireless communications facilities are located.
  - (2) Structures or site used exclusively for industrial or manufacturing park uses within the I and MP zones.
  - (3) Existing public facilities and structures, such as water towers, utility structures, fire stations, bridges, and other public buildings, within all zoning districts not used primarily for recreational or residential uses.
  - (4) Structures or sites used exclusively for manufacturing, research and development, commercial, and office uses in the commercial, Downtown and Overlake zoning districts. Within these zoning districts, the highest to lowest ranking sites are I, MP, BP, GC, NC-2, GDD, OBAT, OV and DT, and NC-1.
  - (5) On institutional structures, places of worship, and other nonresidential sites located in residential zones.
  - (6) Attached to residential structures in the R-20 and R-30 zoning districts, provided that a conditional use permit is obtained as provided in RZC 21.76.070(DD), Wireless Communication Facilities. Wireless communication facilities attached to residential structures are not permitted in any residential zoning district other than R-20 and R-30.

## **21.56.040 General Development Standards**

- (A) All wireless communication facilities shall be installed and operated in accordance with the regulations of the Federal Communications Commission and in compliance with the development standards set forth in the following subsection and in the chart below:
- (B) No Wireless Communication Facility shall be used for the purposes of signage or message display of any kind

**General Development Standards for Wireless Communication Facilities**

Wireless Communication Facility Type	Zone	Installation Type		Location	Size Requirements	Supplemental Requirements
		Roof Mounted	Ground Mounted			
Large Satellite Dish Antenna(s)	All Zones	Allowed in all zones except UR and R zones.	Allowed in all zones	Shall not be located within front or side yard building setback areas.	Mountings and Satellite dishes shall be no taller than the minimum required for obtaining an obstruction-free reception window	Construction plans and final construction of the mounting bases of all large satellite dish antenna(s) shall be approved by the City's Building Division.
	UR and R	Not Allowed	Allowed	No standard	Ground Mounted: Shall not exceed 12 feet in diameter and 15 feet in height, including their bases measured from existing grade	No standard
	All non-residential zones	Allowed	Allowed	Ground Mounted: Shall be located outside of any required landscaped area and preferably located in service areas or other less visible locations.	Ground Mounted: Shall not exceed 12 feet in diameter and 15 feet in height measured from the existing grade. Roof Mounted: Shall not exceed 12 feet in diameter and 15 feet in height, including their bases measured from the roof line.	No standard



Amateur Radio Towers	All Zones	Roof Mounted	Ground Mounted	Shall not be located within any easements, front, side or rear yard building setback areas.	Mountings and Amateur Radio Towers shall be no taller than the minimum required for the purposes of obtaining an obstruction-free reception window.	Construction plans and final construction of the mounting bases of amateur radio towers covered by this section shall meet the structural design requirements of this section and shall be approved by the City's Building Division.
		Allowed	Allowed			
		Allowed	Allowed			
	RA-5 and UR	Allowed	Allowed	Shall be located in the yard of the residence and avoid using land that is available for crops, pasture or other agricultural activities.	Ground Mounted: Shall not exceed 65 feet unless a proposal demonstrates that physical obstructions impair the adequate use of the tower. Telescoping towers may exceed the 65-foot height limit only when extended and operating.	Applications shall document that the proposed tower and any mounting bases are designed to withstand wind and seismic loads as established by the International Building Code.
	UR and R	Allowed	Allowed	Shall be located at a point farthest from lot lines as feasible, or the point farthest from residential structures on abutting properties.	Roof Mounted The combined structure of a roof-mounted tower and antenna(s) shall not exceed a height of 25 feet above the existing roofline.  Within the shoreline jurisdiction, the height limit for ground-mounted and roof-mounted towers and antennas, inclusive of building height, is 50 feet. (SMP)	

Base Stations	All zones	x	Not located in any setback areas. Placement of a freestanding structure shall be denied if opportunity for placement on an existing structure or antenna support structure exists.	Where an antenna or antenna support structure is to be mounted on the roof of a base station, the combined antenna(s) and supporting structure shall not extend more than 15 feet above the existing or proposed roof structure.	Construction plans and final construction of the mountings of wireless antenna(s) and equipment shelters shall be approved by the City's Building Division. Applications shall document that the proposed antenna support structure and any mounting bases are designed to reasonably withstand wind and seismic loads.
	UR, RA-5 and R	x		Associated above-ground equipment shelters shall be minimized, and shall not exceed 240 square feet (e.g., 12 by 20 feet) unless operators can demonstrate that more space is needed.	
Antenna Support Structures and Antenna Arrays	All non-residential zones		Above-ground equipment shelters for antenna arrays located on buildings shall be located within, on the sides or behind the buildings and screened to the fullest extent possible.	Associated above-ground equipment shelters shall not exceed 240 square feet (e.g., 12 by 20 feet) unless operators can demonstrate that more space is needed.	

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Antenna Support Structures and Antenna Arrays	All Zones	Tower	May not be located in setback areas.	Criteria for each zone set forth below.	A Washington licensed professional engineer shall certify in writing, over his or her seal, that both construction plans and final construction of the antenna support structures are designed to reasonably withstand wind and seismic loads as established by the International Building Code.
	UR and R	Tower	Shall be located at a point farthest from lot lines as feasible.	The combined height inclusive of antenna(s) shall not extend more than 15 feet above the maximum height of the zone for which it is proposed to a maximum of 60 feet. A height bonus of 15 feet may be allowed by the approval authority when collocation is specifically provided.	
	All other zones	Tower	No specific criteria	The combined height inclusive of antenna arrays shall not exceed 85 feet except when collocation is specifically provided for, then the antenna support structure shall not exceed 100 feet.	

## 21.56.050 Design Standards for Wireless Communication Facilities

(A) Compliance Required. All wireless communications facilities shall comply with the design standards set forth in the following table:

**Design Standards for Wireless Communication Facilities**

Wireless Communication Facility Type	Zone	Design Standards	Landscaping and Screening Requirements	Additional Standards
Large Satellite Dish Antenna(s)	All zones	Aluminum mesh dishes should be used whenever possible instead of a solid fiberglass type.	Required when visible from any street and from the yards and main floor living areas of residential properties within approximately 500 feet of the facility.	Screening shall be provided with one or a combination of the following methods: fencing, walls, landscaping, structures, or topography to block the view of the facility as much as possible from any street and from the yards and main floor living areas of residential properties

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				<p>within approximately 500 feet. Screening may be located anywhere between the facility being screened and the above-mentioned viewpoints. Landscaping for the purpose of screening shall be maintained in a healthy condition. To the extent technically feasible and in compliance with safety regulations, specific paint colors may be required for camouflage purposes.</p>
UR & R	No standard		<p>A Type 1 visual screen (90% solid or more) pursuant to see RZC 21.32.080, Types of Planting, shall be required.</p>	<p>Visual screen shall be provided as high as the center of the dish. The screening shall be located above the center of the dish and shall be 50% or more to the top of the antenna(s). Evergreen plants shall be used to accomplish year-round screening, and shall be large enough at installation to meet appropriate screening standards.</p>
All non-residential zones	No standard		<p>Ground Mounted: A Type 1 visual screen (90% solid or more) pursuant to RZC 21.32.080, Types of Planting, shall be required.</p> <p>Roof Mounted: Shall be placed as close to the center of the roof as possible.</p>	<p>Screening shall be as high as the center of the dish. Solid screening shall be provided as high as the dish if the proposed location abuts an adjoining residential zone.</p> <p>If the dish is still visible from any point within approximately 500 feet as viewed from the ground level, additional screening shall be required to supplement the screening provided by the roof itself. Screening shall be of a material and design compatible with the building, and can include penthouse screening, parapet walls, or other similar screening.</p>
Amateur Radio Towers	All Zones	To the extent technically feasible and in compliance with safety regulations, specific paint colors	Required when visible from any street and from the yards and main floor living	Screening shall be provided with one or a combination of the following methods: fencing, walls, landscaping, structures,

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		may be required to allow the tower to blend better with its setting.	areas of residential properties within approximately 500 feet of the facility.	or topography to block the view of the facility as much as possible from any street and from the yards and main floor living areas of residential properties within approximately 500 feet. Screening may be located anywhere between the facility being screened and the above-mentioned viewpoints. Landscaping for the purpose of screening shall be maintained in a healthy condition. To the extent technically feasible and in compliance with safety regulations, specific paint colors may be required for camouflage purposes.
	UR and R		Required when view of the antenna(s) base is visible from any street and from the yards and main living floor areas of surrounding residential properties.	
	All non-residential zones		No specific criteria	No specific criteria
Base Stations	All zones	Antenna arrays located on existing buildings or other structures shall be screened or camouflaged by use of shelters, compatible materials, location, color, and/or other stealth tactics to reduce visibility of the antenna array as viewed from any street or residential property.	Screening of wireless equipment shall be provided.	Screening shall be provided with one or a combination of the following methods: fencing, walls, landscaping, structures, or topography to block the view of the facility as much as possible from any street and from the yards and main floor living areas of residential properties within approximately 500 feet. Screening may be located anywhere between the facility being screened and the above-mentioned viewpoints. Landscaping for the purpose of screening shall be maintained in a healthy condition. To the extent technically feasible and in compliance with safety regulations, specific paint colors may be required for camouflage purposes.  Any fencing required for security shall meet screening codes in the same manner as applied to screening for mechanical and service areas in RZC 21.60.040(D), Accessory Standards.

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	UR, RA-5 and R	Base stations shall be painted a color that matches existing structures or the surrounding landscape. The use of concrete or concrete aggregate shelters is not allowed.	A Type I visual screen (see RZC 21.32.080, Types of Planting) shall be created around the perimeter of the base station. Operators shall consider undergrounding equipment if technically feasible or placing the equipment within existing structures.	No specific criteria
	All non-residential zones	Operators shall consider undergrounding equipment if technically feasible or placing the equipment within an existing structure.	A Type I visual screen (see RZC 21.32.080, Types of Planting) shall be created around the perimeter of the shelter. Above-ground equipment shelters for antenna(s) located on buildings shall be located within, on the sides or behind the buildings and screened to the fullest extent possible. Screening of exterior shelters shall provide colors and materials which blend with surrounding structure.	
Antenna Support Structures and Antenna Arrays	All zones		Specific paint colors shall be required to integrate the tower through location and design where technically feasible and in compliance with safety regulations.	No specific criteria
	UR and R	The antenna array shall not dominate the structure upon which it is attached and shall be visually concealed utilizing color and compatible material to camouflage the facility. Stealth technology that mimics natural features, such as native trees, shall be employed.	Required when view of the antenna array is visible from any street and from the yards and main living floor areas of surrounding residential properties. Within the shoreline jurisdiction, additional screening shall be provided through plantings or double	Visual screen shall be provided as high as the center of the dish. The screening shall be located above the center of the dish and shall be 50% or more to the top of the antenna(s). Evergreen plants shall be used to accomplish year-round screening, and shall be large enough at installation to meet appropriate screening standards.

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			rows of native conifers surrounding the base of the structure. (SMP)	
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## **21.56.060 Special Exceptions**

(A) Purpose. The purpose of this section is to provide for the granting of special exceptions when adherence to all development standards of this chapter would result in a physical barrier which would block signal reception or transmission or prevent effective communication in all permissible locations.

### **(B) Applicability**

- (1) A special exception is required whenever an applicant desires to:
  - (a) Vary from the height, location, or setback limitations on the siting of amateur radio towers; or
  - (b) Locate an antenna support structure within the R-2, R-3, R-4, R-5, and R-6 zones; or
  - (c) Exceed the height limit on a base station; or
  - (d) Vary from the setback, size, screening, landscape, and service area requirements for large satellite dishes in all zones.
- (2) The special exceptions provided in this section do not apply to variations from the International Building Code. A variance pursuant to the Administration and Procedures Chapter of the Zoning Code is required for variations from applicable zoning regulations not described in this section.
- (3) The special exceptions provided in this section do not apply to a request to locate a proposed antenna support structure in the Urban Recreation, RA-5, or R-1 zone or within the shoreline areas of the City or to exceed the height limit for a proposed antenna support structure in any zone. Such requests shall be granted only through the conditional use permit process established under RZC 21.76.070(K), Conditional Use Permit.

### **(C) Procedures.**

- (1) A request for a Special Exception shall be processed in conjunction with the permit approving the wireless communication facility and shall not require any additional application or fees. The final approval authority for granting of the Special Exception shall be the same as that for the permit approving the antenna(s) location.
- (2) Upon review of Special Exception requests, the approval authority shall consider first those standards having the least effect upon the resulting aesthetic compatibility of the antenna(s) or tower with the surrounding environment. The approval authority shall review setback, size, screening requirements, and height limits.

### **(D) Special Exception Decision Criteria.**

- (1) The applicant shall justify the request for a Special Exception by demonstrating that the obstruction or inability to receive a communication signal is the result of factors beyond the property owner's or applicant's control, taking into consideration potential permitted development on adjacent and neighboring lots with regard to future reception window obstruction. Pictures, drawings (to scale), maps and/or manufacturer's specifications, and other technical information as necessary, should be provided to demonstrate to the City that the Special Exception is necessary.
- (2) The applicant for a Special Exception shall demonstrate that the proposed materials, shape, and color of the antenna(s) will, to the greatest extent possible, minimize negative visual impacts on adjacent or nearby residential uses and recreational uses in the Agriculture and Urban Recreation zones and shoreline areas. The use of certain materials, shapes and colors and landscaping may be required in order to minimize visual impacts.
- (3) Large Satellite Dish Antenna(s) – Special Exceptions. In addition to the general criteria for approval of Special Exceptions, the following criteria apply to large satellite dishes:
  - (a) Urban Recreation, Semi-Rural, Residential Zones and Shorelines (SMP).



- (i) Modifications to requirements for setback, size, screening and maximum height limit may be considered by Special Exception. If a Special Exception from the height limit for a ground-mounted dish is requested, the height of the dish shall be limited to a maximum of 18 feet.
  - (ii) Only if these modifications would still block an electromagnetic signal shall rooftop location be considered. If a Special Exception is sought to obtain a rooftop location, the diameter of the dish shall be limited to six feet and maximum permitted height shall be 15 feet above the roofline. The approval authority may require the applicant to place the antenna(s) in an area on the roof which takes into consideration view blockage and aesthetics, provided there is a usable signal.
- (b) Other Zones.
- (i) Ground-Mounted Antenna(s). Exceptions to be first considered shall be from setback, landscape and service area requirements, size and screening requirements. Only if these waived regulations would still block an electromagnetic signal shall a Special Exception from height requirements be considered. If a Special Exception is sought to vary from the height limit, the height of the dish shall be limited to a maximum of 20 feet.
  - (ii) Roof-Mounted Antenna(s). The first exception to be considered shall be the center-of-roof requirement; the second exception shall be from the size and screening requirements, respectively. Only if these waived regulations would still result in a block of the signal shall a Special Exception from height requirements be considered. A Special Exception from the height limit shall be allowed up to a maximum of 20 feet above the existing or proposed structure. The approval authority may require the applicant to place the antenna(s) in an area on the roof which takes into consideration view blockage and aesthetics, provided there is a usable signal and structural considerations allow the alternative placement.
- (4) Additional Requirements for locating or exceeding height limits in UR, RA-5 R-1 or shoreline areas; or proposals to exceed height limits in residential and nonresidential zones:
- (a) An applicant will be required to provide an evaluation of alternative sites during this process.
  - (b) An amplified public involvement process shall be required and shall be conducted and paid for by the applicant. The purpose of the public involvement process is to involve the persons within the zone of likely and foreseeable impacts, and to determine potential mitigation measures that would make siting of that facility more acceptable.
    - (i) The applicant shall propose an acceptable public involvement plan to be reviewed and approved by the Director.
    - (ii) The public involvement process shall be initiated within 45 days of the issuance of a notice of application.
  - (c) In addition to meeting the CUP decision criteria, the following criteria shall be used to make a determination on the application
    - (i) The impact of the facility including the design and operation on the surrounding uses, the environment and the City has been minimized;
    - (ii) The proposal considers possible incentives that can be developed which would make siting the facility within the community more acceptable

## **21.56.070 Technical Evaluation**

In addition to the specific technical evaluations required in this chapter, whenever the Administrator determines that technical expertise, evaluation, or peer review is required in order to determine whether an application meets the requirements of this chapter, the Administrator may require that an applicant provide such expertise, evaluation, or review at the applicant's expense, or the Administrator may obtain such expertise, evaluation, or peer review on the Administrator's own and may require that the applicant pay the cost of such expertise, evaluation, or review.

## **21.56.080 Cessation of Use**

An antenna support structure or base station shall be removed by the owner if operation of the same ceases for a period of 12 consecutive months or if the facility falls into disrepair and is not maintained. Disrepair includes structural features, paint, landscaping, or general lack of maintenance which could result in safety or visual impacts. Whenever a facility ceases operation or falls into disrepair as provided in this section, the entire facility shall be removed, including but not limited to, all antennas, antenna supports, feeder lines, base stations, electronic equipment, and the concrete pad upon which the structure is located. All permits issued for antenna support structures and base stations under this chapter shall be conditioned upon removal as required in this section.