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11/17/05

ORDINANCE NO. 2278

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, RELATING TO CRITICAL AREAS AND ADOPTING DEVELOPMENT GUIDE AMENDMENT (DGA) L050331; ADOPTING AN UPDATED STREAM MAP FOR USE AS PROVIDED IN REDMOND COMMUNITY DEVELOPMENT GUIDE (RCDG) 20D.140.10-040; AMENDING RCDG 20D.140.10-040 AND RCDG 20D.140.20-010(5) IN ORDER TO CLARIFY THE USE OF MAPS IN THE CITY'S CRITICAL AREAS REGULATIONS; ADDING A NEW DEFINITION OF "HABITATS OF LOCAL IMPORTANCE" TO THE "H" DEFINITIONS IN RCDG 20A.20.080; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Redmond Planning Department has proposed DGA L050331 in order to update the stream map, to clarify the use of maps in the City's critical areas regulations, and to add a new definition for "Habitats of Local Significance"; and

WHEREAS, a SEPA threshold Determination of Non-Significance (DNS) was issued for the proposed DGA on September 27, 2005; and

WHEREAS, the Redmond Planning Commission held a public hearing on the DGA on October 19, 2005 and, after considering all testimony received and all information submitted, issued a recommendation in favor of the DGA on November 9, 2005; and

WHEREAS, the Redmond City Council considered the Planning Commission's recommendation at a public meeting on December 6, 2005 and determined

to adopt the amendments to the Redmond Community Development Guide (RCDG) set forth in this ordinance, now, therefore,

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

Section 1. Updated Stream Map. An updated stream map in the form attached to this ordinance (Exhibit 1) and incorporated herein by this reference as if set forth in full is hereby adopted as the stream map referenced in RCDG 20D.140.10-040.

Section 2. Critical Areas Maps Generally. RCDG 20D.140.10-040 is hereby amended to read as follows:

20D.140.10-040 Critical Area Maps.

Critical Areas Generally. Critical areas maps are included as part of this chapter and listed as follows:

- (1) Fish and Wildlife Habitat Conservation Areas;
- (2) Streams;
- (3) Wetlands;
- (4) Frequently Flooded Areas;
- (5) Wellhead Protection Zones;
- (6) Landslide Hazard Areas;
- (7) Erosion hazard Areas; and
- (8) Seismic Hazard Areas

These maps shall be used as a general guide only for the assistance of property owners and other interested parties; boundaries are generalized. The actual type, extent, and boundaries of critical areas shall be determined in the field by a qualified consultant according to the procedures, definitions, and criteria established by this chapter. In the event of any conflict between the critical area location and designation shown on the City's map and the criteria or standards of this section, the criteria and standards shall prevail.

Section 3. Fish and Wildlife Conservation Area Maps. RCDG

20D.140.20-010(5) is hereby amended to read as follows:

- (5) Classification of Fish and Wildlife Habitat Conservation Areas shall be determined by the Department based on consideration of the following factors:
 - (a) Maps adopted pursuant to this chapter, including the fish and wildlife habitat conservation area core preservation areas map and stream classification map. This map shall be used as a general guide only for the assistance of property owners and other interested parties; boundaries are generalized. The actual type, extent, and boundaries of Fish and Wildlife Habitat Conservation Areas and streams shall be determined in the field by a qualified consultant according to the procedures, definitions, and criteria established by this chapter. In the event of any conflict between the critical area location and designation shown on the City's map and the criteria or standards of this section, the criteria and standards shall prevail;
 - (b) Department of Fish and Wildlife priority habitat and species maps;
 - (c) Anadromous and resident salmonid distribution maps contained in the habitat-limiting factors reports published by the Washington State Conservation Commission;
 - (d) Federal and state information and maps related to species of concern;
 - (e) Application of the criteria contained in these regulations; and
 - (f) Consideration of the technical reports submitted by qualified consultants in

connection with the applications subject to these regulations.

Section 4. Habitats of Local Importance. A new definition of "Habitats of Local Importance" is hereby added to the "H" definitions in RCDG 20A.20.080 to read as follows:

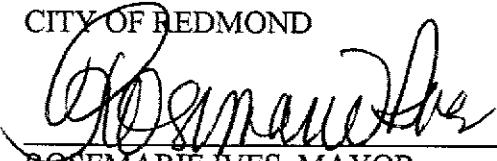
Habitats of Local Importance.

Habitats of Local Importance include a seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over time. These might include areas of high relative density or species richness, breeding habitats, winter range, and movement corridors. These might also include habitats that are of limited availability or high vulnerability to alterations, such as cliffs, talus, and wetlands.

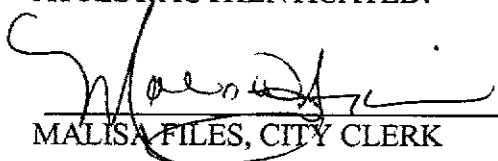
Section 5. Severability. If any section, sentence, clause, or phrase of this ordinance, or any provision the Redmond Municipal Code and Community Development Guide adopted or amended hereby, should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance or any Redmond Municipal Code or Community Development Guide provision adopted or amended hereby.

Section 6. Effective Date. This ordinance, being an exercise of a power specifically delegated to the city legislative body, is not subject to referendum, and shall take effect five days after passage and publication of an approved summary thereof consisting of the title.

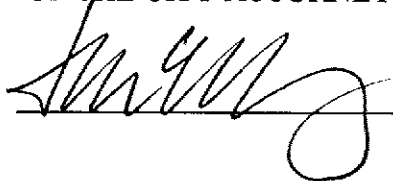
CITY OF REDMOND


ROSEMARIE IVES, MAYOR

ATTEST/AUTHENTICATED:


MALISA FILES, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
SIGNED BY THE MAYOR:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: 2278

November 28, 2005
December 6, 2005
December 6, 2005
December 12, 2005
December 17, 2005