

ORDINANCE NO. 2424

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING RCDG 20A.20.200, 20D.190, 20D.170.65, AND 20F.40.170 IN ORDER PROVIDE DEFINITIONS, REQUIREMENTS, AND PROCEDURES FOR PERMITTING TEMPORARY USES AND TEMPORARY ENCAMPMENTS WITHIN THE CITY AND IN ORDER TO ELIMINATE DUPLICATIVE CODE AND CLARIFY RECREATIONAL CAMPING AS AN UNCLASSIFIED USE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, the Redmond Community Development Guide (RCDG) authorizes temporary uses and structures in a limited number of situations, and

WHEREAS, during the review and appeal process for a temporary use permit for a homeless encampment in 2006, it became apparent that there were structural and clarity issues with the existing code on temporary uses, and

WHEREAS, in response to the structural and clarity issues, the City planning staff prepared changes to the code and on July 24, 2008, a community meeting was held to introduce the proposed code changes to the public, and

WHEREAS, the Redmond Planning Commission began its review of the proposed code changes on August 13, 2008, and the Planning Commission held a public hearing on the proposed changes on August 20, 2008, and

WHEREAS on October 15, 2008, the Redmond Planning Commission made its final recommendations on proposed changes to the City's temporary use regulations,

WHEREAS, the Redmond City Council considered the Planning Commission's recommendations on November 3, 2008, and has determined to adopt the code changes set forth in this ordinance.

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

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City Code.

Section 2. Amendment of Section - Definitions. RCDG 20 A.20.200, is hereby amended by adding the following definitions:

Temporary Encampment.

A group of persons temporarily residing out of doors for other than recreational purposes with services provided by a temporary encampment sponsor and supervised by a temporary encampment managing organization.

Temporary Encampment Sponsor.

A local group or organization that has an agreement with the temporary encampment managing organization to provide basic services and support for the residents of a temporary encampment and liaison with the surrounding community and joins with the managing agency in an application for a temporary use permit. A "sponsor" may be the same entity as the managing organization.

Temporary Encampment Managing Organization.

An organization that has the capacity to organize and manage a temporary encampment. A "managing agency" may be the same entity as the temporary encampment sponsor.

Temporary Use.

A specific use that is allowed for a limited duration and/or frequency through the approval of a Temporary Use Permit.

Section 3. Amendment of Section. RCDG 20D.170.65-010,

Unclassified Uses, is hereby amended to read as follows:

**20D.170.65-010 Purpose.**

Unclassified uses are those uses possessing unique and special characteristics which prevent them from being permitted outright in any zone of the City and those uses not consistent, overlooked or inadvertently omitted from the permitted land uses charts in RCDG Title 20C. Unclassified uses may be permitted only after a special development permit has been approved and subject to any conditions imposed to mitigate the impacts of the use. (See also RCDG 20F.40.080, Essential Public Facilities.) Unclassified uses include the following:

- (1) Nature exhibits, zoos, aquariums, botanical gardens, amusement parks;
- (2) Recreational [C]camping sites, hunting and gun clubs, ranges, paint ball facilities;
- (3) Cemeteries, mausoleums;
- (4) University and college facilities;
- (5) Disposal, processing, treatment plants;
- (6) Other uses not specified elsewhere in the Development Code.

Section 4.      Amendment of Section.      RCDG 20D.190.10,

Temporary Use Regulations, is hereby amended to read as follows:

**20D.190.10 Temporary Uses.**

**20D.190.10-010 Purpose.**

The following provisions authorizing and regulating certain temporary uses are intended to permit temporary uses and structures when consistent with the Development Guide and when safe and compatible with the general vicinity and adjacent uses.

~~**[20D.190.10-020 APPLICATION AND AUTHORIZATION.**~~

~~(1) APPLICATION TO CONDUCT A TEMPORARY USE SHALL BE MADE TO THE PLANNING DEPARTMENT, AND SHALL INCLUDE SUCH INFORMATION AS THE PLANNING DIRECTOR MAY REQUIRE TO EVALUATE THE USE AND TO MAKE THE DETERMINATIONS REQUIRED BY THESE PROVISIONS.~~

~~(2) APPLICATION SHALL BE MADE PRIOR TO THE REQUESTED DATE FOR COMMENCEMENT OF THE TEMPORARY USE, AND THE PLANNING DIRECTOR SHALL MAKE A DETERMINATION WHETHER TO APPROVE, APPROVE CONDITIONALLY, OR TO DENY THE TEMPORARY USE WITHIN 10 DAYS AFTER THE DATE OF APPLICATION.~~

~~(3) AUTHORIZATION OF A TEMPORARY USE SHALL BE BY ISSUANCE OF AN APPROVAL LETTER.]~~

20D.190.10-025 Scope.

(1) A short-term temporary use permit may only be valid for a maximum of six months. Applications for a short-term temporary use permit (six months or less) shall follow the procedures for a Type I review pursuant to RCDG 20F.30.30 or as modified herein.

(2) A long-term temporary use permit may only be valid for the time period specified by the City Council. If the permit must be renewed, the applicant must apply for a new temporary use permit. Applications for a long-term temporary use permit (longer than six months) shall follow the procedures for a Type V review pursuant to RCDG 20F.30.50.

(3) The following types of temporary uses, activities and associated structures may be authorized, subject to specific limitations noted herein and as noted in RCDG 20D.190.10-030 and as may be established by the Administrator:

(a) Outdoor art and craft shows and exhibits;

(b) Retail sales such as Christmas trees, seasonal retail sale of agricultural or horticultural products, firewood, seafood, etc;

(c) Mobile services such as veterinary services for purposes of giving shots;

(d) Push cart vendors. No mechanical, audio or noise-making devices, nor loud shouting or yelling will be permitted to attract attention;

(e) Group retail sales such as swap meets, flea markets, parking lot sales, Saturday Market, auctions, etc.;

(f) Temporary encampments which comply with the conditions outlined in RCDG 20D.190;

(g) The Planning Director may authorize additional temporary uses not listed in this subsection, when it is found that the proposed uses are in compliance with the provisions pursuant to RCDG 20D.190.

(4) Exemptions. The following activities and structures are exempt from requirements to obtain temporary use approval:

(a) A mobile home or travel trailer in the Light Industry and Heavy Industry zones to house watchmen or caretakers when approved by the Administrator;

(b) A mobile home or travel trailer with adequate water and sewer service used as a dwelling

while a residential building on the same lot is being constructed or while a damaged residential building is being repaired;

(c) When elderly or disabled relatives of the occupant of an existing residence require constant supervision and care, a mobile home with adequate water and sewer services located adjacent to such residences may be permitted to house the relatives;

(d) Recycling and collection centers shall meet the following requirements:

(i) Containers and structures shall be located on private property and not on public rights-of-way. The property owner's approval must be obtained, and the Planning Department notified that the structure will be located at that site.

(ii) Structures shall not interfere with traffic circulation or visibility at intersections.

(iii) The owner's name and telephone number shall be clearly posted on the structure or container.

(iv) If located in a parking area, the structures or containers shall take up no more than three parking stalls. One collection structure and associated staff booth are allowed in parking lots of



200 stalls or less and one additional container and staff booth for every additional 200 stalls.

(e) Mobile homes, residences or travel trailers used for occupancy by supervisory and security personnel on the site of an active construction project;

(f) Portable units and mobile homes on school sites or other public facilities when approved by the Administrator;

(g) Guests of Redmond residents in recreational vehicles when in compliance with RCDG20D.130.10.050(2);

(h) Model homes or apartments and related real estate sales and display activities located within the subdivision or residential development to which they pertain;

(i) Contractor's office, storage yard, and equipment parking and servicing on the site of an active construction project;

(j) Home businesses in conformance with RCDG 20C.30.060, Home Businesses;

(k) Garage sales, moving sales, and similar activities for the sale of personal belongings when operated not more than three days in the same week and

not more than twice in the same calendar year. Allowed  
in all residential zoning districts;

(l) Fund-raising carwashes;

(m) Vehicular or motorized catering such as  
popsicle/ice cream scooters and self-contained lunch  
wagons which cater to construction sites or  
manufacturing facilities;

(n) Circuses, carnivals, fairs, or similar  
transient amusement or recreational activities. Such  
uses are subject to Chapter 5.28 RMC, Shows, Carnivals  
and Circuses;

(o) Activities, vendors and booths  
associated with City of Redmond sponsored or  
authorized special events such as the Redmond Derby  
Days or Redmond Bike Classic;

(p) On-premises activities or existing  
businesses in compliance with outdoor storage  
requirements;

(q) Individual booths in an approved  
temporary use site for group retail identified under  
RCDG 20D.190.10-020(e).

(r) Weekend (Saturday and Sunday) only,  
warehouse sales when held no more than once a month in

an existing facility. Allowed in Light Industry, Heavy Industry and Business Park zoning districts.

20D.190.010-030            Decision Criteria.

(1) The [~~PLANNING DIRECTOR~~] Administrator may authorize temporary uses after consultation and coordination with all other applicable City departments and other agencies and only when all of the following determinations can be made:

~~+(1)+~~ (a) The temporary use will not impair the normal, safe, and effective operation of a permanent use on the same site.

~~+(2)+~~ (b) The temporary use will be compatible with uses in the general vicinity and on adjacent properties.

~~+(3)+~~ (c) The temporary use will not significantly impact public health, safety or convenience, or create traffic hazards or congestion, or otherwise interrupt or interfere with the normal conduct or uses and activities in the vicinity.

~~+(4)+~~ (d) The use and associated structures will be conducted and used in a manner compatible with the surrounding area.

~~+(5)+~~ (e) The temporary use shall comply with the goals, policies and standards of the Development Guide.

(2) General Conditions.

(a) A temporary use conducted in a parking facility shall not occupy or remove from availability more than 25 percent of the spaces required for the permanent use.

(b) Each site occupied by a temporary use must provide or have available sufficient parking and vehicular maneuvering area for customers. Such parking need not comply with RCDG 20D.130.10-050, Parking, but must provide safe and efficient interior circulation and ingress and egress to and from public rights-of-way.

(c) The temporary use shall comply with all applicable standards of the Seattle-King County Health Department.

(d) No temporary use shall occupy or use public parks in any manner unless specifically approved by the Parks Department.

(e) No short-term temporary use shall occupy or operate within the City of Redmond for more than six months within any calendar year unless

approved by the City Council under a long-term temporary use permit. A day of operation shall mean any or part of any day in which the business is conducted. The six months need not run consecutively. The six months may occur at any time within a calendar year as long as each day is designated and approved.

(f) All temporary uses shall obtain, prior to occupancy of the site, all applicable City of Redmond permits, licenses and other approvals (i.e., business license, building permit, administrative approvals, etc.).

(g) The applicant for temporary use shall supply written authorization from the owner of property on which the temporary use is located.

(h) Each site occupied by a temporary use shall be left free of debris, litter, or other evidence of the temporary use upon completion of removal of the use.

(i) All materials, structures and products related to the temporary use must be removed from the premises between days of operation on the site, provided, that materials, structures and products related to the temporary use may be left on-site overnight between consecutive days of operation. By

virtue of having been in consistent operation prior to the existence of the ordinance codified in this chapter the open air craft and farmer's market operation, commonly known as the Saturday Market, shall be allowed to store structures on-site between weekend activity of the market, but such structures must be reviewed by the Administrator annually and permission to leave them in place between market sessions may be denied if they become a visual blight, safety, or health problem. They shall be removed at the end of the permit period.

(j) The Administrator may establish such additional conditions as may be deemed necessary to ensure land use compatibility and to minimize potential impacts on nearby uses. These include but are not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirement for screening or enclosure, and guarantees for site restoration and cleanup following temporary uses.

(3) Temporary Encampments must also meet the following criteria:

(a) The applicant shall apply for a temporary use permit at least 30 days before the planned opening of the temporary encampment.

(b) The encampment shall be limited to a maximum of 100 persons. After the encampment reaches its 100 person capacity, individuals who arrive after sundown (and meet all screening criteria) will be allowed to stay for one night, after which they will not be permitted entry until a vacancy is available. Such occurrences shall be logged and reported to the City on a weekly basis.

(c) A temporary encampment shall be limited to a maximum of 110 days within any 365 day time period at one location.

(d) The encampment or the parking of any vehicles associated with the application shall not displace the host site's parking lot in such a way that the host site no longer meets the minimum or required parking of the principle use as required by code or previous approvals unless an alternative parking plan has been approved by the Planning Director.

(e) The Temporary Encampment Managing Organization shall maintain a resident log for all who

are residing at the encampment. Such log shall be kept onsite at the encampment. Prospective encampment residents shall be asked to provide a reasonable form of identification when signing the log.

(f) The Planning Director may impose additional conditions for the purpose of maintaining the health, safety, and welfare of people in and around the temporary encampment, relating but not limited to any or all of the following:

(i) Encampment resident code of conduct;

(ii) The presence of minors in the encampment;

(iii) The provision of transportation to/from the encampment; and,

(iv) Setbacks and screening.

(4) Temporary Encampments shall be processed as a Type I Permit with the following modifications:

(a) A Notice of Application shall be mailed and posted on-site meeting the standards outlined in 20F.30.35-020(1) - 20F.30.35-020(3)(x).

(b) Posting on the Notice of Application shall meet the standards outlined in 20F.30.35-020(4) and (5).



(c) A minimum of one Major Land Use Action Sign shall be posted on-site meeting the requirements outlined in 20F.30.40-030(4)(c).

(d) Prior to the decision on the application for a Temporary Encampment, the Administrator shall require that a neighborhood meeting be held.

(5) Emergencies. The Administrator may waive these requirements when a natural or manmade disaster necessitates the immediate establishment of a temporary encampment.

~~[20D.190.10-040 GENERAL CONDITIONS.]~~

~~(1) A TEMPORARY USE CONDUCTED IN A PARKING FACILITY SHALL NOT OCCUPY OR REMOVE FROM AVAILABILITY MORE THAN 25 PERCENT OF THE SPACES REQUIRED FOR THE PERMANENT USE.~~

~~(2) EACH SITE OCCUPIED BY A TEMPORARY USE MUST PROVIDE OR HAVE AVAILABLE SUFFICIENT PARKING AND VEHICULAR MANEUVERING AREA FOR CUSTOMERS. SUCH PARKING NEED NOT COMPLY WITH RCDG 20D.130.10-050, PARKING, BUT MUST PROVIDE SAFE AND EFFICIENT INTERIOR CIRCULATION AND INGRESS AND EGRESS TO AND FROM PUBLIC RIGHTS OF WAY.~~

~~(3) THE TEMPORARY USE SHALL COMPLY WITH ALL APPLICABLE STANDARDS OF THE SEATTLE-KING COUNTY HEALTH DEPARTMENT.~~

~~(4) NO TEMPORARY USE SHALL OCCUPY OR USE PUBLIC PARKS IN ANY MANNER UNLESS SPECIFICALLY APPROVED BY THE PARKS DEPARTMENT.~~

~~(5) NO SHORT TERM TEMPORARY USE SHALL OCCUPY OR OPERATE WITHIN THE CITY OF REDMOND FOR MORE THAN SIX MONTHS WITHIN ANY CALENDAR YEAR UNLESS APPROVED BY THE CITY COUNCIL UNDER A LONG TERM TEMPORARY USE PERMIT. A DAY OF OPERATION SHALL MEAN ANY OR PART OF ANY DAY IN WHICH THE BUSINESS IS CONDUCTED. THE SIX MONTHS NEED NOT RUN CONSECUTIVELY. THE SIX MONTHS MAY OCCUR AT ANY TIME WITHIN A CALENDAR YEAR AS LONG AS EACH DAY IS DESIGNATED AND APPROVED.~~

~~(6) ALL TEMPORARY USES SHALL OBTAIN, PRIOR TO OCCUPANCY OF THE SITE, ALL APPLICABLE CITY OF REDMOND PERMITS, LICENSES AND OTHER APPROVALS (I.E., BUSINESS LICENSE, BUILDING PERMIT, ADMINISTRATIVE APPROVALS, ETC.)~~

~~(7) THE APPLICANT FOR TEMPORARY USE SHALL SUPPLY WRITTEN AUTHORIZATION FROM THE OWNER OF PROPERTY ON WHICH THE TEMPORARY USE IS LOCATED.~~

~~(8) EACH SITE OCCUPIED BY A TEMPORARY USE SHALL BE LEFT FREE OF DEBRIS, LITTER, OR OTHER EVIDENCE OF THE TEMPORARY USE UPON COMPLETION OF REMOVAL OF THE USE.~~

~~(9) ALL MATERIALS, STRUCTURES AND PRODUCTS RELATED TO THE TEMPORARY USE MUST BE REMOVED FROM THE PREMISES BETWEEN DAYS OF OPERATION ON THE SITE, PROVIDED THAT MATERIALS, STRUCTURES AND PRODUCTS RELATED TO THE TEMPORARY USE MAY BE LEFT ON SITE OVERNIGHT BETWEEN CONSECUTIVE DAYS OF OPERATION. BY VIRTUE OF HAVING BEEN IN CONSISTENT OPERATION PRIOR TO THE EXISTENCE OF THE ORDINANCE CODIFIED IN THIS CHAPTER THE OPEN AIR CRAFT AND FARMER'S MARKET OPERATION, COMMONLY KNOWN AS THE SATURDAY MARKET, SHALL BE ALLOWED TO STORE STRUCTURES ON SITE BETWEEN WEEKEND ACTIVITY OF THE MARKET, BUT SUCH STRUCTURES MUST BE REVIEWED BY THE DIRECTOR ANNUALLY AND PERMISSION TO LEAVE THEM IN PLACE BETWEEN MARKET SESSIONS MAY BE DENIED IF THEY BECOME A VISUAL BLIGHT, SAFETY, OR HEALTH PROBLEM. THEY SHALL BE REMOVED AT THE END OF THE PERMIT PERIOD.~~

~~(10) IF THE PLANNING DIRECTOR BELIEVES NOTICE TO ADJACENT PROPERTY OWNERS SHOULD BE MADE PRIOR TO~~

~~APPROVAL, THIS SHALL BE DONE AND THE 10 DAY APPROVAL PERIOD SHALL BE WAIVED.~~

~~(11) THE PLANNING DIRECTOR MAY ESTABLISH SUCH ADDITIONAL CONDITIONS AS MAY BE DEEMED NECESSARY TO ENSURE LAND USE COMPATIBILITY AND TO MINIMIZE POTENTIAL IMPACTS ON NEARBY USES. THESE INCLUDE BUT ARE NOT LIMITED TO, TIME AND FREQUENCY OF OPERATION, TEMPORARY ARRANGEMENTS FOR PARKING AND TRAFFIC CIRCULATION, REQUIREMENT FOR SCREENING OR ENCLOSURE, AND GUARANTEES FOR SITE RESTORATION AND CLEANUP FOLLOWING TEMPORARY USES.]~~

~~**20D.190.10-050 ALLOWED TEMPORARY USES.**~~

~~THE FOLLOWING TYPES OF TEMPORARY USES, ACTIVITIES AND ASSOCIATED STRUCTURES MAY BE AUTHORIZED, SUBJECT TO SPECIFIC LIMITATIONS NOTED HEREIN AND AS NOTED IN RCDG 20D.190.10-030, 20D.190.10-040, 20D.190.10-060 AND AS MAY BE ESTABLISHED BY THE PLANNING DIRECTOR:~~

~~(1) OUTDOOR ART AND CRAFT SHOWS AND EXHIBITS.~~

~~(2) RETAIL SALES SUCH AS CHRISTMAS TREES, SEASONAL RETAIL SALE OF AGRICULTURAL OR HORTICULTURAL PRODUCTS, FIREWOOD, SEAFOOD, ETC.~~

~~(3) MOBILE SERVICES SUCH AS VETERINARY SERVICES FOR PURPOSES OF GIVING SHOTS.~~

~~(4) PUSH CART VENDORS. NO MECHANICAL AUDIO OR NOISE MAKING DEVICES, NOR LOUD SHOUTING OR YELLING WILL BE PERMITTED TO ATTRACT ATTENTION.~~

~~(5) GROUP RETAIL SALES SUCH AS SWAP MEETS, FLEA MARKETS, PARKING LOT SALES, SATURDAY MARKET, AUCTIONS, ETC.~~

~~(6) THE PLANNING DIRECTOR MAY AUTHORIZE ADDITIONAL TEMPORARY USES NOT LISTED IN THIS SUBSECTION, WHEN IT IS FOUND THAT THE PROPOSED USES ARE IN COMPLIANCE WITH THE PROVISIONS OF THIS SECTION.~~

~~20D.190.10-060 EXEMPTIONS.~~

~~THE FOLLOWING ACTIVITIES AND STRUCTURES ARE EXEMPT FROM REQUIREMENTS TO OBTAIN TEMPORARY USE APPROVAL:~~

~~(1) A MOBILE HOME OR TRAVEL TRAILER IN THE LIGHT INDUSTRY AND HEAVY INDUSTRY ZONES TO HOUSE WATCHMEN OR CARETAKERS WHEN APPROVED BY RCDC 20F.20.20, SITE PLAN REVIEW, AND 20F.20.40, ENVIRONMENTAL REVIEW.~~

~~(2) A MOBILE HOME OR TRAVEL TRAILER WITH ADEQUATE WATER AND SEWER SERVICE USED AS A DWELLING WHILE A RESIDENTIAL BUILDING ON THE SAME LOT IS BEING CONSTRUCTED OR WHILE A DAMAGED RESIDENTIAL BUILDING IS BEING REPAIRED.~~

~~(3) WHEN ELDERLY OR DISABLED RELATIVES OF THE OCCUPANT OF AN EXISTING RESIDENCE REQUIRE CONSTANT SUPERVISION AND CARE, A MOBILE HOME WITH ADEQUATE WATER AND SEWER SERVICES LOCATED ADJACENT TO SUCH RESIDENCES MAY BE PERMITTED TO HOUSE THE RELATIVES.~~

~~(4) MOBILE HOMES, RESIDENCES OR TRAVEL TRAILERS USED FOR OCCUPANCY BY SUPERVISORY AND SECURITY PERSONNEL ON THE SITE OF AN ACTIVE CONSTRUCTION PROJECT.~~

~~(5) PORTABLE UNITS AND MOBILE HOMES ON SCHOOL SITES OR OTHER PUBLIC FACILITIES WHEN APPROVED BY RCDG TITLE 20F, ADMINISTRATION AND PROCEDURES.~~

~~(6) GUESTS OF REDMOND RESIDENTS IN RECREATIONAL VEHICLES WHEN IN COMPLIANCE WITH RCDG 20D.130.10-050(2).~~

~~(7) MODEL HOMES OR APARTMENTS AND RELATED REAL ESTATE SALES AND DISPLAY ACTIVITIES LOCATED WITHIN THE SUBDIVISION OR RESIDENTIAL DEVELOPMENT TO WHICH THEY PERTAIN.~~

~~(8) CONTRACTOR'S OFFICE, STORAGE YARD, AND EQUIPMENT PARKING AND SERVICING ON THE SITE OF AN ACTIVE CONSTRUCTION PROJECT.~~

~~(9) HOME BUSINESSES IN CONFORMANCE WITH RCDG  
20C.30.60, HOME BUSINESSES.~~

~~(10) GARAGE SALES, MOVING SALES, AND SIMILAR  
ACTIVITIES FOR THE SALE OF PERSONAL BELONGINGS WHEN  
OPERATED NOT MORE THAN THREE DAYS IN THE SAME WEEK AND  
NOT MORE THAN TWICE IN THE SAME CALENDAR YEAR. ALLOWED  
IN ALL RESIDENTIAL ZONING DISTRICTS.~~

~~(11) FUND RAISING CARWASHES.~~

~~(12) VEHICULAR OR MOTORIZED CATERING SUCH AS  
POPSICLE/ICE CREAM SCOOTERS AND SELF-CONTAINED LUNCH  
WAGONS WHICH CATER TO CONSTRUCTION SITES OR  
MANUFACTURING FACILITIES.~~

~~(13) CIRCUSES, CARNIVALS, FAIRS, OR SIMILAR  
TRANSIENT AMUSEMENT OR RECREATIONAL ACTIVITIES. SUCH  
USES ARE SUBJECT TO CHAPTER 5.28 RMC, SHOWS, CARNIVALS  
AND CIRCUSES.~~

~~(14) ACTIVITIES, VENDORS AND BOOTH ASSOCIATED  
WITH CITY OF REDMOND SPONSORED OR AUTHORIZED SPECIAL  
EVENTS SUCH AS THE REDMOND DERBY DAYS OR REDMOND BIKE  
CLASSIC.~~

~~(15) ON PREMISES ACTIVITIES OR EXISTING  
BUSINESSES IN COMPLIANCE WITH OUTDOOR STORAGE  
REQUIREMENTS.~~

~~(16) INDIVIDUAL BOOTHS IN AN APPROVED TEMPORARY USE SITE FOR GROUP RETAIL IDENTIFIED UNDER RCDC 20D.190.10-050(5).~~

~~(17) WEEKEND (SATURDAY AND SUNDAY) ONLY, WAREHOUSE SALES WHEN HELD NO MORE THAN ONCE A MONTH IN AN EXISTING FACILITY. ALLOWED IN LIGHT INDUSTRY, HEAVY INDUSTRY AND BUSINESS PARK ZONING DISTRICTS.~~

~~(18) RECYCLING AND COLLECTION CENTERS SHALL MEET THE FOLLOWING REQUIREMENTS:~~

~~(A) CONTAINERS AND STRUCTURES SHALL BE LOCATED ON PRIVATE PROPERTY AND NOT ON PUBLIC RIGHTS OF WAY. THE PROPERTY OWNER'S APPROVAL MUST BE OBTAINED, AND THE PLANNING DEPARTMENT NOTIFIED THAT THE STRUCTURE WILL BE LOCATED AT THAT SITE.~~

~~(B) STRUCTURES SHALL NOT INTERFERE WITH TRAFFIC CIRCULATION OR VISIBILITY AT INTERSECTIONS.~~

~~(C) THE OWNER'S NAME AND TELEPHONE NUMBER SHALL BE CLEARLY POSTED ON THE STRUCTURE OR CONTAINER.~~

~~(D) IF LOCATED IN A PARKING AREA, THE STRUCTURES OR CONTAINERS SHALL TAKE UP NO MORE THAN THREE PARKING STALLS. ONE COLLECTION STRUCTURE AND ASSOCIATED STAFF BOOTH ARE ALLOWED IN PARKING LOTS OF~~



~~200 STALLS OR LESS AND ONE ADDITIONAL CONTAINER AND  
STAFF BOOTH FOR EVERY ADDITIONAL 200 STALLS.~~

~~(19) FIREWORKS STANDS, WHICH COMPLY WITH CHAPTER  
9.26 RMC, FIREWORKS, AND SHALL MEET THE FOLLOWING  
REQUIREMENTS:~~

~~(A) ONLY ONE SIGN IS ALLOWED.~~

~~(B) SIGNAGE MUST BE ATTACHED TO THE FIREWORK  
STAND.~~

~~(C) NO "SANDWICH" BOARD TYPE SIGNS ARE  
ALLOWED.~~

~~(D) ALL FIREWORK STAND OPERATIONS AND SALES  
MUST TAKE PLACE OUTSIDE OF LANDSCAPED AREAS AND PUBLIC  
RIGHTS OF WAY. (FORMERLY 20C.20.245(30))~~

~~20D.190.10 070 VARIATIONS FROM PERMITTED LAND USES  
CHART.~~

~~(1) ALL TEMPORARY USES SHALL CONFORM TO THE  
PERMITTED LAND USES CHART EXCEPT AS ALREADY PROVIDED  
FOR ELSEWHERE IN THESE REGULATIONS.~~

~~(2) EXCEPT, THE CITY COUNCIL MAY AUTHORIZE A  
TEMPORARY USE IN VIOLATION OF THE PERMITTED LAND USES  
CHART AFTER (A) REVIEWING A RECOMMENDATION FROM THE  
TECHNICAL COMMITTEE, (B) HOLDING A PUBLIC HEARING, (C)~~

~~FINDING AN UNDUE HARDSHIP, AND (D) SPECIFYING A  
SPECIFIC DATE FOR TERMINATION. }~~

Section 5.      Amendment of Section.      RCDG 20F.40.170,  
Additional Temporary Use Regulations, is hereby amended to read  
as follows:

20F.40.170      Temporary Use.

20F.40.170-010 Purpose.

~~[THE FOLLOWING PROVISIONS AUTHORIZING AND REGULATING  
CERTAIN TEMPORARY USES ARE INTENDED TO PERMIT  
TEMPORARY USES AND STRUCTURES WHEN CONSISTENT WITH THE  
DEVELOPMENT GUIDE AND WHEN SAFE AND COMPATIBLE WITH  
THE GENERAL VICINITY AND ADJACENT USES.]~~ This section  
establishes the criteria that the City will use in  
making a decision upon an application for a temporary  
use.

20F.40.170.020 Scope.

Temporary uses are intended to permit certain uses and  
structures on a temporary basis when consistent with  
the Development guide and when safe and compatible  
with the general vicinity and adjacent uses.

~~[(1) A SHORT TERM TEMPORARY USE PERMIT MAY ONLY  
BE VALID FOR A MAXIMUM OF SIX MONTHS.]~~

~~(2) A LONG TERM TEMPORARY USE PERMIT MAY ONLY BE VALID FOR THE TIME PERIOD SPECIFIED BY THE CITY COUNCIL. IF THE PERMIT MUST BE RENEWED, THE APPLICANT MUST APPLY FOR A NEW TEMPORARY USE PERMIT.~~

~~(3) THE FOLLOWING TYPES OF TEMPORARY USES, ACTIVITIES AND ASSOCIATED STRUCTURES MAY BE AUTHORIZED, SUBJECT TO SPECIFIC LIMITATIONS NOTED HEREIN AND AS NOTED IN RCDC 20F.40.170-040(2) AND AS MAY BE ESTABLISHED BY THE ADMINISTRATOR:~~

~~(A) OUTDOOR ART AND CRAFT SHOWS AND EXHIBITS;~~

~~(B) RETAIL SALES SUCH AS CHRISTMAS TREES, SEASONAL RETAIL SALE OF AGRICULTURAL OR HORTICULTURAL PRODUCTS, FIREWOOD, SEAFOOD, ETC.;~~

~~(C) MOBILE SERVICES SUCH AS VETERINARY SERVICES FOR PURPOSES OF GIVING SHOTS;~~

~~(D) PUSH CART VENDORS. NO MECHANICAL, AUDIO OR NOISE MAKING DEVICES, NOR LOUD SHOUTING OR YELLING WILL BE PERMITTED TO ATTRACT ATTENTION;~~

~~(E) GROUP RETAIL SALES SUCH AS SWAP MEETS, FLEA MARKETS, PARKING LOT SALES, SATURDAY MARKET, AUCTIONS, ETC.;~~

~~\_\_\_\_\_ (F) THE PLANNING DIRECTOR MAY AUTHORIZE  
ADDITIONAL TEMPORARY USES NOT LISTED IN THIS  
SUBSECTION, WHEN IT IS FOUND THAT THE PROPOSED USES  
ARE IN COMPLIANCE WITH THE PROVISIONS OF THIS SECTION.~~

~~\_\_\_\_\_ (4) EXEMPTIONS. THE FOLLOWING ACTIVITIES AND  
STRUCTURES ARE EXEMPT FROM REQUIREMENTS TO OBTAIN  
TEMPORARY USE APPROVAL:~~

~~\_\_\_\_\_ (A) A MOBILE HOME OR TRAVEL TRAILER IN THE  
LIGHT INDUSTRY AND HEAVY INDUSTRY ZONES TO HOUSE  
WATCHMEN OR CARETAKERS WHEN APPROVED BY THE  
ADMINISTRATOR;~~

~~\_\_\_\_\_ (B) A MOBILE HOME OR TRAVEL TRAILER WITH  
ADEQUATE WATER AND SEWER SERVICE USED AS A DWELLING  
WHILE A RESIDENTIAL BUILDING ON THE SAME LOT IS BEING  
CONSTRUCTED OR WHILE A DAMAGED RESIDENTIAL BUILDING IS  
BEING REPAIRED;~~

~~\_\_\_\_\_ (C) MOBILE HOMES, RESIDENCES OR TRAVEL  
TRAILERS USED FOR OCCUPANCY BY SUPERVISORY AND  
SECURITY PERSONNEL ON THE SITE OF AN ACTIVE  
CONSTRUCTION PROJECT;~~

~~\_\_\_\_\_ (D) PORTABLE UNITS AND MOBILE HOMES ON  
SCHOOL SITES OR OTHER PUBLIC FACILITIES WHEN APPROVED  
BY THE ADMINISTRATOR;~~

~~(E) GUESTS OF REDMOND RESIDENTS IN RECREATIONAL VEHICLES WHEN IN COMPLIANCE WITH RCDG 20D.130.10 050(2);~~

~~(F) MODEL HOMES OR APARTMENTS AND RELATED REAL ESTATE SALES AND DISPLAY ACTIVITIES LOCATED WITHIN THE SUBDIVISION OR RESIDENTIAL DEVELOPMENT TO WHICH THEY PERTAIN;~~

~~(G) CONTRACTOR'S OFFICE, STORAGE YARD, AND EQUIPMENT PARKING AND SERVICING ON THE SITE OF AN ACTIVE CONSTRUCTION PROJECT;~~

~~(H) HOME BUSINESSES IN CONFORMANCE WITH RCDG 20C.30.60, HOME BUSINESSES;~~

~~(I) GARAGE SALES, MOVING SALES, AND SIMILAR ACTIVITIES FOR THE SALE OF PERSONAL BELONGINGS WHEN OPERATED NOT MORE THAN THREE DAYS IN THE SAME WEEK AND NOT MORE THAN TWICE IN THE SAME CALENDAR YEAR. ALLOWED IN ALL RESIDENTIAL ZONING DISTRICTS;~~

~~(J) FUND-RAISING CARWASHES;~~

~~(K) VEHICULAR OR MOTORIZED CATERING SUCH AS POPSICLE/ICE CREAM SCOOTERS AND SELF-CONTAINED LUNCH WAGONS WHICH CATER TO CONSTRUCTION SITES OR MANUFACTURING FACILITIES;~~

~~(L) CIRCUSES, CARNIVALS, FAIRS, OR SIMILAR  
TRANSIENT AMUSEMENT OR RECREATIONAL ACTIVITIES. SUCH  
USES ARE SUBJECT TO CHAPTER 5.28 RMC, SHOWS, CARNIVALS  
AND CIRCUSES;~~

~~(M) ACTIVITIES, VENDORS AND BOOTHS  
ASSOCIATED WITH CITY OF REDMOND SPONSORED OR  
AUTHORIZED SPECIAL EVENTS SUCH AS THE REDMOND DERBY  
DAYS OR REDMOND BIKE CLASSIC;~~

~~(N) ON PREMISES ACTIVITIES OR EXISTING  
BUSINESSES IN COMPLIANCE WITH OUTDOOR STORAGE  
REQUIREMENTS;~~

~~(O) INDIVIDUAL BOOTHS IN AN APPROVED  
TEMPORARY USE SITE FOR GROUP RETAIL IDENTIFIED UNDER  
RCDG 20D.190.10-050(5);~~

~~(P) WEEKEND (SATURDAY AND SUNDAY) ONLY,  
WAREHOUSE SALES WHEN HELD NO MORE THAN ONCE A MONTH IN  
AN EXISTING FACILITY. ALLOWED IN LIGHT INDUSTRY, HEAVY  
INDUSTRY AND BUSINESS PARK ZONING DISTRICTS.]~~

**20F.40.170-030 Procedure.**

(1) Applications for a short-term temporary use permit (six months or less) shall follow the

procedures for a Type I review pursuant to RCDG 20F.30.30.

(2) Applications for a long-term temporary use permit (longer than six months) shall follow the procedures for a Type V review pursuant to RCDG 20F.30.50.

(3) Application shall be made prior to the requested date for commencement of the temporary use.

**20F.40.170-040 Decision Criteria.**

**Decision criteria for a temporary use are outlined in RCDG 20D.190.**

~~[(1) THE ADMINISTRATOR MAY AUTHORIZE TEMPORARY USES AFTER CONSULTATION AND COORDINATION WITH ALL OTHER APPLICABLE CITY DEPARTMENTS AND OTHER AGENCIES AND ONLY WHEN ALL THE FOLLOWING DETERMINATIONS CAN BE MADE:~~

~~(A) THE TEMPORARY USE WILL NOT IMPAIR THE NORMAL, SAFE, AND EFFECTIVE OPERATION OF A PERMANENT USE ON THE SAME SITE.~~

~~(B) THE TEMPORARY USE WILL BE COMPATIBLE WITH USES IN THE GENERAL VICINITY AND ON ADJACENT PROPERTIES.~~

~~(C) THE TEMPORARY USE WILL NOT SIGNIFICANTLY IMPACT PUBLIC HEALTH, SAFETY OR CONVENIENCE, OR CREATE TRAFFIC HAZARDS OR CONGESTION, OR OTHERWISE INTERRUPT OR INTERFERE WITH THE NORMAL CONDUCT OR USES AND ACTIVITIES IN THE VICINITY.~~

~~(D) THE USE AND ASSOCIATED STRUCTURES WILL BE CONDUCTED AND USED IN A MANNER COMPATIBLE WITH THE SURROUNDING AREA.~~

~~(E) THE TEMPORARY USE SHALL COMPLY WITH THE GOALS, POLICIES AND STANDARDS OF THE DEVELOPMENT GUIDE.~~

~~(2) GENERAL CONDITIONS.~~

~~(A) A TEMPORARY USE CONDUCTED IN A PARKING FACILITY SHALL NOT OCCUPY OR REMOVE FROM AVAILABILITY MORE THAN 25 PERCENT OF THE SPACES REQUIRED FOR THE PERMANENT USE.~~

~~(B) EACH SITE OCCUPIED BY A TEMPORARY USE MUST PROVIDE OR HAVE AVAILABLE SUFFICIENT PARKING AND VEHICULAR MANEUVERING AREA FOR CUSTOMERS. SUCH PARKING NEED NOT COMPLY WITH RCDG 20D.130.10-050, PARKING, BUT MUST PROVIDE SAFE AND EFFICIENT INTERIOR CIRCULATION AND INGRESS AND EGRESS TO AND FROM PUBLIC RIGHTS-OF-WAY.~~



~~(C) THE TEMPORARY USE SHALL COMPLY WITH ALL APPLICABLE STANDARDS OF THE SEATTLE KING COUNTY HEALTH DEPARTMENT.~~

~~(D) NO TEMPORARY USE SHALL OCCUPY OR USE PUBLIC PARKS IN ANY MANNER UNLESS SPECIFICALLY APPROVED BY THE PARKS DEPARTMENT.~~

~~(E) NO SHORT TERM TEMPORARY USE SHALL OCCUPY OR OPERATE WITHIN THE CITY OF REDMOND FOR MORE THAN SIX MONTHS WITHIN ANY CALENDAR YEAR UNLESS APPROVED BY THE TECHNICAL COMMITTEE UNDER A LONG TERM TEMPORARY USE PERMIT OR BY THE CITY COUNCIL FOR AN EXTENDED TERM TEMPORARY USE PERMIT. A DAY OF OPERATION SHALL MEAN ANY OR PART OF ANY DAY IN WHICH THE BUSINESS IS CONDUCTED. THE SIX MONTHS NEED NOT RUN CONSECUTIVELY. THE SIX MONTHS MAY OCCUR AT ANY TIME WITHIN A CALENDAR YEAR AS LONG AS EACH DAY IS DESIGNATED AND APPROVED.~~

~~(F) ALL TEMPORARY USES SHALL OBTAIN, PRIOR TO OCCUPANCY OF THE SITE, ALL APPLICABLE CITY OF REDMOND PERMITS, LICENSES AND OTHER APPROVALS (I.E., BUSINESS LICENSE, BUILDING PERMIT, ADMINISTRATIVE APPROVALS, ETC.)~~

~~(G) THE APPLICANT FOR TEMPORARY USE SHALL SUPPLY WRITTEN AUTHORIZATION FROM THE OWNER OF PROPERTY ON WHICH THE TEMPORARY USE IS LOCATED.~~

~~(H) EACH SITE OCCUPIED BY A TEMPORARY USE SHALL BE LEFT FREE OF DEBRIS, LITTER, OR OTHER EVIDENCE OF THE TEMPORARY USE UPON COMPLETION OF REMOVAL OF THE USE.~~

~~(I) ALL MATERIALS, STRUCTURES AND PRODUCTS RELATED TO THE TEMPORARY USE MUST BE REMOVED FROM THE PREMISES BETWEEN DAYS OF OPERATION ON THE SITE; PROVIDED, THAT MATERIALS, STRUCTURES AND PRODUCTS RELATED TO THE TEMPORARY USE MAY BE LEFT ON-SITE OVERNIGHT BETWEEN CONSECUTIVE DAYS OF OPERATION. BY VIRTUE OF HAVING BEEN IN CONSISTENT OPERATION PRIOR TO THE EXISTENCE OF THE ORDINANCE CODIFIED IN THIS CHAPTER THE OPEN AIR CRAFT AND FARMER'S MARKET OPERATION, COMMONLY KNOWN AS THE SATURDAY MARKET, SHALL BE ALLOWED TO STORE STRUCTURES ON-SITE BETWEEN WEEKEND ACTIVITY OF THE MARKET, BUT SUCH STRUCTURES MUST BE REVIEWED BY THE ADMINISTRATOR ANNUALLY AND PERMISSION TO LEAVE THEM IN PLACE BETWEEN MARKET SESSIONS MAY BE DENIED IF THEY BECOME A VISUAL BLIGHT, SAFETY, OR HEALTH PROBLEM. THEY SHALL BE REMOVED AT THE END OF THE PERMIT PERIOD.~~

~~(J) THE ADMINISTRATOR MAY ESTABLISH SUCH ADDITIONAL CONDITIONS AS MAY BE DEEMED NECESSARY TO ENSURE LAND USE COMPATIBILITY AND TO MINIMIZE POTENTIAL IMPACTS ON NEARBY USES. THESE INCLUDE BUT ARE NOT LIMITED TO, TIME AND FREQUENCY OF OPERATION, TEMPORARY ARRANGEMENTS FOR PARKING AND TRAFFIC CIRCULATION, REQUIREMENT FOR SCREENING OR ENCLOSURE, AND GUARANTEES FOR SITE RESTORATION AND CLEANUP FOLLOWING TEMPORARY USES.~~

~~(3) VARIATIONS FROM PERMITTED LAND USES CHART.~~

~~(A) ALL TEMPORARY USES SHALL CONFORM TO THE PERMITTED LAND USES CHART EXCEPT AS ALREADY PROVIDED FOR ELSEWHERE IN THESE REGULATIONS AND EXCEPT AS PROVIDED BELOW.~~

~~(B) THE CITY COUNCIL MAY AUTHORIZE A TEMPORARY USE THAT DOES NOT CONFORM TO THE PERMITTED LAND USES CHART AFTER:~~

~~(I) REVIEWING A RECOMMENDATION FROM THE TECHNICAL COMMITTEE,~~

~~(II) HOLDING A PUBLIC HEARING,~~

~~(III) FINDING AN UNDUE HARDSHIP, AND~~

~~(IV) SPECIFYING A SPECIFIC DATE FOR TERMINATION.~~

Section 6.      Severability.      If any section, sentence, clause or phrase of this ordinance or any municipal code section 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 the amended code section.

Section 7.      Effective date.      This ordinance shall take effect and be in full force five days after its passage and publication of a summary as provided by law.

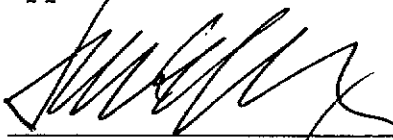
ADOPTED by the Redmond City Council this 3<sup>rd</sup> day of November, 2008.

  
\_\_\_\_\_  
JOHN MARCHIONE, Mayor

ATTEST:

  
\_\_\_\_\_  
MICHELLE M. MCGEHEE, CMC, city Clerk      (SEAL)

Approved as to form:

  
\_\_\_\_\_  
James E. Haney, City Attorney

FILED WITH THE CITY CLERK:      October 28, 2008  
PASSED BY THE CITY COUNCIL:      November 3, 2008  
PUBLISHED:      November 10, 2008  
EFFECTIVE DATE:      November 15, 2008  
ORDINANCE NO. 2424