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Hazardous Waste Treatment
and Storage Facilities
DGA 87-12

ORIGINAL

ORDINANCE NO. 1455

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON,
AMENDING THE REDMOND MUNICIPAL CODE AND
COMMUNITY DEVELOPMENT GUIDE TO PROVIDE ZONING
FOR SITING OF HAZARDOUS WASTE TREATMENT AND
STORAGE FACILITIES.

WHEREAS, in 1985 the state legislature enacted the
Hazardous Waste Management Act which requires every local
jurisdiction to provide in its zoning code for the location of
hazardous waste treatment and storage facilities, and

WHEREAS, hazardous waste treatment and storage
facilities must be allowed in every zone where handling of
hazardous materials is permitted, and

WHEREAS, the Redmond Community Development Guide
currently does not provide for locating hazardous waste treatment
and storage facilities in the City, and

WHEREAS, the City Planning Department has proposed
zoning for siting of hazardous waste treatment and storage
facilities in the City which would comply with state
requirements, and which has been approved by the State Department
of Ecology, and

WHEREAS, the Planning Commission has conducted a public
hearing upon the proposed zoning and forwarded its
recommendations to the City Council, and

WHEREAS, the proposed zoning would permit siting of
hazardous waste treatment and storage facilities in the City in a
way that would least conflict with existing City zoning
regulations, and

WHEREAS, the proposed zoning would better protect the
City's environmentally sensitive areas, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,
HEREBY ORDAINS AS FOLLOWS:

Section 1. New subsections 20A.60.331, 20A.60.332, 20A.60.333, 20A.60.334, 20A.60.335, and 20A.60.504 are hereby added to the Redmond Municipal Code and Community Development Guide to read as follows:

20A.60.331 HAZARDOUS SUBSTANCE means any liquid, solid, gas, sludge, including any materials, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical, or biological properties described in WAC 173.303.090 through 173.303.103, as presently worded or hereafter amended.

20A.60.332 HAZARDOUS WASTE means and includes all dangerous and extremely hazardous waste as designated in WAC 173.303.070 through 173.303.103 and 173.303.040, as presently worded or hereafter amended.

20A.60.333 HAZARDOUS WASTE TREATMENT AND STORAGE FACILITY means a use which stores or treats hazardous wastes. It may also process hazardous waste by physical, chemical or biological means to make such waste non-hazardous or less hazardous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume. This use includes all land, structures, other appurtenances, waste piles, surface impoundment areas, graded or paved areas, storage areas, tanks or subsurface improvements and improvements of any kind associated with use of the site for storing or treating hazardous wastes. The geographic bounds of the facility shall be measured by the smallest, continuous shape that will enclose the entire perimeter of all improvements associated with use of the site for storing or treating hazardous wastes.

20A.60.334 HAZARDOUS WASTE TREATMENT OR STORAGE FACILITY, OFF-SITE means any hazardous waste treatment or storage facility which treats or stores wastes that are generated off-site.

20A.60.335 HAZARDOUS WASTE TREATMENT OR STORAGE FACILITY, ON-SITE means any hazardous waste treatment or storage facility which treats or stores only those wastes that are generated on-site by a permitted use.

20A.60.504 PROCESSING OR HANDLING of hazardous substances means the use, storage, manufacture, production, or other land use activity involving hazardous substances. Hazardous substances processing and handling activities are normally found in commercial, manufacturing, and industrial zones. It does not include individually packaged household consumer products or quantities of hazardous substances of less than 5 gallons in volume per container.

Section 2. The chart entitled "City Center Land Use and Site Requirements" incorporated as part of Section 20C.10.230(10) of the Redmond Municipal Code and Community Development Guide is hereby amended to reference footnote 11 in the "Land Uses" sections designated on the chart as Retail, Services, and Public Facilities and Utilities, and to add footnote 11 as follows:

- 11- On site hazardous waste treatment and storage facilities permitted with a GDP provided that state siting criteria are met as set forth in RCW 70.105. A hearing may be required. If the associated permitted use requires a SDP, consideration of the treatment and storage facility shall be subject to the same SDP process and conditions.

Section 3. The chart entitled "Permitted Land Uses" incorporated as part of subsection 20C.10.240(5) of the Redmond Municipal Code and Community Development Guide is hereby amended to add provisions relating to on-site and off-site hazardous waste treatment and storage facilities as shown on Exhibit A attached hereto and incorporated herein by this reference as if set forth in full.

Section 4. Subsection 20C.10.260(10)(b) of the Redmond Municipal Code and Community Development Guide is hereby amended to add to the list entitled "Very Severe Development Limitations" the following:

- °Lands in the intensive aquifer recharge areas.

Section 5. Subsection 20C.10.260(10)(b) of the Redmond Municipal Code and Community Development Guide is hereby amended to delete from the list entitled "Moderate Development Limitations" the following:

- °Lands in the intensive aquifer recharge areas.

Section 6. Subsection 20C.10.260(15) of the Redmond Municipal Code and Community Development Guide is hereby amended by adding a new subsection as follows:

- (d) For land in the intensive aquifer recharge area, maximum lot coverage shall be defined to include coverage by structures, surfaces, storage, and/or any activity associated with a land use.

Section 7. Subsection 20C.10.260(20) of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

20C.10.260(20) EXCEPTIONS.

- (a) Very Severe Limitation Areas - The determination of lot area may include very severe classified areas if 50% or less of the proposed lot area is very severe and the lot is in an A, G, RE, or R-1 zone.
- (b) Very Severe Limitation Areas - Hazardous Materials - In the case of lands designated very severe development limitations area only because of location in the intensive aquifer recharge areas, full utilization of lot coverage, lot size determination and buildable site area determination requirements as set forth in 20C.10.250(10) SITE REQUIREMENTS, may occur if the applicant can document to the Technical Committee's satisfaction that hazardous materials will not be used on the site, or, if they are to be used, that measures shall be taken through design and construction of the structures, site layout and storage areas, to prevent release of hazardous substances including those resulting from a "worst case" accident. When limitations other than the intensive aquifer recharge area would place an area in the moderate development limitations area, the applicant shall also show that the requirements of Section 20C.10.260(20)(c) have been met.
- (c) Moderate Limitation Areas - Moderate areas may utilize the lot coverage requirements of 20C.10.250, "Site Requirements," if the applicant can demonstrate to the Technical Committee's satisfaction that the physical limitations can be overcome through engineering, architecture or site design.
- (d) Open Space Requirement - Very severe lands shall be maintained in open space by a method agreeable to the City. Such methods may include dedication, deed restrictions, or ownership held-in-common.

Section 8. The Redmond Municipal Code and Community Development Guide is hereby amended by adding a new Section 20C.20.035 thereto to read as follows:

20C.20.035 HAZARDOUS WASTE TREATMENT AND STORAGE FACILITIES.

All hazardous waste treatment and storage facilities shall comply with the requirements of this section.

1. State siting criteria, pursuant to RCW 70.105 shall be met;
2. Measures shall be taken in the construction of structures and design of storage areas to prevent release of materials including those resulting from a "worst case" accident;
3. The proposed development shall meet all federal, state and local standards;
4. Storage and handling shall be completely enclosed in the CC, PO, NB, CO, CB, GC and BP zones;
5. In the case of conflict between any of the state siting criteria (RCW 70.105), the criteria in this section and criteria or regulations elsewhere in the Community Development Guide, the more restrictive requirement shall apply.

Section 9. Section 20C.20.235(70) of the Redmond Municipal Code and Community Development Guide is hereby amended by adding a new Subsection (i) to read as follows:

20C.20.235(70)(i) Hazardous Waste Treatment and Storage Facilities:

All hazardous waste treatment and storage facilities shall comply with the requirements of this section.

1. State siting criteria, pursuant to RCW 70.105 shall be met;
2. Measures shall be taken in the construction of structures and design of storage areas to prevent release of materials including those resulting from a "worst case" accident;

3. The proposed development shall meet all federal, state and local standards;
4. Storage and handling shall be completely enclosed in the CC, PO, NB, CO, CB, GC, and BP zones;
5. In the case of conflict between any of the state siting criteria (RCW 70.105), the criteria in this section and criteria or regulations elsewhere in the Community Development Guide, the more restrictive requirement shall apply.

Section 10. This ordinance, being an administrative action, is not subject to referendum and shall take effect five (5) days after publication of the attached summary which is hereby approved.

APPROVED:

Doreen Marchione
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schaible
CITY CLERK, DORIS A. SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY *Lucy C. Martin*

FILED WITH THE CITY CLERK: 11-10-88
PASSED BY THE CITY COUNCIL: 11-15-88
PUBLISHED: 11-20-88
EFFECTIVE DATE: 11-25-88
ORDINANCE NO. 1455