

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 447

AN ORDINANCE, relating to zoning and the use of land and structures; and adding a new chapter to Ordinance No. 310, establishing zoning regulations under Chapter 10, Planned Development Regulations.

WHEREAS, the Planning Commission has considered and has recommended to the City Council the adoption of zoning regulations for the use of land and structures under the concept of "Planned Development", as therein defined and provided, as an addition to the Redmond Zoning Plan adopted by Ordinance No. 310, passed July 9, 1963; and

WHEREAS, the Planning Commission and City Council have duly held a public hearing on the proposed regulations as required by law; and the Planning Commission, after further study and consideration, thereafter recommended the adoption of such regulations to the City Council; and

WHEREAS, the City Council, having duly considered such regulations, deems it advisable and in the best interests of the public health, safety and welfare and in furtherance of the purposes set forth in RCW 35.63, that such regulations be adopted by the addition of a new chapter to Ordinance No. 310, as hereafter set forth, NOW, THEREFORE,

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

Added to Ordinance No. 310  
by Ordinance No. 447

## Chapter 10

### PLANNED DEVELOPMENT REGULATIONS

#### 10.1 DEFINITION - PURPOSE - POLICY

10.1.1 A Planned Development is a use of land and structures which has been approved by the City Council as provided by this chapter.

10.1.2 Purpose. Whereas the regulations in other chapters of this ordinance are designed to apply to individual lots and minimum area parcels, the Planned Development procedure is intended to be used to permit a degree of flexibility and diversification in the use of land for Planned Developments which will provide a development as good or better in function and relationship to the community as the traditional lot by lot development.

10.1.3 Policy. In the spirit of the purpose of these regulations, much greater latitude is permitted in the regulations given in this chapter than in conventional and traditional regulations for development given in certain other chapters of this ordinance. In consideration of the latitude given and the absence of many of the conventional restrictions, the Planning Commission and City Council shall have wide discretionary powers in judging and approving or disapproving the imaginative ideas and innovations which may be incorporated into the plans presented, provided the Planned Development shall conform in general to the purposes and objectives of the Comprehensive Plan.

#### 10.2 RELATIONSHIP TO UNDERLYING ZONING

10.2.1 Planned Development superimposed. The use of the procedure given in this chapter superimposes each approved specific Planned Development on the underlying use zone regulations as an exception to such regulations to the extent that such Planned Development shall modify and supersede the regulations of the underlying use zone.

10.2.2 Other uses permitted. The use of Planned Development procedures may permit the inclusion of land uses other than those permitted by the existing use zone regulations, subject to the requirements of this chapter.

10.2.3 Planned Development requirements binding. Planned Developments shall comply in all respects with the specific regulations and requirements approved and authorized for each specific Planned Development.

#### 10.3 DIMENSIONAL REQUIREMENTS

10.3.1 Area assigned to use-in-common. Planned Developments shall provide an open area for use-in-common of residents and/or occupants of such development of not less than 25 per cent of the net area of such development. Net area is gross area less area devoted to roads, public rights of way and other public use,

- 10.3.2 Area for Planned Development. A Planned Development for the following principal uses shall contain an area of not less than:
- (1) For residential use, ten acres.
  - (2) For residential use with subordinate commercial use, 40 acres.
  - (3) For commercial use, 20 acres.
  - (4) For industrial use, 75 acres.

#### 10.4 MISCELLANEOUS REQUIREMENTS.

10.4.1 Ownership. A Planned Development shall be in one ownership or under a unit control during the planning and developmental stage, to insure that the development can be accomplished as planned.

10.4.2 Contained development. A Planned Development shall be essentially independent and contained. It shall be physically disassociated from surrounding properties, particularly those with different uses. For example, terrain, orientation, streets and highways, woods or rivers may create such separation. If containment is impossible either the development should be disapproved or approval should be conditioned on the density, design and degree of development insuring achievement of the objectives of this provision in the manner in which the site is used.

10.4.3 Community facilities. Planned Developments shall include site availability for needed community facilities not otherwise provided for. For example provision may be required for sites for schools, public safety use, utilities, churches, parks and recreation areas.

10.4.4 Compliance with objectives. In addition to compliance with the objectives of this ordinance and the Comprehensive Plan any applicant for Planned Development approval shall have the burden of demonstrating that a development will achieve public benefit as a result of any deviation from underlying zoning regulations, through creation of open space or public facilities, conservation, provision of services or needed facilities or otherwise.

10.4.5 In a residential Planned Development no commercial use shall be permitted when less than 400 dwelling units are planned. When permissible:

- (1) No permits for such use shall be issued until occupancy permission has been granted for at least 200 dwelling units.
- (2) Such use shall be distinctly subordinate to the residential use and shall be oriented to the providing of goods and services to the residents of the Planned Development itself, and not to the general community.
- (3) Identification signs may be visible from outside the building housing such use but no commercial messages shall be permitted.

10.4.6 All dwelling units in a Planned Development shall be placed within buildings.

## 10.5 PROCEDURE - PRELIMINARY PLAN

- 10.5.1 The preliminary plan for a Planned Development shall contain the following as a minimum:
- (1) Name and address of developer, land surveyor, engineer, architect, planner and other professionals.
  - (2) Justification for project per Section 10.4.4.
  - (3) Legal description of development area.
  - (4) Total area in square feet and acres.
  - (5) Approximate number of single family dwelling units and of multiple family dwelling units, if for residential use.
  - (6) Vicinity sketch relating development to main roads and section lines.
  - (7) Outline of development area in heavy lines at a reasonable scale.
  - (8) Topography to show direction of drainage with maximum contour intervals of ten feet extending not less than 100 feet beyond boundaries of the area of development.
  - (9) All structures and improvements within 150 feet of the boundaries of the area of development.
  - (10) Existing streets bounding and/or intersecting the area of development.
  - (11) Tentative street pattern within the area of development.
  - (12) General location of lots and/or building area and area intended for use in common if applicable.
- 10.5.2 Initial filing fee. The fee for filing a preliminary plan for a Planned Development shall be \$75.00. The plan shall be filed with the City Clerk.
- 10.5.3 The preliminary plan shall be transmitted to the Public Works Director and the Planning Director who shall check the plan for compliance with requirements of Section 10.5.1.
- 10.5.4 Upon being found in compliance as noted in Section 10.5.3, the preliminary plan shall be transmitted to the Planning Commission for consideration.
- 10.5.5 Upon being reviewed by the Planning Commission, the preliminary plan shall be transmitted to the City Council with the Commission's recommendations.
- 10.5.6 The City Council shall review the preliminary plan as presented and either disapprove the plan or give tentative approval thereto. Upon the preliminary plan being given tentative approval, the applicant may proceed to prepare more detailed plans for a public hearing.
- 10.5.7 The approval given under Section 10.5.6 shall be binding as to the general intent and apportionment of land for buildings, stipulated uses and road pattern but shall not render the plan inflexible or preclude revision. As work on the plan progresses the applicant may consult with the City Officials as required.

10.5.8 Hearing. A public hearing before the Planning Commission on the preliminary plan for a Planned Development shall be required at such time as the applicant and the Planning Commission agree the planning is sufficiently stabilized and sufficient drawings, sketches, plans and other information has been supplied to warrant a hearing.

- (1) If the plans include a plat, the procedure, requirements and fee for proposed plats given in the Redmond Platting Code shall be followed for the plat part of the hearing.
- (2) For hearing on the plan other than a plat, notice of hearing shall be given in the manner required by Topic 44.2, provided no duplication with required hearing notice for a plat shall be required.

Following conclusion of the hearing the Planning Commission shall transmit the results of the hearing together with its recommendations to the City Council.

10.5.9 The City Council shall consider the results of the public hearing and recommendations of the Planning Commission and either disapprove or approve the preliminary plan. Upon approval of the preliminary plan the applicant may proceed toward final plan approval.

#### 10.6 PROCEDURE - FINAL PLAN

10.6.1 A Planned Development may be finalized as a whole or in successive divisions. The whole plan or the first division shall be filed within 18 months of the date of tentative approval following conclusion of the hearing on the preliminary plan. Successive divisions shall follow at intervals of not more than 18 months. Extension of time may be granted by the Planning Commission upon a showing of good cause for the need for such extension.

10.6.2 Final plan requirements. The final plan for a Planned Development shall consist of the following for each division:

- (1) An application form provided by the City, filled in and signed, together with any attachments required.
- (2) A final plat drawing prepared and submitted in accordance with the Redmond Platting Code, if applicable.
- (3) Maps at a sufficiently large scale to show clearly:
  - (a) The size and shape of all building lots and their relationship to the streets and to area assigned to use-in-common, if applicable.
  - (b) The location of all buildings, driveways, parking facilities, fences, sight screening and landscaping proposed to be constructed by the developer.
  - (c) The area assigned to use-in-common and improvements thereon proposed to be constructed by the developer, if applicable.
  - (d) All utilities, all street improvements including profiles, and sidewalks.
- (4) View elevations of each type of building.
- (5) Location, type and size of all signs.

10.6.3 Final plan filing fee. The fee for filing a final plan for a Planned Development shall be \$8.00 per acre to the next higher whole acre. The plan shall be filed with the City Clerk.

10.6.4 Approval of final plan - resolution.

- (1) The items required by Section 10.6.2, other than a plat drawing, shall be approved by the Planning Commission if found acceptable, indicated by signature of the Planning Commission Chairman in a space provided in the application form. If not acceptable the item shall be returned for change or addition. If the developer declines to make such change or addition the Planning Commission may transmit the plan as provided in (3) of this section without approval and with appropriate recommendation.
- (2) The final plat drawing, if any, shall be approved by the Planning Commission as provided in the Redmond Platting Code.
- (3) Following approval as given in (1) and (2) of this section, the final plan shall be transmitted to the City Council with the Planning Commission recommendations. The Council may approve, modify or reject such recommendations. Approval shall be by resolution, which shall contain reference to the specific plan approved, and shall recite fully all conditions imposed, including performance bonds if deemed pertinent.

10.6.5 Approval of final plan - ordinance. Upon compliance with all conditions required by resolution, an ordinance giving final approval may be adopted, incorporating all maps, drawings, conditions, undertakings and exhibits required to specify the exact land use authorized.

10.7 ADMINISTRATION

10.7.1 Each overall Planned Development shall be assigned a number starting with number 1 for the first preliminary plan filed, with the designator "PD-1". In finalizing, each division shall be assigned a number starting with number 1 following the initial number, and repeating for each separate overall project. (Example: The first final division filed of the first preliminary plan filed is "PD-1-1"). All records pertaining to a given Planned Development shall be identified by such designator and retained in a file.

10.7.2 The outline of the area of an approved Planned Development shall be shown on a map identified by the designator assigned to such Planned Development. Such map shall be of such form and scale as may be found most expeditious for the purpose and shall be known as "Planned Development Map of Redmond". No entries shall be made on such map except by authority of the ordinance approving such Planned Development. The official designated in Section 3.6.2 shall be responsible for maintaining such map.

10.7.3 Building permits - Plot plans. Upon the ordinance approving a Planned Development becoming effective and the recording of any final plat drawings involved, building permits may be issued. The maps required by Section 10.6.2 (3) shall be the official plot plans. For platted lots a plot plan for each lot shall also be submitted upon application for a building permit, agreeing with the official plot plans. Approval of such maps as part of the final plan shall not preclude minor adjustments being permitted by the Building Department which do not violate the building spacing and/or setback requirements which have been approved.

10.7.4 Minor modification. Minor modifications or changes in an approved Planned Development may be permitted by administrative action and properly recorded as a part of the records for the approved Planned Development.

10.7.5 Major modification. Major modifications of an approved Planned Development shall require an application and shall be processed in the same manner as an original application, except the filing fee shall be \$75.00.

10.7.6 Determination of major and minor modification. A "major modification" shall be deemed to mean any proposed change in the basic use of an approved Planned Development, or any proposed change in the plans and specifications for structures or location of features therein, whereby the character of the approved development will be substantially modified or changed in any material respect or to any material degree. A "minor modification" shall be deemed to mean any proposed change in an approved Planned Development which does not involve a substantial alteration of the character of the approved development. The determination of whether a proposed change is a "major" or "minor" modification shall be made by the Planning Director in accordance with the foregoing principles.

10.7.7 Revocation of approval. In the event a material condition of approval of a Planned Development is violated or is unfulfilled within the time set for completion, or applicable provisions of this ordinance are materially violated, the City Council may, either on recommendation of the Planning Commission or on its own motion, give required notice and hold a public hearing on the question of revocation of the approval and any permits issued pursuant thereto. After concluding the hearing the Council shall make appropriate written findings of fact and if it elects to revoke the approval and/or permits it shall do so by ordinance authorizing removal from the Planned Development Map of Redmond of the outline of the Planned Development and the designator. In such event any improvements already made shall be used in accord with existing use zone regulations.

Ord. 447

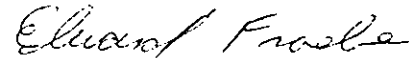
This ordinance shall take effect and be in force five (5) days after the date of its publication in the manner provided by law.

PASSED by the Council of the City of Redmond, Washington, at a regular meeting thereof and APPROVED by the Mayor this 11<sup>th</sup> day of July, 1967.

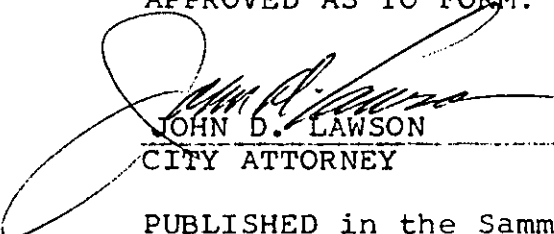
CITY OF REDMOND

  
G. C. GRAEP  
MAYOR

ATTEST:

  
EDWARD FROEBE  
CITY CLERK

APPROVED AS TO FORM:

  
JOHN D. LAWSON  
CITY ATTORNEY

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447