

ORDINANCE NO. 449

AN ORDINANCE, relating to land use regulations and districts (zoning) within the City of Redmond; and amending Ordinance No. 310, Redmond Zoning Plan, as amended by Ordinance No. 339, by the additions of new sections thereto, amending certain sections and repealing sections thereof.

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

Section 1. Section 2.1.1 of Ordinance No. 310 is hereby amended to read as follows:

2.1.1 In order to carry out the purposes and provisions of this ordinance, the area within the limits of the City of Redmond is hereby divided into the following use zones.

Name of use zone		Use Zone designator	Chapter
Single Family Residential	(7200 sq. ft.)	RS-7.2	6
Single Family Residential	(8400 sq. ft.)	RS-8.4	6
Single Family Residential	(9600 sq. ft.)	RS-9.6	6
Single Family Residential	(12000 sq. ft.)	RS-12	6
Single Family Residential	(15000 sq. ft.)	RS-15	6
Two Family (Duplex) Residential	(7200 sq. ft.)	RD	7
Multiple Family Residential No. 1	(8000 sq. ft.)	RM-1	8
Multiple Family Residential No. 2	(7800 sq. ft.)	RM-2	9
Professional and Commercial Office		P-C	13
Neighborhood Commercial		C-N	14
Commercial Complex	(50,000 sq. ft.)	C-C	15
Light Commercial		C-L	16
Medium Commercial		C-M	17
Commercial-Industrial		C-I	18
Industrial Park		I-P	19
Light Industrial		I-L	20
Heavy Industrial		I-H	21
Agricultural		A	22
Public Use		P	23

Section 2. Section 3.6.2 of Ordinance No. 310 is hereby amended to read as follows:

3.6.2 It shall be the responsibility of the Planning Director to enter each change of zoning authorized by an amending ordinance upon the Zoning Map not later than the effective date of such ordinance. The official copy of each such ordinance shall bear the notation "ZONING MAP OF REDMOND CHANGED IN ACCORDANCE WITH THIS ORDINANCE ON _____, BY _____, OFFICE _____."

Section 3. Section 6.1.3. of Ordinance No. 310 is hereby amended to read as follows:

6.1.3 Secondary uses of land in these use zones shall be for structures and/or outdoor areas devoted to: Public school, recreational facilities in connection with a public school, publicly owned public utility and public safety use.

Section 4. Section 6.1.4 of Ordinance No. 310 is hereby amended to read as follows:

6.1.4 Conditional uses of land in these use zones shall be for structures and/or outdoor areas devoted to: Church, private school, park, recreational facilities in connection with a private school or park, library, community hall, community swimming pool, privately owned public utility and public safety use.
(Conditional Use, Chapter 41)

Section 5. Section 6.2.2 of Ordinance No. 310 is hereby amended to read as follows:

6.2.2 Setback dimensions for dwelling unit building shall be the following:

(1) Front: 20 feet.

(2) Side (interior): Seven and one half feet on each side of the same lot, except when a coordinated plot plan for a group of not less than three adjoining lots is presented a setback of five feet on each side of the same lot shall be permitted, provided the setback on the non-adjointing sides of such group of lots shall be seven and one half feet and in either case the minimum spacing requirement of Section 26.1.2 shall be observed.

(3) Side (adjoining street): 20 feet.

(4) Rear: seven and one half feet minimum, provided there shall be a yard area in compliance with Section 26.1.4, and provided further, the minimum spacing requirement of Section 26.1.2 shall be observed.

(For features permitted within setback areas see Section 26.1.1)

Section 6. Section 7.1.3 of Ordinance No. 310 is hereby amended to read as follows:

7.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to: Public school, recreational facilities in connection with a public school, public utility and public safety use in compliance with Topics 26.8 and 26.9 respectively.

Section 7. Section 7.1.4 of Ordinance No. 310 is hereby amended to read as follows:

7.1.4 Conditional uses of land in this use zone shall be for structures and/or outdoor areas devoted to: Church, private school, park, recreational facilities in connection with a private school or park, library, community hall, community swimming pool, medical or dental clinic, nursing home. (Conditional Use, Chapter 41)

Section 8. Section 7.2.2 of Ordinance No. 310 is hereby amended to read as follows:

7.2.2 Setback dimensions for dwelling unit buildings shall be the following:

- (1) Front: 20 feet.
 - (2) Side (interior): Seven and one half feet on each side of the same lot, except when a coordinated plot plan for a group of not less than three adjoining lots is presented a setback of five feet on each side of the same lot shall be permitted, provided the setback on the non-adjoining sides of such group of lots shall be seven and one half feet and in either case the minimum spacing requirements of Section 26.1.2 shall be observed.
 - (3) Side (adjoining street): 20 feet.
 - (4) Rear: seven and one half feet minimum, provided there shall be a yard area in compliance with Section 26.1.4, and provided further, the minimum spacing requirement of Section 26.1.2 shall be observed.
- (For features permitted within setback areas see Section 26.1.1)

Section 9. Section 8.1.1 of Ordinance No. 310 is hereby amended to read as follows:

8.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to:

- (1) One type "A" dwelling unit per building per lot in compliance with Chapter 6.
- (2) Two type "A" dwelling units per building per lot in compliance with Chapter 7.
- (3) Three or more type "A" dwelling units and/or type "B" dwelling units per lot, in buildings, together with parking facilities in connection with such use in compliance with Chapter 24.

Section 10. Section 8.1.3 of Ordinance No. 310 is hereby amended to read as follows:

8.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to: Public school, recreational facilities in connection with a public school, public utility and public safety use in compliance with Sections 26.8 and 26.9 respectively.

Section 11. Section 8.1.4 of Ordinance No. 310 is hereby amended to read as follows:

8.1.4 Conditional uses of land in this use zone shall be for structures and/or outdoor areas devoted to: Church, private school, park, recreational facilities in connection with a private school or park, library, community hall, community swimming pool, medical or dental clinic, nursing home. (Conditional Use, Chapter 41)

Section 12. Section 8.2.1 of Ordinance No. 310 is hereby amended to read as follows:

8.2.1 Lot dimensions. Minimum dimensions for lots shall be:

- (1) Area: 8000 square feet. One dwelling unit shall be allowed for each 2000 square feet of lot area regardless of lot size.
- (2) Width at front setback line: 75 feet.
- (3) Width at front lot line: 30 feet.
- (4) Average depth: 85 feet.

Section 13. Section 8.2.2 of Ordinance No. 310 is hereby amended to read as follows:

8.2.2 Setback dimensions for dwelling unit buildings shall be the following:

- (1) Front: 20 feet.
 - (2) Side (interior): 15 feet on each side of the same lot, except for the minimum spacing requirement of Section 26.1.3.
 - (3) Side (adjoining street): 20 feet.
 - (4) Rear: 15 feet, except for the minimum spacing requirement of Section 26.1.3.
- (For features permitted within setback areas see Section 26.1.1)

Section 14. Section 9.1.1 of Ordinance No. 310 is hereby amended to read as follows:

9.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to:

- (1) One type "A" dwelling unit per building per lot in compliance with Chapter 6.
- (2) Two type "A" dwelling units per building per lot in compliance with Chapter 7.
- (3) Three or more type "C" dwelling units, type "B" dwelling units or type "A" dwelling units or any combination thereof per lot, in buildings, together with parking facilities in connection with such use in compliance with Chapter 24.

Section 15. Section 9.1.3 of Ordinance No. 310 is hereby amended to read as follows:

9.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to: Public school, recreational facilities in connection with a public school, public utility and public safety use in compliance with Topics 26.8 and 26.9 respectively.

Section 16. Section 9.1.4 of Ordinance No. 310 is hereby amended to read as follows:

9.1.4 Conditional uses of land in this use zone shall be for structures and/or outdoor areas devoted to: Church, private school, park, recreational facilities in connection with a private school or park, library, community hall, community swimming pool, medical and dental clinic, nursing home, hospital, private non-profit hall, mortuary, mobile home park, motel. (Conditional Use, Chapter 41)

Section 17. Section 9.2.1 of Ordinance No. 310 is hereby amended to read as follows:

9.2.1 Lot dimensions. Minimum dimensions for lots shall be:

- (1) Area: 7800 square feet. One dwelling unit shall be permitted for each 1300 square feet of lot area regardless of lot size.
- (2) Width at front setback line: 75 feet.
- (3) Width at front lot line: 30 feet.
- (4) Average depth: 85 feet.

Section 18. Section 9.2.2 of Ordinance No. 310 is hereby amended to read as follows:

9.2.2 Setback dimensions for dwelling unit buildings shall be the following:

- (1) Front: 20 feet.
 - (2) Side (interior): 15 feet on each side of the same lot, except for the minimum spacing requirement of Section 26.1.3.
 - (3) Side (adjoining street): 20 feet.
 - (4) Rear: 15 feet, except for the minimum spacing requirement of Section 26.1.3.
- (For features permitted within setback areas see Section 26.1.1)

Section 19. Section 9.2.5 of Ordinance No. 310 is hereby amended to read as follows:

9.2.5 Height. No structural part of a dwelling unit building shall pierce any plane located in the following manner:

- (1) The lot lines are projected onto a horizontal plane established at the average of the finished ground level at the centers of all walls of such building.
- (2) Planes are passed through such projected lot lines, with such planes converging on the upper side of such horizontal plane, at an angle to such horizontal plane which has a vertical to horizontal ratio (tangent) of two to one.

Except when the use zone designator has a suffix number (as RM-2-35) the maximum height of any structural part of a dwelling unit building shall be either that determined as given above or shall be a number of feet equal to such suffix number, whichever is the lesser.

Section 23. Section 21.1.3 of Ordinance No. 310 is hereby amended to read as follows:

21.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to the uses listed below together with parking facilities in connection with such uses in compliance with Chapter 24:

- (1) Auction house (excluding motor vehicles and livestock).
- (2) Automobile laundry.
- (3) Automobile repair.
- (4) Automobile service station.
- (5) Blacksmith shop.
- (6) Contractors' heavy equipment, industrial equipment, heavy transportation equipment (sales, service, repairs, provided no scrapped equipment shall be permitted).
- (7) Landscape gardener with horticultural nursery for planting stock.
- (8) Mobile home and house trailer (sales).
- (9) Public utility use in compliance with Topic 26.8.
- (10) Public safety use in compliance with Topic 26.9.
- (11) Restaurant (inside service only).
- (12) Veterinarian office and small animal hospital.
- (13) Real estate office.

Section 24. Section 22.1.3 of Ordinance No. 310 is hereby amended to read as follows:

22.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to: Public school, recreational facilities in connection with a public school, public utility and public safety use in compliance with Topics 26.8 and 26.9 respectively.

Section 25. Section 22.1.4 of Ordinance No. 310 is hereby amended to read as follows:

22.1.4 Conditional uses of land in this use zone shall be for structures and/or outdoor areas devoted to: Church, private school, park, recreational facilities in connection with a private school or park, community hall, community swimming pool, golf course, kennel, riding academy, dwelling units, in buildings, in excess of the provisions of Section 22.1.1 (3) for operators and/or employees of an agricultural enterprise. (Conditional Use, Chapter 41)

Section 26. Section 24.3.2 of Ordinance No. 310 is hereby amended to read as follows:

24.3.2 Separate Facilities. No part of any parking facility which is required in conjunction with one structure or enterprise shall be considered as any part of the parking facility required for any other structure or enterprise, except for the provision of Section 24.3.5.

Section 27. Section 24.3.3 of Ordinance No. 310 is hereby amended to read as follows:

24.3.3 Separation of use and facility. No customer parking facility shall be separated from the use it is provided to serve by any intervening uses except for provisions of Section 24.3.5, or by any street. Management and employee parking facilities may be separated from the site of employment, provided the shortest legal pedestrian route between employment site and parking facility is not more than 400 feet.

Section 28. Section 24.3.5 of Ordinance No. 310 is hereby amended to read as follows:

24.3.5 Cooperative facility. Where adjoining parking facilities of two or more ownerships, except for single family residential use, can be designed and developed as one facility and efficiency of parking and traffic circulation and economy of space will result therefrom, such cooperative facility shall be permitted, provided continuance of such cooperative facility is assured by a sufficient legal document. Such document shall include the legal descriptions of the several properties involved, the dimensions and location with respect to property lines of the area to be devoted to such cooperative parking facility and the percentage of such area which each owner shall be permitted to claim for parking space credit at such time as he develops his property. A plan showing the several ownerships and the intended parking area shall meet with the approval of the Traffic Engineer and the Planning Director and the legal document referred to above shall meet with approval for sufficiency by the City Attorney, after which such legal document shall be presented to the King County Auditor for recording at the property owners' expense. The recorded copy shall be filed with the City Clerk. If the sum of the number of parking stalls required on an individual ownership basis is 20 or more a reduction in the number of parking stalls required on a cooperative basis shall be permitted in the following manner, except no reduction shall be permitted for multiple family residential use:

- (1) For two enterprises cooperating, a reduction of ten per cent, and
- (2) For each additional enterprise cooperating in excess of two, a reduction of one per cent in addition to ten per cent, with a maximum reduction of 15 per cent with seven separate enterprises cooperating, provided in the event the several owners develop their enterprises at different times, the first owner to develop his enterprise shall provide as a minimum the number of parking stalls required on an individual ownership basis.

Section 29. Section 24.4.12 of Ordinance No. 310 is hereby amended to read as follows:

24.4.12 Overhang of vehicles. Suitable bumper stops shall be provided to prevent parked vehicles from overhanging walkways, property lines or other limits of a parking facility.

Section 30. Section 24.4.17 is hereby made an addition to Ordinance No. 310:

24.4.17 Number of parking stalls required. The minimum number of parking stalls required shall be as determined by the applicable requirements of Topics 24.6, 24.7 and 24.8 except as the minimum required number of parking stalls may be modified by the provisions of Section 24.3.5.

Section 31. Section 24.5.2 of Ordinance No. 310 is hereby repealed and is replaced by the following:

24.5.2 When plans for industrial construction, with not more than 20 parking stalls required, are submitted for a building permit, the parking provisions shall be shown and shall meet with approval of the Zoning Official before a building permit may be issued.

Section 32. Section 24.5.3 is hereby made an addition to Ordinance No. 310:

24.5.3 When plans are submitted for a building permit wherein parking facilities are required, except as stated in Sections 24.5.1 and 24.5.2, two prints of the proposed parking facility plans shall be submitted for the attention of the Traffic Engineer and the Planning Director. Such plans shall show:

- (1) The street or streets which serve the parking facilities.
- (2) Entrance and exit locations and dimensions.
- (3) Arrangement and dimensions of parking stalls.
- (4) Means of delineating parking stalls.
- (5) Arrangement and dimensions of parking aisles.
- (6) Traffic directional information and means of showing same.
- (7) Walkways with height and type of curb if raised, and other means of delineation if not raised.
- (8) Drainage provisions.
- (9) Illumination provisions, sight screening provisions, planting and landscaping.

An analysis of the effect of traffic on adjoining streets shall be made in accordance with Section 24.4.4 (3). No building permit shall be issued without approval of the parking facility plans by the Traffic Engineer and the Planning Director. Approval shall be given or the plans returned for a change within 20 days of receipt by the Traffic Engineer and Planning Director. The applicable requirements given above shall apply in the case of a proposed change in parking facilities.

Section 33. Section 24.6.1 of Ordinance No. 310 is hereby amended to read as follows:

24.6.1 The minimum number of parking stalls required for single family and duplex residential use shall be two stalls per dwelling unit, provided if roomers are accommodated there shall be one additional stall for each roomer.

Section 34. Section 24.6.2 of Ordinance No. 310 is hereby amended to read as follows:

24.6.2 The minimum number of parking stalls required for multiple family residential use shall be two stalls per dwelling unit.

Section 35. Section 24.7.2 of Ordinance No. 310 is hereby amended to read as follows:

24.7.2 The minimum number of parking stalls required for the use of employees shall be one stall per employee on the maximum shift.

Section 36. Section 24.7.16 of Ordinance No. 310 is hereby amended to read as follows:

24.7.16 Hospital, sanatorium shall have one stall per patient bed. Nursing home, convalescent home shall have one stall per three patient beds.

Section 37. Section 24.7.18 of Ordinance No. 310 is hereby amended to read as follows:

24.7.18 A medical or dental clinic or office shall have one and one half stalls per room used for patient examination or treatment or other therapeutic use or per dental chair, with minimum of five stalls.

Section 38. Section 24.7.25 of Ordinance No. 310 is hereby amended to read as follows:

24.7.25 Stores and shops not otherwise specified.

- (1) Stores (food and drug) shall have one stall per 175 square feet of gross floor area with a minimum of four stalls.
- (2) Stores and shops (clothing, furniture, hardware, personal service, small repair shops and similar use) shall have one stall per 220 square feet of gross floor area with a minimum of four stalls.

Section 39. Section 24.8.5 of Ordinance No. 310 is hereby amended to read as follows:

24.8.5 Pre-existing parking space.

- (1) A use in existence at the effective date of this ordinance or on the date of annexation of the area in which such use is located, whichever date is the later, which does not have sufficient parking space on the basis of this chapter may continue to operate with such deficient amount of parking space so long as no enlargement or other change is made requiring additional parking space.
- (2) In the event such pre-existing use is subsequently enlarged so as to require additional parking space the requirements of this chapter shall apply only to such enlargement.
- (3) In the event additional uses are placed on the same lot with the pre-existing use or on an enlarged lot of which the pre-existing use lot is a part, the requirements of this chapter shall apply only to such additional uses.
- (4) In the event the pre-existing use is terminated, the area vacated shall not be occupied by a use requiring more parking space than the terminated use, unless the required additional parking space is provided. Further terminations followed by other uses shall observe the same requirements.

Section 40. Section 25.2.4 of Ordinance No. 310 is hereby amended to read as follows:

25.2.4 On property in use zone C-C the sign regulations stated below shall apply:

- (1) A complex may have one identification sign in the vicinity of:
 - (a) The main entrance to the complex with a maximum area of 150 square feet.
 - (b) A secondary entrance to the complex with a maximum area of 50 square feet, provided the two entrances are sufficiently separated to warrant two signs, as determined by the Zoning Official.

Such signs may have steady illumination. Neither sign shall include a reader board.

- (2) Signs for identification and nature of business, products and services:
 - (a) With the covered walkway type of design each shop may have a sign area in square feet equal to the shop frontage in linear feet.
 - (b) With the outdoor walkway type of design with signs mounted on the front edge of the roof over the shop, each shop may have a sign area in square feet equal to three times the shop frontage in linear feet. For shops in corner locations only the frontage on which the sign is located shall be taken. Such signs may have steady illumination.
- (3) All regulations given in Section 25.2.1 shall apply.

Section 41. Section 25.5.4 of Ordinance No. 310 is hereby amended to read as follows:

25.5.4 The location of signs shall comply with the regulations stated below:

- (1) Signs may be located within setback areas.
- (2) Signs shall not interfere with the sight clearance requirements of Topic 26.5.
- (3) Signs intended to provide overhead clearance shall have a minimum vertical clearance of eight feet.
- (4) Signs not intended to provide overhead clearance shall have a maximum vertical clearance of one foot.
- (5) Signs mounted on structures other than buildings shall not project into street rights of way.
- (6) Signs mounted on buildings shall not project into street rights of way, except where a building wall is on a street property line a sign may be mounted on and parallel to such wall with a sign structure thickness, measured from such wall, of not more than six inches.
- (7) All signs shall be on-site.

Section 42. Section 26.1.1 of Ordinance No. 310 is hereby amended to read as follows:

26.1.1 Features permitted within setback areas.

- (1) Roof. No extremity or part of a roof structure which extends beyond the building line of a dwelling unit building and whether unsupported or supported by diagonal bracing to the building wall, shall:
 - (a) Extend more than five feet into the front setback area or into the side setback area on the street side of a corner lot.
 - (b) Extend more than three feet into an interior side setback area.
 - (c) Extend more than three feet into the rear setback area.all dimensions measured horizontally.
- (d) Be less than seven feet above the finished ground level in the vicinity of such extension, measured vertically.
- (2) Porch, steps, balcony.
 - (a) No extremity or part of a porch including steps which extends beyond the building line of a dwelling unit building and serves a first floor entrance with respect to the finished ground level at point of such entrance shall:
 - (1) Extend more than five feet into the front setback area or into the side setback area on the street side of a corner lot.
 - (2) Extend to within less than five feet of an interior side property line.
 - (3) Extend to within less than five feet of the rear property line.
 - (b) No extremity or part of a porch including steps which extends beyond the building line of a dwelling unit building and serves a second floor or higher entrance with respect to the finished ground level at point of such entrance, whether unsupported or supported by diagonal bracing to the building wall, shall:
 - (1) Extend more than five feet into the front setback area or into the side setback area on the street side of a corner lot.
 - (2) Extend to within less than five feet of an interior side property line.
 - (3) Extend to within less than five feet of the rear property line.
 - (c) No extremity or part of a balcony which extends beyond the building line of a dwelling unit building, whether unsupported or supported by diagonal bracing to the building wall, shall:
 - (1) Extend more than five feet into the front setback area or into the side setback area on the street side of a corner lot.
 - (2) Extend to within less than five feet of an interior side property line.
 - (3) Extend to within less than five feet of the rear property line.all dimensions measured horizontally.

26.1.1 (Cont.)

- (3) Fireplace chimney. No extremity or part of a fireplace chimney not more than seven feet in horizontal length shall project into setback areas more than two feet. A fireplace chimney more than seven feet in horizontal length shall be construed to be a building wall.
- (4) Any architectural feature of a dwelling unit building not covered by the provisions of (1), (2) and (3) of this section shall project into setback areas not more than six inches.

Section 43. Section 26.1.4 is hereby made an addition to Ordinance No. 310:

26.1.4 Where required by use zone regulations, each lot having a dwelling unit building thereon shall have a yard area either to the rear or to an interior side of such lot.

- (1) If to the rear, such yard area shall be bounded by the rear property line, the side property lines, the rear building line of the dwelling unit building and the extension thereof to the side property lines, except on the street side of a corner lot the side setback line shall be the limiting line.
- (2) If to an interior side, such yard area shall be bounded by such interior side property line, the rear property line, the front setback line, the side building line of the dwelling unit building on such side of the lot and the extension thereof to the rear property line and to the front setback line if required.
- (3) In either case the minimum yard area in square feet shall be equal to the product of 25 and the sum of the length in feet of the rear building line or the side building line of the dwelling unit building, whichever is the greater, and 15.
- (4) Where shape of the lot and/or orientation of the dwelling unit building present situations to which the provisions of (1) and (2) of this section cannot be precisely applied, the Zoning Official shall have discretionary power in applying such provisions, to the end that the spirit of the yard area requirement is met.

Section 44. Section 26.6.2 of Ordinance No. 310 is hereby amended to read as follows:

26.6.2 Sight screening by barrier shall be in compliance with the requirements stated below:

- (1) Barriers may be constructed to a maximum height of six feet for benefit of the party constructing the barrier and may be as effective a sight barrier as desired.
- (2) Barriers shall be constructed to a height of six feet for benefit of an adjoining party or of the public, and shall have not more than 12 per cent of the barrier area open to sight, distributed as evenly as possible, with the projected dimension of any opening at right angles to any through line of sight of not more than one half inch.

Provided in either case a greater height may be permitted or required at the discretion of the Zoning Official.

- (3) Material used in barrier construction shall not have a color or surface finish which causes glare or eye discomfort.
- (4) Building walls without windows or with windows the sills of which are a minimum of six feet above the grade along such wall shall be permitted in lieu of other barriers, provided there is compliance with (3) of this section.

Section 45. Section 26.6.4 of Ordinance No. 310 is hereby amended to read as follows:

26.6.4 Sight screening location.

- (1) In residential uses sight screening may be located:
 - (a) On all boundaries of a rear setback area.
 - (b) On the property line boundary of an interior side setback area.
 - (c) On the side setback line on the street side of a corner lot.
 - (d) On the front setback line to connect side barriers to the dwelling unit building with approval of the Zoning Official.

Provided where lot access is by corridor the Zoning Official shall have discretionary power in applying the regulations of this sub-section.

- (2) In commercial and industrial uses sight screening may be located as required with approval of the Zoning Official.
- (3) In agricultural uses sight screening may be located as required for the protection of adjoining uses with approval of the Zoning Official.

Section 46. Section 26.7.1 of Ordinance No. 310 is hereby amended to read as follows:

26.7.1 Fence construction shall be in compliance with the regulations given in the sections of this topic which follow, subject to the general requirements stated below:

- (1) The regulations of this topic shall not apply to fences for public utility use. (Topic 26.8)
- (2) The sight clearance requirements of Topic 26.5 shall be observed.
- (3) No fence shall be located on any public right of way.
- (4) Where a fence is constructed on a retaining wall, ground level for height determination shall be the higher ground level.
- (5) Materials used in fence construction shall not have a color or surface finish which causes glare or eye discomfort.

Section 47. Section 26.7.3 of Ordinance No. 310 is hereby amended to read as follows:

26.7.3 In residential use in residential use zones:

- (1) Fences may be constructed of any suitable material except barbed wire to a maximum height of 42 inches on any part of a lot.
- (2) Fences may be constructed of any suitable material except barbed wire to a maximum height of six feet:
 - (a) On all boundaries of a rear setback area.
 - (b) Within a rear setback area with approval of the Zoning Official.
 - (c) On the property line boundary of an interior side setback area.
 - (d) On the side setback line on the street side of a corner lot.
 - (e) On the front setback line to connect side fences to the dwelling unit building with approval of the Zoning Official.

Provided where lot access is by corridor the Zoning Official shall have discretionary power in applying the regulations of this sub-section.

Section 48. Section 26.13.2 of Ordinance No. 310 is hereby amended to read as follows:

26.13.2 A mobile home shall not be permitted on any lot as a domicile, outside a mobile home park or trailer park, except on a temporary basis:

- (1) While a dwelling unit building is being constructed on such lot or while a damaged dwelling unit building on such lot is being repaired. For purposes of control under this ordinance a temporary permit from the building department shall be required for such mobile home. Such permit shall be revocable on 60 days notice and notice of revocation shall be given if the applicant has not

26.13.2 (Cont.)

applied for a building permit for the dwelling unit building to be constructed or repaired on such lot within 120 days of date of issue of the temporary permit for such mobile home. The temporary permit shall become void at such time as the dwelling unit building is ready for occupancy or in any case shall become void within two years of date of issue.

- (2) When a mobile home located adjacent to an existing dwelling unit building on such lot is essential as a domicile for elderly relatives of the occupant of such dwelling unit building, who require close supervision and care. For purposes of control under this ordinance a temporary permit from the building department shall be required for such mobile home. The owner of such lot shall submit a request in writing, addressed to the City Council, explaining the specific circumstances. The Council may authorize a temporary permit for a period of one year, with option of renewal upon certification by the owner that such need continues to exist, provided the initial permit may be for a longer period than one year so as to bring all such permits into an annual renewal schedule, provided further all such permits shall be revocable on 30 days notice upon evidence that such mobile home is not being used for the purpose stated in such written request or certification of continued need.

Section 49. Section 26.13.3 of Ordinance No. 310 is hereby amended to read as follows:

26.13.3 A mobile home or house trailer may be placed on a lot not in a residential use zone, without utility connections except electric service if required and put to a permitted use considered appropriate. For purposes of control under this ordinance a temporary permit from the building department shall be required. The owner of such lot shall submit a request in writing addressed to the City Council, explaining the need, accompanied by a statement signed by owners of all adjoining properties that the signatories have no objection to such mobile home or house trailer being placed on such lot. The Council may authorize a temporary permit for a period of one year with option of renewal if the need continues to exist. Such permit shall be revocable on 30 days notice upon evidence such mobile home or house trailer is being used for a purpose other than that stated in the written request.

Section 50. Section 26.17.3 of Ordinance No. 310 is hereby amended to read as follows:

26.17.3 Dimensions.

- (1) The minimum area which may be devoted to a mobile home shall be ten acres.
- (2) The maximum number of mobile home sites permitted per acre shall be nine.
- (3) The minimum area which may be allocated to one mobile home site shall be:
 - (a) 3,000 square feet when no park or playground area is provided.
 - (b) 2,800 square feet when park or playground area of not less than 200 square feet per mobile home site is provided.In either case the minimum width and length of a mobile home site shall be 40 feet and 60 feet respectively.
- (4) The maximum coverage of a mobile home site by a mobile home and any associated structures shall be 50 per cent of the site area.
- (5) The spacing between extremities of mobile homes including any associated structures shall be a minimum of 12 feet.
- (6) The distance between any boundary of a mobile home site and a mobile home including any associated structures shall be a minimum of six feet.
- (7) The distance between the boundary of a mobile home park and a mobile home including any associated structures shall be 15 feet except where adjoining a street, 20 feet.

Section 51. Section 26.17.4 of Ordinance No. 310 is hereby amended to read as follows:

26.17.4 Miscellaneous regulations.

- (1) Every mobile home site shall have provisions for serving a mobile home placed thereon with water, sanitary sewer and electric service.
- (2) No vehicle intended as a human domicile which does not have sanitary facilities shall be admitted to a mobile home park.
- (3) A mobile home park shall provide sanitary facilities in a centrally located service building. There shall be a minimum of one toilet, one lavatory and one shower head for each sex, for each 45 mobile home sites.
- (4) A mobile home park shall provide laundry facilities in a centrally located service building. There shall be a minimum of one laundry unit for each 25 mobile home sites.
- (5) Sufficient illumination shall be provided between sunset and sunrise adequately to illuminate the roadways and walkways within a mobile home park, and the buildings containing sanitary and laundry facilities.
- (6) Foundations in place of wheels under mobile homes shall not be permitted. Stabilizing supports at intervals of not less than six feet shall be permitted.
- (7) The volume beneath a mobile home shall not be used for storage.
- (8) Quick removable devices for enclosing the volume of space beneath a mobile home shall be permitted, provided there shall be at least two square feet of open area on each side of the mobile home for each 20 feet of length. The openings shall be screened with a mesh of not less than one half inch or more than three quarter inch space.
- (9) Sight screening. A mobile home park shall have sight screening by horticultural plantings of trees, shrubs and other plant life in compliance with Topic 26.6, around the periphery thereof.
- (10) A minimum of 25 mobile home sites shall be completed and ready for occupancy before a mobile home park shall be given occupancy authority.
- (11) No timent in lieu of a mobile home shall be permitted on any mobile home site.
- (12) The owner or manager of a mobile home park shall not conduct a mobile home rental yard or a mobile home sales yard on the premises.

Section 52. Section 28.1.1 of Ordinance No. 310 is hereby amended to read as follows:

28.1.1 A lot of record established prior to the effective date of the use zone classification in which such lot of record is located, which does not meet the minimum area or dimensional requirements for such use zone, shall be considered a conforming lot of record, provided all other requirements are met, and provided further that there are no adjoining lots of record of continuous frontage with, and in the same ownership as, the lot of record in question, from which it is possible to adjust lot areas to result in lots which conform with the use zone requirements.

Section 53. Section 28.1.2 of Ordinance No. 310 is hereby amended to read as follows:

28.1.2 After the effective date of this ordinance no lot of record shall be divided so as to form smaller lots of record any of which are in violation of the requirements of the use zone in which such lots of record are located.

Section 54. Section 28.1.5 of Ordinance No. 310 is hereby amended to read as follows:

28.1.5 Every lot in a commercial, industrial, or public use for park purposes shall adjoin a street with improvements in accord with Standard Plans and Specifications for the City of Redmond for the classification in which such street is placed. Every lot in a residential use or in agricultural use shall either adjoin an improved street or have access to an improved street by corridor in the same ownership as the lot or lots served, except upon joint approval of the Planning Commission and the Public Works Director such corridor may be a recorded easement. Such corridor shall have a minimum width of 15 feet when serving not more than two lots and a minimum width of 20 feet when serving more than two lots and not more than eight lots provided not more than two lots shall be served by one corridor except upon approval of the Planning Commission. A corridor which serves more than eight lots shall have a minimum width equal to the standard street paved width for the traffic classification.

Section 55. Section 28.2.1 of Ordinance No. 310 is hereby amended to read as follows:

28.2.1 Where lots are established in a residential use zone adjoining another residential use zone having a larger minimum average lot area requirement exceeding the smaller by more than 2,400 square feet, there shall be one tier of transition lots. The average area of the lots in such transition tier shall be the average of the larger and smaller minimum average lot area requirements of the respective use zones, provided the area of any one transition lot shall not vary from the average by more than 15 per cent. A street between such use zones shall not void this requirement.

Section 56. Section 28.4.1 of Ordinance No. 310 is hereby amended to read as follows:

28.4.1 Where the strict application of the definitions of the various lines and dimensions applying to lots results in difficulties when applied to lots of odd or irregular shape, the Zoning Official shall have discretionary authority in applying such definitions.

Section 57. Section 28.5.1 of Ordinance No. 310 is hereby amended to read as follows:

28.5.1 Each lot devoted to one use. The entire area of a lot shall be considered as devoted to the use for which appropriate permits have been issued, and no portion of such lot shall be considered to be any part of the area devoted to an adjoining use, except cooperative parking use as provided in Section 24.3.5.

Section 58. Section 28.5.2 of Ordinance No. 310 is hereby amended to read as follows:

28.5.2 Directional sense of lots. For the purpose of applying regulations having a directional relationship to lots, the directional sense of lots shall be determined as follows:

(1) Front direction:

- (a) When the lot adjoins one street, front direction shall be toward the street.
- (b) When the lot adjoins two streets which intersect on the boundaries of such lot, front direction shall be toward that street from which the primary pedestrian entrance is taken.

28.5.2 (Cont.)

- (c) When the lot adjoins two streets which do not intersect on the boundaries of such lot, front direction may be taken toward either street, provided no other condition exists which, in the discretion of the Zoning Official, dictates the front direction.
- (d) When the lot adjoins no street and access is by a corridor, the Zoning Official shall have discretionary power in determining the front direction, considering location of entrance to such lot, topography, orientation of the proposed dwelling unit building, orientation of existing dwelling unit buildings and/or logical orientation of future dwelling unit buildings on adjoining lots, and any other considerations pertinent to a specific case.
- (2) Rear direction shall be taken as opposite to the front direction or as nearly so as the lot shape permits.
- (3) Side direction shall be taken at a 90 degree angle to the front direction or as nearly so as the lot shape permits.

Section 59. Section 29.3.2 of Ordinance No. 310 is hereby amended to read as follows:

29.3.2 B

Balcony: A platform affixed to a building, the surface of which is raised above the surrounding finished ground level, and having no intended means of access to the ground surface.

Building: A structure composed of a roof of permanent type, which may be openable, with a suitable foundation and supports for such roof. A house trailer or mobile home shall not be construed to come within the scope of this definition.

Building - accessory: A building on the same lot with the main building which does not share a common wall with the main building for a distance of more than two feet measured from outside to outside of wall surfaces.

Section 60. Section 29.3.3 of Ordinance No. 310 is hereby amended to read as follows:

29.3.3 C

Carport: A covered area intended for protection of an automobile, which has at least one side partly open in addition to the vehicular access opening.

Center - operation (of agricultural enterprise): The area devoted to agricultural use buildings and such operations as feeding, milking, storing of feed, caring for animals or fowls, as distinguished from open field operations.

City: The City of Redmond, Washington.

City Clerk: The Clerk of the City of Redmond, Washington.

City Council: The Council of the City of Redmond, Washington.

Clinic - medical or dental: A building used for the examination and treatment of patients by medical doctors and/or dentists, with no provision for overnight housing of such patients.

Condominium: Multiple unit buildings and the building lot on which located, in which each unit is individually owned, and in which those portions of the unit buildings, grounds and other structures which are used collectively, are owned cooperatively by the owners of said units, and maintenance is sustained by subscription from said owners.

Corridor: A strip of land in private ownership over which access is afforded to a lot which is otherwise land locked, or in the case of waterfront property is otherwise land locked and water locked.

Council: Same as City Council.

Court - closed: An uncovered area bounded by building walls on all sides with entrance provisions through such walls.

Court - open: An uncovered area bounded by building walls on all sides except one.

Customer (parking); Customer, prospective customer, client, patient, guest, visitor, parishioner.

Section 61. Section 29.3.4 of Ordinance No. 310 is hereby amended to read as follows:

29.3.4 D

Date - effective: The date on which this initial ordinance becomes effective and the dates on which any subsequent amendments become effective.

Depth - average (of a lot): The straight line distance between the center point of the front lot line and the center point of the rear lot line, measured horizontally.

Development - Planned: See Section 10.1.1.

Duplex: Two dwelling units per lot.

Section 62. Section 29.3.12 of Ordinance No. 310 is hereby amended to read as follows:

29.3.12 L

Level of ordinary high water: See Section 10A.1.2.

Line - building: The outer wall surface for masonry construction and brick veneer; the outer wall surface of the rough siding for frame construction; the outer surface of one or more supporting columns.

Line - lot: A straight line drawn between any two adjacent corners of a lot.

Line - lot - front: The lot line between the two front corners of a lot.

Line - lot - rear: The lot line between the two rear corners of a lot.

Line - lot - side: The lot line between the front corner and the corresponding rear corner of a lot.

Line - property: The line defining the extent of a lot in a given direction.

Line - property - front: The property line defining the extent of a lot in the front direction of such lot.

Line - property - rear: The property line defining the extent of a lot in the rear direction of such lot.

Line - property - side: The property line defining the extent of a lot in the side direction of such lot.

Line - setback: A line beyond which, toward a property line, no structure may extend or be placed except as permitted by the regulations of this ordinance.

Line - setback - front: The setback line parallel to the front property line and at a distance therefrom equal to the front setback.

Line - setback - rear: The setback line parallel to the rear property line and at a distance therefrom equal to the rear setback.

Line - setback - side: The setback line parallel to a side property line and at a distance therefrom equal to the setback for such side of the lot. The side setback line is terminated at the front setback line and the rear setback line, except on the street side of a corner lot the side setback line is terminated at the front setback line and the rear property line.

Line of ordinary high water: See Section 10A.1.2.

Lot: A specifically described area of land which is devoted to or proposed to be devoted to some use. Such lot may be a lot of record, more than one lot of record or a portion of a lot of record.

Lot - corner: A lot bounded by two intersecting streets with the remainder of the lot boundary adjoining other lots and with the front direction of the lot consistent with the front direction of an adjoining interior lot. Also, a lot bounded by one curved street of such curvature that the intersecting lines drawn through the front corners and through the foremost point on the front property line, intersect at an angle of less than 135 degrees, with the remainder of the lot boundary adjoining other lots and with the front direction consistent with the front direction of an adjoining interior lot.

Lot - corner - reverse: A corner lot with the front direction approximately at a 90 degree angle to the front direction of an adjoining interior lot.

Lot - interior: A lot bounded by one street with the remainder of the lot boundary adjoining other lots.

29.3.12 (cont.)

Lot - interior - reverse: An interior lot with the front direction consistent with the front direction of an adjoining reverse corner lot.

Lot of record: An area of land described as to location and extent in a recorded plat or by a recorded metes and bounds description.

Lot - through: A lot bounded by two streets at opposite ends of the lot, which streets do not intersect on the lot boundaries and with the remainder of the lot boundary adjoining other lots.

Section 63. Section 29.3.16 of Ordinance No. 310 is hereby amended to read as follows:

29.3.16 P

Park - home - mobile: An area of land suitably developed for the parking of mobile homes with provisions for utility connections to such mobile homes.

Parking: Motor vehicle parking unless the context indicates otherwise.

Parking - service: The parking of vehicles which are engaged in delivery or other function necessary to the operation of an enterprise.

Party: A person, his heirs, executors or assigns and any partnership, corporation or other legal entity and their successors or assigns, or the agent of any of the foregoing.

Planning Commission: The Planning Commission of the City of Redmond, Washington.

Pool - swimming - community: A swimming pool in private ownership in a residential or agricultural use zone, for the exclusive use of a specific group of persons who contribute to its construction and operating cost.

Porch: A platform affixed to a building, the surface of which is raised above the surrounding finished ground level, intended as a means of access to such building from the finished ground level.

Property: Land alone or land with structures thereon.

Property - waterfront: See Section 10A.1.2.

Section 64. Section 29.3.19 of Ordinance No. 310 is hereby amended to read as follows:

29.3.19 S

Setback: The distance between a property line and the corresponding setback line, measured horizontally and at a 90 degree angle to the property line if straight or to a tangent thereto if curved.

Setback - front: The setback between the front property line and the front setback line.

Setback - rear: The setback between the rear property line and the rear setback line.

Setback - side: The setback between a side property line and the corresponding side setback line.

Shall: Mandatory.

Shoreland: See Section 10A.1.2.

Sign: A device for imparting information, whether by word or other display and including any means of attracting attention to such information.

Sign - off-site: A sign the information on which does not refer to business or other activity on the same lot with such sign.

Sign - on-site: A sign the information on which refers to identity, business or other activity located on the same lot with such sign.

Stall - parking: An area of sufficient width and length for the parking of a motor vehicle, whether or not such area is delineated by any markings, rails or other means.

Street: A public way intended for traffic circulation as determined by its classification.

29.3.19 (Cont.)

Street - improved: A street with a passable roadbed thereon.

Structure: Any object regardless of the number of pieces of which it is made up (including one piece) and regardless of the manner in which such pieces are held together (including gravity) which object serves the intended purpose in a fixed position with respect to the ground on which, or partially in which, it is located. This does not include any object which is completely buried with no indication of its presence on the ground surface.

Structure - accessory: A structure located on the same lot with a main building and serving some subordinate purpose with respect to the main building.

Structure - conforming: A structure which conforms in all particulars with the requirements for the use zone in which such structure is located.

Structure - non-conforming: See Chapter 40.

Section 65. Section 29.3.21 of Ordinance No. 310 is hereby amended to read as follows:

29.3.21 U

Unit - dwelling: A suitably enclosed volume of space with fixed location and designed as a human domicile with sanitary facilities, for one family group.

Unit - dwelling - type "A": A dwelling unit providing four specific areas, (1) for living, (2) for cooking, (3) for sleeping (4) for bath.

Unit - dwelling - type "B": A dwelling unit providing three specific areas, (1) for living and sleeping, (2) for cooking, (3) for bath. No separate area is provided for sleeping.

Unit - dwelling - type "C": A dwelling unit providing either two or three specific areas, (1) for living and sleeping, (2) for bath, or (1) for living, (2) for sleeping, (3) for bath. No area is provided for cooking.

Upland: See Section 10A.1.2.

Use - accessory: A use which is subordinate to the primary use and located on the same lot as the primary use.

Use - commercial: A use where the product or commodity, regardless of its source, primarily is sold directly to the ultimate consumer.

Use - conditional: See Chapter 41.

Use - industrial: A use where the product or commodity which is made primarily is sold through channels other than to the ultimate consumer.

Use - non-conforming: See Chapter 39.

Use - primary: The use for which a use zone is created.

Use - safety - public: The use of land as headquarters for fire fighting equipment, ambulance or other emergency vehicles and first aid stations.

Use - utility - public: The use of land for electrical distribution transformer stations without attendants, telephone exchanges without attendants, sewage pumping stations, sewage treatment plants, water pumping stations, and water storage facilities.

Use - secondary: A use which is subordinate to the use for which a use zone is created.

Use - special: See Chapter 42.

Section 66. Section 34.3.1 of Ordinance No. 310 is hereby repealed and is replaced by the following:

34.3.1 Building permit may require covenant. When, in the discretion of the Zoning Official, control of future division of a parcel of land is necessary to insure compliance with the provisions of this ordinance and/or other applicable ordinances and/or codes, the Zoning Official shall have authority to require the owner applicant for a building permit to enter into an appropriate covenant with the City, which shall be recorded with the King County Auditor at the owner's expense prior to the issuance of building permits. The recorded copy of such covenant, or a copy thereof, shall be retained in the City files.

Section 67. Section 34.3.8 of Ordinance No. 310 is hereby amended to read as follows:

34.3.8 A building permit requires authorization by the Traffic Engineer and the Planning Director, in addition to any other authorization required, when the permit is for a use not exempt from such authorization by the provisions of Sections 24.5.1 and 24.5.2 (Parking Facility Plans, Topic 24.5).

Section 68. Section 34.3.10 of Ordinance No. 310 is hereby amended to read as follows:

34.3.10 Any building permit which may be obtained by the granting of a variance or permission as stated above shall be obtained within six months of such grant, otherwise the right to such permit shall be void, unless extended by Council action.

Section 69. Section 35.1.1 of Ordinance No. 310 is hereby amended to read as follows:

35.1.1 Any party (appellant) aggrieved by a decision of the Zoning Official, the Planning Commission or the Planning Director arising out of the administration and enforcement of this ordinance may appeal such decision to the Board of Adjustment. (Board of Adjustment, Chapter 38.)

Section 70. Section 35.2.1 of Ordinance No. 310 is hereby amended to read as follows:

35.2.1 Notice of appeal shall be in writing on a form provided by the City. All information requested on such form shall be supplied.

Section 71. Section 36.3.1 of Ordinance No. 310 is hereby amended to read as follows:

36.3.1 Petition. The petition for a use variance shall be in writing on a form provided by the City. All information requested on such form shall be supplied.

Section 72. Section 36.3.2 of Ordinance No. 310 is hereby amended to read as follows:

36.3.2 Filing Fee. The fee for filing a petition for a use variance shall be \$50.00.

Section 73. Section 36.3.4 of Ordinance No. 310 is hereby amended to read as follows:

36.3.4 Notice to property owners. Notice by mail shall be given to the owners of all property adjoining the property in question and the owners of all property adjacent thereto which is separated only by a street therefrom, advising the place, date and time the matter will be considered. The City Clerk shall be responsible for preparing and mailing such notices, not less than ten days prior to the date set for consideration. The names and addresses of property owners shall be obtained from the King County Treasurer's record, unless otherwise known.

Section 74. Section 37.2.1 of Ordinance No. 310 is hereby amended to read as follows:

37.2.1 Petition. The petition for a structure variance shall be in writing on a form provided by the City. All information requested on such form shall be supplied. When the petition includes a request for a setback less than that required by use zone regulations, the petitioner shall also include a statement signed by the owners of affected adjoining property that such owners have no objection to such reduced setback.

Section 75. Section 38.1.2 of Ordinance No. 310 is hereby amended to read as follows:

38.1.2 Membership. The Board shall consist of five members, all of whom shall be residents of the City of Redmond during their tenure of office, and who shall be appointed by the Mayor subject to a majority vote of the City Council. The term of membership shall be four years. The initial appointments shall be: one member for one year, one member for two years, one member for three years and two members for four years. Vacancies occurring other than by expirations of terms shall be filled for the unexpired term in the same manner as appointments for full terms are made. Members shall serve without compensation. Members may be removed by the Mayor with approval of the City Council, after a public hearing, for neglect of duty, inefficiency or malfeasance in office.

Section 76. Section 38.1.3 of Ordinance No. 310 is hereby amended to read as follows:

38.1.3 Meetings. The Board shall meet not less than once each month at a fixed time on a fixed day of the month as established by the Board, except no meeting need be held if no matters are scheduled to come before the Board on such meeting date. Other meetings may be held at the call of the Chairman of the Board. All meetings shall be held in the Redmond City Hall and shall be open to the public.

Section 77. Section 38.1.5 of Ordinance No. 310 is hereby amended to read as follows:

38.1.5 Secretary. A recording secretary may be chosen by the Board from among its members or may be supplied by the City. The City Clerk shall be the executive secretary and shall be the custodian of all minutes, decisions, records and reports of the Board.

Section 78. Section 38.3.1 of Ordinance No. 310 is hereby amended to read as follows:

38.3.1 Upon filing of a notice of appeal or of a petition, copies thereof shall be transmitted to the city officials concerned.

Section 79. Section 38.3.2 of Ordinance No. 310 is hereby amended to read as follows:

38.3.2 Upon receipt of the information referred to in Section 38.3.1, the city officials shall forthwith transmit all information their records contain on the matter, together with such additional report as is considered appropriate, to the City Clerk who shall determine a date for hearing or consideration of the

38.3.2 (Cont.)

matter and distribute copies of all information to the Board. Notice of date set for hearing or consideration shall be given to the city officials concerned and to the appellant or petitioner. In the case of a petition for a use variance, notice of consideration shall also be given as required by Section 36.3.4.

Section 80. Section 38.3.4 of Ordinance No. 310 is hereby amended to read as follows:

38.3.4 Decision.

- (1) On appeal. The Board may affirm or reverse, wholly or in part, the decision being appealed and may make such order or determination as appears proper and to that end shall have all the powers of the city officials concerned so far as the decision in the particular issue is concerned. An order or determination to reverse the decision being appealed, either wholly or in part, shall require the concurring vote of three members of the Board.
(See Section 32.2.3)
- (2) On petition for use variance. The Boards shall be bound by the conditions set forth in Section 36.2.1 in granting, denying or modifying a petition for a use variance.
- (3) On petition for structure variance. The Board may make such order or determination as appears proper and to that end shall have all the powers of the city officials concerned, so far as the decision in the particular issue is concerned.
- (4) A decision or order shall be announced within 15 days of the conclusion of the hearing or consideration. Such decision or order shall become effective on the date of approval by the Board, as shown by the minutes of the Board, unless such record shows a later date for such decision or order to become effective.
- (5) The decision of the Board shall be final.

Section 81. Section 41.2.1 of Ordinance No. 310 is hereby amended to read as follows:

41.2.1 Petition. The petition for a conditional use shall be in writing on a form provided by the City. All information requested on such form shall be supplied.

Section 82. Section 41.2.2 of Ordinance No. 310 is hereby amended to read as follows:

41.2.2 Filing fee. The fee for filing a petition for a conditional use shall be \$50.00.

Section 83. Section 41.2.4 of Ordinance No. 310 is hereby amended to read as follows:

41.2.4 Acceptance and hearing date. The City Clerk shall transmit the petition to the Planning Director. Upon determination that such petition is in compliance with applicable regulations and contains sufficient and proper information, the Planning Commission shall set a date for a public hearing to be held within 50 days of filing such petition.

Section 84. Section 42.2.2 of Ordinance No. 310 is hereby amended to read as follows:

42.2.2 Detailed proposal. After notification to the petitioner that the proposed use is acceptable for further consideration the petitioner may present a detailed proposal giving all applicable information requested on a form provided by the City.

Section 85. Section 42.2.3 of Ordinance No. 310 is hereby amended to read as follows:

42.2.3 Consideration of detailed proposal. Upon receipt of the detailed proposal, the Planning Commission shall consider the proposal fully, using the following as guides:

- (1) Whether the proposed project is in keeping with the objectives of the Comprehensive Land Use Plan.
- (2) Whether the proposed project will have a detrimental effect upon the immediate vicinity.
- (3) Whether the proposed project is of value to the community as a whole.
- (4) Whether the developer had made a sufficient effort to adapt the proposed project to existing improvements in the vicinity.

The Planning Commission shall notify the petitioner of its determination within 30 days of receipt of all information constituting the detailed proposal. If the Planning Commission shall find that the proposal is not acceptable, the matter shall be terminated. If the proposal is acceptable, the Planning Commission shall set a date for a public hearing to be held within 50 days of acceptance. The petitioner shall be notified of such date.

Section 86. Section 42.2.4 of Ordinance No. 310 is hereby amended to read as follows:

42.2.4 Fee. Upon being advised of a hearing date the petitioner shall pay a fee of \$50.00 not less than 20 days prior to such hearing date. If the fee is tendered later than as stated above, the City Clerk shall have the right to refuse acceptance, no hearing shall be held and the entire matter shall be terminated.

Section 87. Section 42.2.7 of Ordinance No. 310 is hereby amended to read as follows:

42.2.7 Council action. The City Council shall either grant permission for the use by resolution, stipulating any pertinent requirements or conditions, or refuse permission, within 45 days of receipt of the recommendation of the Planning Commission. Such decision shall be final. The Council may require a covenant with the owner of the property granted a special use permission to insure continued compliance with any stipulated requirements or conditions.

Section 88. Section 43.1.2 of Ordinance No. 310 is hereby amended to read as follows:

43.1.2 A change in the Zoning Map, reflecting a change of zoning classification (rezone), or any addition to the Zoning Map upon an annexation, shall be construed to be an amendment to this ordinance.

Section 89. Section 43.2.1 of Ordinance No. 310 is hereby amended to read as follows:

43.2.1 An amendment for a change of zoning classification may be initiated by petition of not less than 75 per cent of the number of owners of land in the tract described in the petition. Such an amendment may also be initiated by the Planning Commission or by the City Council.

Section 90. Section 43.2.2 is hereby made an addition to Ordinance No. 310:

43.2.2 An amendment for an addition to the Zoning Map upon an annexation to the City of Redmond shall be initiated by the Planning Commission.
(Annexation, Topic 45.1)

Section 91. Section (Topic) 43.3 of Ordinance No. 310 is hereby amended to read as follows:

43.3 PROCEDURE, INITIATION BY PROPERTY OWNER

Section 92. Section 43.3.1 of Ordinance No. 310 is hereby amended to read as follows:

43.3.1 Petition. The petition for an amendment for a change of zoning classification shall be in writing on a form provided by the City. All information requested on such form shall be supplied.

Section 93. Section 43.3.2 of Ordinance No. 310 is hereby amended to read as follows:

43.3.2 Filing Fee. The fee for filing a petition for a change of zoning classification shall be \$50.00.

Section 94. Section 43.3.4 of Ordinance No. 310 is hereby amended to read as follows:

43.3.4 Acceptance and hearing date. The City Clerk shall transmit the petition to the Planning Director. Upon determination that such petition contains sufficient and proper information and is not in conflict with the provisions of Section 43.6.2, the Planning Commission shall set a date for a public hearing to be held within 50 days of filing of such petition.

Section 95. Section 43.3.7 of Ordinance No. 310 is hereby amended to read as follows:

43.3.7 Council action. The City Council shall set a date for a public hearing to be held within 30 days of receipt of the recommendation of the Planning Commission. Notice of such hearing shall be given in accordance with Section 44.2.2. Following such hearing the Council shall either adopt an amending ordinance in accordance with or modifying the petition, or shall refuse such petition, within 30 days of the conclusion of the hearing. The decision of the Council shall be final.

Section 96. Section 43.4.1 of Ordinance No. 310 is hereby amended to read as follows:

43.4.1 When the Planning Commission determines the desirability of an amendment the Planning Commission may confer informally with the members of the City Council on the matter. If there is a general concurrence, the Planning Commission shall set a date for a public hearing thereon to be held as soon as practicable.

Section 97. Section 43.5.1 of Ordinance No. 310 is hereby amended to read as follows:

43.5.1 When the City Council determines the need for an amendment, the matter may be transmitted to the Planning Commission which shall set a date for a public hearing thereon to be held as soon as practicable.

Section 98. Section 44.2.1 of Ordinance No. 310 is hereby repealed and is replaced by the following:

44.2.1 When a public hearing involving real property is required to be heard before the Planning Commission, notice of such hearing shall be given in the following manner:

- (1) Mail notice. The Planning Director shall be responsible for the preparation of notice of hearing for mailing to the owners of property within the area involved and to the owners of property within a distance of 200 feet from the boundaries of the area involved as their names and addresses appear in the King County Treasurer's record or as otherwise known. Such notice shall be by first class mail deposited for mailing not less than ten days prior to the hearing date and shall contain the following information:
 - (a) Place where the hearing will be held.
 - (b) Body before whom hold.
 - (c) Date and time of hearing.
 - (d) Nature of hearing.
 - (e) Brief description of the property location which may be augmented by a sketch.
- (2) Publication notice. The Planning Director shall be responsible for the preparation of a notice of hearing, containing the information noted in (1) of this section and for placing such notice with the official newspaper of the City of Redmond for a publication date not less than five days prior to the hearing date.

Section 99. Section 44.2.2 of Ordinance No. 310 is hereby repealed and is replaced by the following:

44.2.2 When a public hearing involving real property is required to be heard before the City Council, notice of such hearing shall be given by legal notice published in the official newspaper of the City of Redmond. The City Clerk shall be responsible for the preparation and placing of such notice for a publication date not less than five days prior to the hearing date.

Section 100. Section 44.3.1 of Ordinance No. 310 is hereby amended to read as follows:

44.3.1 When a public hearing is required wherein no real property is involved, notice shall be given by publication in accordance with Section 44.2.1 (2) if before the Planning Commission and in accordance with Section 44.2.2 if before the City Council.

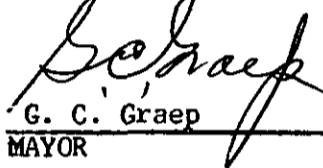
Section 101. The following sections, topics and chapter of Ordinance No. 310 are hereby repealed:

(Topic) 4.3, 4.3.1, (Topic) 4.4, 4.4.1, (Chapter) 11 (Title), 24.3.6, 24.6.3, 24.6.4, 24.6.5, 24.6.6, 24.8.4, 28.2.2 (Topic) 28.3, 28.3.1, 28.3.2, 28.3.3, 28.3.4, 34.3.3, 44.2.3, and 44.2.4.

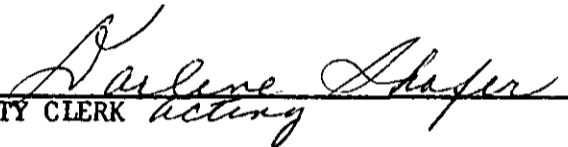
Section 102. This Ordinance shall take effect and be in force five (5) days after its publication in the manner provided by law.

PASSED by the Council of the City of Redmond, Washington, at a regular meeting thereof, and APPROVED by the Mayor this 12th day of September, 1967

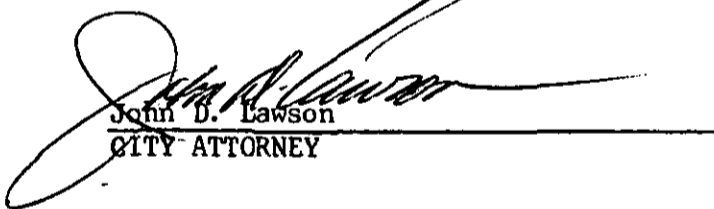
CITY OF REDMOND


G. C. Graep
MAYOR

ATTEST:


CITY CLERK acting

APPROVED AS TO FORM:


John D. Lawson
CITY ATTORNEY

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