

Introduced: 2/20/24  
Adopted: 2/20/24

CODE

**CITY OF REDMOND  
ORDINANCE NO. 3153**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING THE REDMOND ZONING CODE CHAPTER 21.06 URBAN RECREATION AND CHAPTER 21.24 FENCES AS PART OF A PERIODIC REWRITING OF DEVELOPMENT REGULATIONS, HEREIN REFERRED TO AS THE REDMOND ZONING CODE (RZC) REWRITE PROJECT PHASE 2, TO PROVIDE TIMELY IMPROVEMENTS AND MAINTENANCE TO THE REDMOND ZONING CODE, AND TO PROVIDE CONFORMANCE WITH STATE LEGISLATIVE UPDATES, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

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WHEREAS, the Growth Management Act requires that development regulations be subject to continuing evaluation and review; and

WHEREAS, the Growth Management Act requires that development regulations must be consistent with and implement comprehensive plans adopted pursuant to the act; and

WHEREAS, the Growth Management Act clarifies that the use of implement in text context of WAC 365-196-800 connotes not only a lack of conflict but also a sufficient scope to fully carry out

the goals, vision, policies, standards, and directions contained in the comprehensive plan; and

WHEREAS, City staff has identified, within the Redmond Zoning Code, opportunities for improvements to consistency between the Redmond Comprehensive Plan and development regulations, as well as to the format and structure, terminology, and narrative of the development regulations; for strategic and timely revisions to further reflect the City's goals, vision, functional and strategic plans, and priorities; and to portions of the development regulations for conformance with updated laws and regulations; and

WHEREAS, the city received requests to amend fence regulations; and

WHEREAS, state agencies received 60-day notice of the proposed amendments on August 18, 2023; and

WHEREAS, a State Environmental Policy Act (SEPA) checklist was prepared, and a Determination of Non-significance was issued on August 1, 2023, for the proposed amendments; and

WHEREAS, the Technical Committee reviewed and approved the proposed amendments and on August 30, 2023, made a recommendation for approval of the amendments to the Planning Commission; and

WHEREAS, the Planning Commission conducted a public hearing on the proposed amendments on September 27, 2023, to receive public comment, and held the public hearing open through October 25, 2023, to receive additional written comment; and

WHEREAS, the Planning Commission received testimony from four individuals regarding the proposed amendments and requested resolution of the issues to be reflected in the Commission's issues matrix, approved by the Commission on October 25, 2023; and

WHEREAS, upon completion of the public hearing the Planning Commission issued findings, conclusions, and recommendations in a report to the Redmond City Council dated November 1, 2023; and

WHEREAS, the City Council held public meetings on December 5, 2023; January 16, 2024; January 23, 2024; and February 20, 2024, to consider the proposed amendments and the Planning Commission's recommendation; and

WHEREAS, notice of City Council action on this proposed amendment was provided on January 30, 2024; and

WHEREAS, the City Council desires to adopt the amendments set forth in this ordinance.

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

Section 1. Classification. The amendments set forth by this ordinance are of a general and permanent nature and shall become a part of the Redmond Zoning Code.

Section 2. Findings and Conclusions. In support of the proposed amendments to the Redmond Zoning Code, the City Council hereby adopts the findings and conclusions contained in the Planning Commission Report dated November 1, 2023, including all related attachments and exhibits.

Section 3. Amendments to Redmond Zoning Code (RZC) Chapter 21.06 Urban Recreation. The provisions of RZC Chapter 21.06, Sections RZC 21.06.010 Urban Recreation Zone, paragraph C. General Allowed Uses and Cross-References. is hereby amended to read as follows:

RZC 21.06 Urban Recreation

21.06.010 Urban Recreation Zone.

C. General Allowed Uses and Cross References

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Table 21.06.010.2 General Allowed Uses and Cross-References in UR Zone (Nonresidential) Use Permissions: P - Permitted; L - Limited; C - Conditional; N - Not Permitted				
Nonresidential Use Class	Former Use Classification (prior to Dec. 31, 2021)	Use Permissions	Building Code Occupancy Class	ITE Trip Generation Manual Land Use Code
Hotels, Motels and Other Accommodation Services	Bed and Breakfast Inn	L, C	R	300-399
1. Limited to Bed and Breakfast Inn				
Local Utilities	Local Utilities	P		
Regional Utilities	Regional Utilities	C		
Wireless Communication Facilities	Wireless Communication Facilities	P		
Natural and Other Recreational Parks	Parks, Open Space, Trails and Gardens	L		400-499
Arts, Entertainment, Recreation, And Assembly	Athletic, Sports, And Play Fields; Marine Recreation; Commercial Swimming Pools	C	A	400-499, 500-599
1. [ <del>LIMITED</del> ] <u>Is limited to:</u> a. Athletic, Sports, and Play Fields; b. Marine Recreation; c. Commercial Swimming Pools				
Golf Course	Golf Course	C	A	400-499
Family Day Care Provider	Family Day Care Provider	P	R	500-599
Crop Production	Crop Production	P	U	
Equestrian Facility	Equestrian Facility	P	U	
Animal Production	Animal Production	P	U	
Roadside Produce Stand	Roadside Produce Stand	P		

Section 4. Amendments to Redmond Zoning Code (RZC)

Chapter 21.06 Urban Recreation. The provisions of RZC Chapter 21.06, Section RZC 21.06.030 Accessory Uses, paragraph B. is hereby amended to read as follows:

RZC 21.06 Urban Recreation

RZC 21.06.030 Accessory Uses

A. Accessory uses shall be permitted in conjunction with an allowed use. Accessory uses may include, but are not limited to, equipment storage, outbuildings, fences, kiosks, and parking (unless otherwise excluded by another provision of the Zoning Code, such as RZC 21.68.050.C *Shoreline Environments, Permitted Uses and Activities Table*).

B. Accessory uses shall meet the requirements of this chapter and, **unless otherwise provided for within this chapter, shall also meet** all related requirements of the Zoning Code. The primary allowed use shall be maintained during the time any accessory use is maintained.

Section 5. Amendments to Redmond Zoning Code (RZC) Chapter 21.06 Urban Recreation. The provisions of RZC Chapter 21.06, Section RZC 21.06.030 Accessory Uses, is hereby amended to include provisions of new paragraph C. Fences as Accessory Uses are hereby amended to read as follows:

RZC 21.06 Urban Recreation

21.06.030 Accessory Uses.

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NEW Paragraph C. Fences as Accessory Uses.

1. Fences, including safety netting, installed within the Urban Recreation zoning district may exceed the maximum height limit set forth by section RZC 21.24.030 Height provided all of the following criteria are met:

a. The fence is required to protect public safety, and the applicant demonstrates that the height is the minimum necessary to fulfill its intended purpose;

b. A Type II - Visual Screen, per RZC 21.32.080

Types of Planting, shall be established and maintained at the exterior or public-facing side of the fence to reduce the visual impact on adjacent uses; and

c. A Conditional Use Permit, addressing the changes to previously approved site conditions and accessory uses shall be obtained.

Section 6. Amendments to Redmond Zoning Code (RZC)

Chapter 21.24 Fences. The provisions of RZC Chapter 21.24 Fences, section 21.24.020 Permits is hereby repealed:

RZC 21.24. Fences.

21.24.020 [PERMITS] **REPEALED.**

~~[FENCES EXCEEDING SIX FEET IN HEIGHT REQUIRE A BUILDING PERMIT BEFORE BEING ERECTED, ALTERED, OR RELOCATED. FENCES OF SIX FEET OR LESSER HEIGHT ARE EXEMPT FROM THE REQUIREMENT TO OBTAIN A BUILDING PERMIT.]~~



Section 7. Amendments to Redmond Zoning Code (RZC)

Chapter 21.24 Fences. The provisions of RZC Chapter 21.24 Fences,

section 21.24.030 Height are hereby amended to read as follows:

RZC 21.24. Fences.

21.24.030 Height.

A. Maximum Height. The maximum height of fences shall

be as follows, provided that the requirements of RZC

21.52.040, Sight Clearance at Intersections, are met:

Table 21.24.030 Maximum Fence Height	
Zones	Permitted Height
UR, RA-5, R1-R30	Six feet anywhere on the lot (see RZC 21.24.060, Additional Residential Neighborhood Requirements, for additional information)
All other zones	Eight feet anywhere on the lot, subject to landscaping requirements in RZC 21.32, Landscaping

1. Maximum fence height may be exceeded without the requirement for a variance when specified in federal or state requirements due to safety and security. Documentation of this requirement shall

be provided by the applicant and approved by the  
Administrator.

Section 8. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

Section 9. Effective Date. This ordinance shall become effective five days after its publication, or publication of a summary thereof, in the city's official newspaper, or as otherwise provided by law.

ADOPTED by the Redmond City Council this 20th day of February, 2024.

CITY OF REDMOND

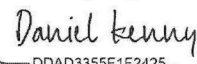
  
ANGELA BIRNEY, MAYOR

ATTEST:

  
CHERYL XANTHOS, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

DocuSigned by:  
  
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DANIEL P. KENNY, CITY ATTORNEY

FILED WITH THE CITY CLERK: February 6, 2024  
PASSED BY THE CITY COUNCIL: February 20, 2024  
SIGNED BY THE MAYOR: February 23, 2024  
PUBLISHED: February 26, 2024  
EFFECTIVE DATE: March 2, 2024  
ORDINANCE NO. 3153

YES: ANDERSON, FIELDS, FORSYTHE, KRITZER, NUEVACAMINA, SALAHUDDIN, STUART

NO: NONE