



**CITY OF REDMOND**  
**Community Development Department**

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**REDMOND URBAN AREA PLANNING COMMISSION**

**City Hall – Conference Room A**  
**716 SW Evergreen Avenue**

**Tuesday, January 29, 2013**

**6:30 PM**

**Agenda**

**UAPC  
Members**

Anne  
Graham,  
Chair

Dean  
Lanouette,  
Vice-Chair

Evan  
Dickens

Bea Leach

Lori  
McCoy

Eric  
Porter

Gretchen  
Stauffer

- I. CALL TO ORDER**
- II. CITIZEN COMMENTS**
- III. ETHICS TRAINING**
- IV. WORK SESSION – Reviewing Proposed Development Code Amendments**
  - a. Residential Design/Fence Standards (Exhibit 1)**
  - b. Code Enforcement (Exhibit 2)**
- V. COUNCIL LIASON COMMENTS (if present)**
- VI. Approval of Minutes:**
  - a. December 4, 2012 (Exhibit 3)**
- VII. STAFF COMMENTS**
- VIII. COMMISSIONER COMMENTS**
- IX. ADJOURN**

\*Please note that these documents are also available on the City's website [www.ci.redmond.or.us](http://www.ci.redmond.or.us); click on City Government, hover on Commissions and Committees, click on Urban Area Planning Commission. You may also request a copy from City Records Office 923-7751 or email [KellyM@ci.redmond.or.us](mailto:KellyM@ci.redmond.or.us)

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## MEMORANDUM

**DATE:** January 29, 2013  
**TO:** Redmond Urban Area Planning Commission  
**FROM:** James J. Lewis, Planning Manager  
**THROUGH:** Heather Richards, Community Development Director  
**SUBJECT:** Residential Design Standards and Fence Standards – Update

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Commissioners:

At the final meeting of 2012, the Planning Commission approved working drafts of proposed Development Code text amendments for Residential Design Standards for Single-family Residences and Duplexes, and Fence Standards. The drafts of the proposed code amendments were discussed by the Planning Commission through a series of work sessions during the fall of 2012. The working drafts will subsequently be subject to additional public review and comment as the formal public hearing drafts. Public hearings will be scheduled for later this year (anticipated for March 19<sup>th</sup>) for these documents.

Attached to this memorandum are three documents; The first is a summary discussion of the primary issues that were addressed by the Planning Commission during the work sessions on each item (Residential Design Standards and Fence Standards). The second and third documents are drafts of the Residential Design Standards and Fence Standards respectively. The draft standards are shown in a format where existing code text is shown in solid black; text proposed for deletion is shown in ~~strikethrough~~; and, new text is shown in **red**.

These documents are being presented to the Planning Commission (primarily for the benefit of the new Planning Commissioners) as an update on the process and issues discussed leading up to the draft documents before you. Staff will be ready to answer any questions that the Planning Commission has regarding these documents at the January 29<sup>th</sup> meeting..

I James J. Lewis, Senior Planner, Long Range/Economic Planning

Attachments: Attachment A – Summary of Primary Issues  
Attachment B – Draft Residential Design Standards  
Attachment C – Draft Fence Standards

# ATTACHMENT A

## City of Redmond Urban Area Planning Commission, January 29, 2013

### Summary Discussion – Residential Design Standards and Fence Standards

#### Background:

From October through December 2012, the City of Redmond Urban Area Planning Commission conducted work sessions with City Staff to review draft versions of proposed amendments to the City of Redmond Development Code to add new standards for Residential Design (including architectural requirements) and revisions to the Fence Standards. Through the work session process, the Planning Commission addressed the overall intent and purpose for the proposed amendments, and the relevant issues associated with implementation of the draft text. Subsequently, the Planning Commission directed changes to the draft documents and approved working drafts that would be used for public review and comment through the public hearing process.

#### Discussion:

Residential Design Standards – The Residential Design Standards are proposed as an entirely new section of the Development Code. The intent is to instill a degree of architectural integrity to all new single family and duplex residential development in Redmond. Residential design, along with infrastructure design (i.e. streets, trails, sidewalks), was determined to be a very important contributing factor to the overall character, desirability, livability and sustainability of quality neighborhood development.

Some of the primary issues discussed by the Planning Commission during the work sessions included:

- Clarity in the intent and purpose statements included in the Code (to establish why the provisions are necessary and the positive results for Redmond).
- The necessity to screen mechanical equipment associated with dwellings.
- The necessity for a garage and off street vehicular parking.
- The necessity for site landscaping.
- Necessary architectural features for building facades (front, side and rear), and roofs.
- Maintaining freedom in design and style of architecture while at the same time insuring a base level of architectural character.
- Providing a two-tiered review process:
  - Track 1 – a “checklist” form of review which is definitive and predictable for both the applicant and the City.
  - Track 2 – a discretionary review that is subject to the guidelines provided by the intent and purpose statements, and is reviewable by the Planning Commission which acts as the approval authority.
  - Track 2 is intended to allow additional flexibility for unique designs which may be desirable and assets to a neighborhood, but do not fit within the standardized guidelines utilized for the Track 1 process. The burden of proof in this instance is on the applicant.
- All of the included standards are intended to fulfill the intent and purpose statements as listed in the draft Code.

All of these standards are intended to raise the level of integrity for residential development but to not make such development onerous or overly expensive for the owner.

## ATTACHMENT A

Fence Standards - The amended Fence Standards are proposed as changes and additions to the existing Development Code text. Some of the primary concerns with existing fence designs in Redmond include: 1.) fences constructed as continuous, unbroken expanses along the City arterial and collector streets; 2.) fence materials and construction methods; and, 3.) fence size by location (particularly fences in front and side yards which face streets). In this regard, the primary issues discussed by the Planning Commission during the work sessions included (and are reflected in the draft text):

- Continuous, unbroken expanses - All fences constructed along the side and rear lot lines will be required to incorporate other architectural elements such as stone, brick, rock, or similar products every 16' in length. Generally this includes columns or posts spaced every two standard fence sections that are constructed with these materials.
- Fence materials and methods – Fences constructed along public streets are required to be constructed of wood, vinyl or wrought iron only – chain link fences are not permitted. All fences are required to be constructed of solid materials that are able to be painted and maintained to be structurally sound.
- Fence size and location - Fences located in front yards will have a maximum height limit of 3 ½ feet.

The overall intent of these standards is to maintain a property owner's ability to construct a fence for the purpose of privacy, security, animal restraint, and other typical factors. However, the proposed amendments are intended to ensure that such fences compliment rather than detract from the character of the neighborhood and community. It places more stringent requirements for those property boundaries fronting public streets regarding materials and aesthetics, but to retain the existing standards for areas where fences are not readily visible to the public.

### **Course of Action:**

These draft standards will be brought forward for a formal public hearing before the Planning Commission and subsequent recommendation to the City Council. It is anticipated that the public hearing will be held on March 19<sup>th</sup>, 2013.

Respectfully submitted:

James J. Lewis, Planning Manager

**I. RESIDENTIAL DESIGN STANDARDS – existing/proposed**

**8.0140 Table B, Minimum Standards.** The following minimum standards apply in each of the Residential zones as follows:

Standard:	Zone:				
	R-1	R-2	R-3	R-4	R-5
<b>Minimum Lot size - Square Feet</b>					
Single Family	9,000	9,000	7,500	6,000	6,000
Duplex	NA	<sup>D</sup> 10,000	<sup>A</sup> 10,000	7,500	7,500
Duplex Lot			4,250	3,750	3,750
Townhouse				E	E
Multi-family Dwelling	NA	NA	NA	F	F
Multi-family Complex	NA	NA		F	F
<b>Maximum Density (1 unit per # s.f.)<sub>F</sub></b>				3,000	2,500
<b>Minimum Setback Distance<sub>C,F</sub></b>					
Front	15	15	15	15	15
Interior Side	<sup>B</sup> 5/10	<sup>B</sup> 5/10	<sup>B</sup> 5/10	<sup>B</sup> 5/10	5
Street Side	15	15	15	15	15
Rear	20	20	20	20	5
Garage	20	20	20	20	20
<b>Maximum Building Height<sub>F</sub></b>	30	30	30	40,E	40,E
<b>Minimum Street Frontage</b>					
Standard Street	50	50	50	50	50
Cul-de-sac	30	30	30	30	30
Flag Lot	20	20	20	20	20
Duplex lot (non flag or cul de sac)	N/A	N/A	25	25	25
Townhouse				E	E
A Duplexes permitted only on corner lots					
B Interior side yards must provide a minimum of 5 feet on one side and 10 feet on the other side for single family and duplex residences. Where alley access is provided, both interior side yards may be reduced to 5'. Exceptions to this 10' setback are allowed (1) when the lot was created prior to the adoption of this standard (November 9, 2006); or (2) on cul de sac lots; or (3) on flag lots, or (4) parcels created by partition.					
C Does not include solar setbacks, which are calculated separately					
D Duplexes only allowed on legally created lots of adequate size / created prior to November 9, 2006, otherwise prohibited.					
E Pursuant to the Townhouse Development Standards in Chapter 8, Article IV Site and Design Review Standards, Section 8.3035.4.f.2, Table A.					
F Does not apply to development standards for Multi-family Dwellings and Multi-family Complexes which are located in Chapter 8, Article IV, Site and Design Review Standards, Section 8.3035.4.E.2., Table A					
N/A = "not allowed"					
All distances shown are measured in feet.					

**8.0141 ARCHITECTURAL DESIGN STANDARDS FOR SINGLE FAMILY DWELLINGS AND DUPLEXES**

1. Purpose. The purpose of the Architectural Design Standards for Single Family Dwellings and Duplexes is to promote and sustain:
  - A. High quality development throughout a variety of housing choices;
  - B. A diversity of individual styles that incorporate positive design characteristics throughout the City; and,
  - C. Excellence in architectural design that:
    1. Enhances the visual environment and character of the community;
    2. Preserves and protects property values, as well as public and private infrastructure investment;
    3. Conveys a sense of balance, integrity and character among all neighborhoods throughout the City; and,
    4. Elevates the attractiveness and quality of life in Redmond.
2. Intent. The intent of the Architectural Design Standards for Single Family Dwellings and Duplexes is to:
  - A. Maintain flexibility for a variety of architectural style to be developed throughout the City;
  - B. Establish a basis for architectural character for each dwelling, regardless of architectural style;
  - C. Continue to allow innovations in design that recognize emerging technologies such as solar and wind power, telecommunications, and environmentally conscious construction methods;
  - D. Provide an integral relationship between the quality of the dwelling and the quality of the public and private infrastructure of the neighborhood; and,
  - E. Promote quality design characteristics that will enhance the long-term desirability of the dwelling, neighborhood and community as an attractive place to live.
3. Procedure. New single family dwellings and duplexes, or any alterations thereto, constructed on lots in subdivisions platted after the effective date of this ordinance shall be reviewed for conformance with the requirements listed in this Section, subject to the procedures outlined below:
  - A. Track 1. Conformance with Section 8.0141(5), below. An application demonstrating conformance with Section 8.0141 (5) shall be submitted to and reviewed by the Community Development Director or designate. Conformance with the objective standards included in Section 8.0141(5) shall be shown on the architectural plans submitted with the application. Such application shall be processed as a Development Action pursuant to Article 2 of the City of Redmond Development Code, Land Use Procedures.
  - B. Track 2. As an alternative to the procedure for Review as a Development Action as listed in Section 8.0141(3)(A) above (in cases where the proposed design does not, or the applicant chooses not to comply with the requirements of Section 8.0141(5)), an application may be submitted to the Community Development Director which demonstrates conformance with the Purpose and Intent of this Section as listed in Sections 8.0141(1) and (2), above. The individual provisions of subsections (1) and (2) shall serve as discretionary review criteria, and shall be addressed by the applicant in writing and shown on the architectural plans submitted with the application. Such application shall be processed as a Land Use Action pursuant to Article 2 of the City of Redmond Development Code, Land Use Procedures. In cases where a Public Hearing is

required, the Hearings Body shall be the Redmond Urban Area Planning Commission.

4. Application and Approval Process. The applications for either a Track 1 or Track 2 review as specified in Sections 8.0141(3) (A) and (B) above, shall be submitted prior to or in conjunction with an application for a building permit. Building permits will not be issued until the review action is completed and approved by the City. The application shall be submitted on a form prescribed by the City with an accompanying fee.
5. Architectural Design Standards. Although specific architectural styles (i.e. craftsman, colonial, tudor) are not mandated, single family dwelling and duplex design shall conform with the following standards:
  - A. Screening of Mechanical Equipment and Trash Storage Areas. All exterior ground mounted mechanical equipment areas shall be entirely screened from view on all sides at the ground/eye level line of sight by a sight obscuring fence or wall, with such fences or walls being maintained in perpetuity. Solar power, wind power, satellite dish or other equipment necessitating placement on walls or roofs for normal operation are exempt from this provision, excluding all HVAC equipment.
  - B. Building Design.
    1. Architectural Design. In order to discourage the appearance of tract-type housing, a separation by at least three (3) lots on either side and across the street by 2 lots in each direction is required for single family dwellings and duplexes with the same or very similar design when viewed from the street frontages. The same or very similar designs are those which consist merely of mirror image floor plans, or exterior elevations of the same basic design which utilize different colors, materials or ornamentation.
    2. Roof Design. Most architectural styles utilize a related set of roof elements that compliment and help establish the overall style and character of a dwelling. Because the roof is a primary feature and key component of a dwelling that contributes greatly to the overall architectural style and character of the dwelling, a minimum of three (3) roof design elements shall be used on all four elevations of the structure. Roof Design Elements include:
      - a. Pitched or sloping roof;
      - b. Variations in roof orientation;
      - c. Variations in roof pitch, height of roof planes or roof orientation;
      - d. Dormer, such as hipped, gabled, shed or eyebrow dormer design
      - e. Eave of at least 12 inches;
      - f. Overhang of at least 6 inches with bargeboard or vergeboard; and
      - g. Gable end elements (window, decorative vent door, decorated verge boards, trusses, false beams, corbels, brackets, or other decorative elements in gable ends)
    3. Wall Design. Most architectural styles utilize a related set of façade features, details and finishes that define the overall character of a dwelling. The most attractive designs work within the established style and incorporate an appropriate mix of multiple façade elements to achieve a base degree of style recognition. Because an appropriate number and mix of wall elements is fundamental to achieving and establishing style and character, a minimum of four (4) wall design elements shall be used on the side and rear elevations of the structure,

and five (5) elements on the front elevation. Multiple siding treatments are highly encouraged. Wall Design Elements include:

- a. Recessed entry;
  - b. Covered porch at least 36 square feet, with a minimum 4 foot depth
  - c. Balconies enclosed by railing or parapet;
  - d. Vertical offsets, at least two, either projecting or recessed at least 6 inches deep and a minimum of 4 feet long;
  - e. Horizontal offsets, at least two, either projecting or recessed at least 5 inches deep;
  - f. Column or pilaster, either complete or engaged;
  - g. Engaged tower, with the design being square, rectangular, circular or polygonal in form;
  - h. Bay window, box window, or box bay that projects at least 6 inches outward from the wall plane;
  - i. Window trim or surround (casing) at least 3.5 inches wide that completely surrounds the window;
  - j. Windows with grids, multi-paned sashes, or that are of elliptical, round, arched, semi-circular or similar design;
  - k. Shutters, as a matched pair for windows, either fixed or movable;
  - l. Variation in wall cladding, wall surface pattern or decorative materials;
  - m. Decorative garage doors, with or without windows, including patterning relief at least 5/8" deep over the door surface;
  - n. Band course, band molding, belly band, belt course or similar horizontal element the entire length of the façade of relatively slight projection;
  - o. Exterior chimney of brick, stone, composite, masonry or other similar materials; and,
4. Front Door. A front door that is visible from the public street frontage (front yard) and an identifiable pedestrian connection between the front door and the public sidewalk is required. Front porches, including covered front porches, are highly encouraged.
5. Driveways and Garages.
- a. A garage is required for each newly constructed dwelling unit and shall be of adequate size to accommodate a minimum of one vehicle, and shall at a minimum meet the design requirements in Section 8.0500 through 8.0515 (Off Street Parking and Loading Requirements) of the City of Redmond Development Code.
  - b. Driveway access to any street less than 28 feet wide shall be in conformance with Section 8.2710 (3)(Table 1), of Article 3, the City of Redmond Land Division Code.
  - c. Driveways, whether accessed from a public or private street or alley, shall be of adequate size to accommodate a minimum of one vehicle, and shall at a minimum meet the design requirements in Section 8.0515 (Parking Table and Diagram) of the City of Redmond Development Code.
  - d. Notwithstanding Section 8.0141 (5)(B)(5)(a, b and c) above, all garages and driveways accessed directly from public or private streets or alleys less than 36 feet in width shall be sized to accommodate a minimum of 2 cars based on the parking space

- design standards listed in Section 8.0515 (Parking Table and Diagram) of the City of Redmond Development Code.
- e. If a garage as required by subsection 8.0141 (5)(B)(5)(a) above is converted to living or other space permissible by this Code, two off-street parking spaces shall be provided pursuant to Section 8.0500 through 8.0515 (Off Street Parking and Loading Requirements) of the City of Redmond Development Code.
  - f. Notwithstanding the applicable provisions of Sections 8.0500 through 8.0515 (Off Street Parking and Loading Requirements) of the City of Redmond Development Code, all required off street parking areas and driveways constructed in conjunction with single family dwellings and duplexes may have alternative surfaces to concrete or asphalt, and may include permeable surfaces to the extent they provide an all weather surface sufficient for vehicular travel. Loose gravel, aggregate and similar surface treatments are not permitted for required parking spaces.
3. C. Site Landscaping. All single family dwelling and duplex residential lots shall have landscaping on all sides of the structure which includes but is not limited to lawn, trees, shrubs, native vegetation, xeriscaping, hard-scapes (patios and walkways), and planters (a in any combination thereof suitable to consist of a complete, maintainable site landscaping plan). Such landscaping shall be maintained in good condition, with irrigation provided as necessary, and with dead and dying vegetation removed. Landscape plans which demonstrate compliance with this requirement shall be submitted with building plans for each individual lot.
4. D. Fences. Fences constructed in conjunction with any single family dwelling or duplex (including fences constructed by the developer of a subdivision as perimeter fences) shall be in accordance with the applicable provisions of Section 8.340 of the City of Redmond development Code.

**FENCE STANDARDS - EXISTING and PROPOSED****8.0340 Fences**

- ~~1. In any residential zone, a fence, lattice work, screen or wall, other than a retaining wall, not more than six feet in height may be located in any required front yard, and no more than eight feet in height in any required side or rear yard. Provided however, in those areas designated for clear vision, the restrictions set forth in Sections 8.0305-8.0310 shall apply. (Revised 6/98) (Note: the International Building Code indicates that fences in excess of six feet in height require a building permit, and may need to be professionally engineered).~~

All fences constructed after the time of the adoption of this ordinance shall comply with the following standards. For the purpose of these standards fences refers to fences, lattice work, screens or walls (other than a retaining wall).

The intent of these standards is to ensure that fencing contributes positively to the appearance of the community, and that the scale, location, and appearance of fencing does not adversely affect adjacent or nearby properties or public safety.

1. On all properties one (1) acre or less in size, in all Residential Zones and the Urban Holding Zone, all fences shall be developed to the following standards:

A. Fences abutting a public street shall comply with the following:

1. Fences in front yards, and in that portion of side yards extending from the front property line to the front façade of the dwelling, shall be a maximum of 3½ feet tall and constructed of wood, vinyl or wrought iron only. Chain link fences are not permitted.
2. Fences in that portion of side yards extending from the front façade of the dwelling to the rear property line, and all rear yards, shall be a maximum of 6 feet tall and constructed of wood, vinyl or wrought iron only. Chain link fences are not permitted.
3. Fences located in side and rear yards shall incorporate other architectural elements such as stone, brick, rock, or similar products every 16' in length (See: *Examples*).
4. Other types of fences (allowed to the 6 foot height limit) may be approved by and at the discretion of the Community Development Director subject to compliance with the intent statement above.
5. Fences in side or rear yards which abut an alley shall be allowed to be 8 feet in height. (Note: the Oregon State Building Code – as defined in State Statute - indicates that fences in excess of 6 feet in height require a building permit, and may need to be professionally engineered).

B. Fences not abutting a public street shall comply with the following:

1. Fences located in the side or rear yards shall not exceed 8 feet in height. (Note: the Oregon State Building Code – as defined in State Statute -

indicates that fences in excess of 6 feet in height require a building permit, and may need to be professionally engineered).

- C. No fence in any residential zone, except as exempted by Section 8.0340 (5) below, shall be constructed with barbed wire, razor wire, or similar apparatus.
2. In ~~a C-4~~ all Commercial Zones (except for the C-2, Central Business District Zone and the Mixed Use Zones), ~~any~~ the PF-Public Facility Zone, the Park Zone, and in ~~both~~ any Industrial Zones, all fences shall be developed to the following standards:
    - A. The maximum height of a fence shall not exceed 8 feet. (Note: the International Building Code indicates that fences in excess of 6 feet in height require a building permit, and may need to be professionally engineered). ~~Provided however, in those areas designated for clear vision, the restrictions set forth in Sections 8.0305-8.0310 shall apply. (Revised 6/98)~~
  3. For any development undergoing land use review, any wood or vinyl fence bordering a street ~~exceeding a span of 25' in length~~ shall incorporate other architectural elements such as stone, brick, rock, or ~~varied usage of wood~~, similar products every 16' in length (See: *Examples*).
  4. All fences, regardless of zone or location, shall comply with the following requirements:
    - A. Fences fronting public streets shall provide one gate, opening, or other site access for emergency services use. For corner lots, only one opening along the either the front or side yard frontage is required.
    - B. Fences shall not block the clear vision area and shall comply with the standards in RDC Section 8.0305.
    - C. Fences shall be constructed on private property, and shall not be located in public rights of way.
    - D. Fences shall be comprised of wood, vinyl, metal or other solid material that is able to be painted and/or maintained in structurally sound condition. All fences shall be maintained in a structurally sound condition and be free from exposed nails, screws, loose members, decaying materials or other similar conditions that can pose a hazard.
  4. 5. The following fences shall be exempt from ~~height~~ the ~~restrictions~~ standards set forth herein, ~~except for the requirement to comply with the clear vision standards in RDC Section 8.0305, as listed in Section 8.0340 (4) (B) above:~~
    - A. Any security fencing around a public or quasi-public utility or entity including the Airport perimeter.
    - B. Fences related to a park or school use including (but not necessarily limited to) tennis courts, driving ranges and ball fields.

C. Fences necessary for compliance with any documented Federal or State mandated requirements (i.e. Homeland Security requirements)

~~G.~~ D. Any fence exempted under ~~(4)~~ (5) (A and B) herein that is in excess of 20 feet in height shall require conditional use permit review and approval, and a public hearing.

~~5. At no time shall fence heights exceed 4' when the fence fronts a public road or street.~~

~~6. Fences fronting public streets shall provide one gate, opening, or other site access for emergency services use.~~

*Examples:*





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## MEMORANDUM

**DATE:** January 29, 2013  
**TO:** Redmond Urban Area Planning Commission  
**FROM:** Heather Richards, Community Development Director  
**SUBJECT:** Development Code Amendment – Code Enforcement Language Clarification

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Commissioners:

As part of your January 29 meeting, you will be reviewing proposed development code amendments that were previously developed by the 2012 planning commission but which will be considered by you as part of an upcoming public hearing.

The intent of the January 29 Planning Commission meeting is to allow you time to familiarize yourself with the issues, and the intent and solutions proposed in the development code amendments to be considered.

Attached are the proposed amendments to the Redmond Development Code that allow the City of Redmond's Code Compliance program to enforce compliance with the development code. The amendments provide the same type of enforcement procedures used throughout the code enforcement program to encourage voluntary compliance first and if that is not successful enforced compliance.

## Attachment A: Article I, II, III and IV: Enforcement

**Development Code Amendments** (new text is **red**; deleted text is ~~strikethrough~~, unless otherwise stated):

### Article I: Zoning Standards

#### **8.0805 Enforcement.**

1. Administration. It shall be the duty of the City Manager or an authorized representative to enforce the provisions of these standards pertaining to land use and to the construction, erection, location or enlargement of any structure located within the City of Redmond under the jurisdiction of these standards.
2. Building Permits. No permit shall be issued by the building official for the construction, erection, location or enlargement or change of use of a building, structure or lot that does not conform to the requirements of these standards or any other ordinance, regulation, permit, or land use approval adopted or issued by the City of Redmond.
3. Authority. Whenever necessary to enforce the provisions of these standards, the City Manager or an authorized representative shall have recourse to every remedy provided by law.
4. Violation of these standards ~~as is~~ **is** a nuisance. The construction, erection, location, enlargement of use, change in use or use(s) of any structure or property in violation of these standards or those conditions and limitations approved pursuant to the provisions of these standards shall be deemed a nuisance and may be subject to abatement, removal, ~~penalty~~ or other remedy provided in the City of Redmond's nuisance code **under section 5.345.**
5. Revocation for False Statement. The City Manager or designee may revoke any permit granted pursuant to the provisions of these standards, if it is determined that the permit was issued on account of material false statements contained in the application form or material false representations made at a public hearing. A decision to revoke a permit shall be subject to the procedures established for a Development Action, with the corresponding right of appeal.
6. Revocation for Non-conformance. The City Manager or designee may revoke any permit granted pursuant to the provisions to these standards for failure to comply with those conditions and limitations placed upon the exercise of the permit. A decision to revoke a permit shall be subject to the procedures established for a Development Action, with the corresponding right of appeal. Failure to comply with applicable conditions and limitations may also be subject to abatement, removal, penalty or other remedy provided in the City of Redmond nuisance code.
7. Penalties of Violation.
  - A. **A violation of any provision of these standards shall be a Class A Infraction.** ~~A violation of the provisions of these standards is punishable upon conviction~~

by:

1. ~~A fine of not more than \$100 for each day of violation where the offense is a continuing offense but such fine may not exceed \$1,000.~~
2. ~~A fine of not more than \$500 where the offense is not a continuing offense.~~

- B. Violations shall be enforced under the provisions of the Redmond Civil Infraction Procedure.
- C. Each day that a nuisance continues to exist constitutes a separate violation, and a separate penalty may be assessed for each day the violation continues.

## **Article II: Land Use**

**8.1025**      **Conditions of Approval.** The City may require conditions of approval to any application as are necessary to assure compliance with applicable criteria as provided under the Redmond Development Code and Comprehensive Plan where applicable. Violation of a condition of approval will be treated as a violation of the Redmond Development Code and is subject to enforcement under Section ~~8.0805~~ **8.1725**.

### **8.1725 Enforcement.**

1.      It shall be the duty of the Community Development Director or designated representative to administer and enforce the provisions of these standards in such a way as to carry out its intent and purpose.
2.      Violation of any provision of these standards is a Class A Civil Infraction and shall be enforced through the Redmond Civil Infraction procedure.
3.      Each day that a nuisance continues to exist constitutes a separate violation, and a separate penalty may be assessed for each day the violation continues.
4.      Violation of these standards is hereby declared a nuisance and may be subject to abatement, removal or other remedy provided in the City of Redmond nuisance code under section 5.345
5.      When any real property is or is proposed to be used, transferred, sold or disposed of in violation of these standards, the Community Development Director, designee, or any person whose interest in the property is or may be affected by the violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate or set aside such use, transfer, sale, disposition, offer, negotiation or agreement.
6.      If any section, subsection, sentence, clause or phrase of these standards is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these standards.

## Article III: Subdivision and Partition Standards

### **GENERAL PROVISIONS**

- 8.2700** — ~~**Penalties.** Violation of any provision of these standards is a Class A Civil Infraction and shall be enforced through the Redmond Civil Infraction procedure.~~
- 8.2705** — ~~**Violation Declared a Nuisance.** A land division or use in violation of these standards is hereby declared a nuisance.~~
- 8.2710** — ~~**Civil Relief.** When any real property is or is proposed to be used, transferred, sold or disposed of in violation of these standards, the Community Development Director, designee, or any person whose interest in the property is or may be affected by the violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate or set aside such use, transfer, sale, disposition, offer, negotiation or agreement.~~
- 8.2715** — ~~**Administration of Standards.** It shall be the duty of the Community Development Director or designated representative to administer and enforce the provisions of these standards in such a way as to carry out its intent and purpose.~~
- 8.2720** — ~~**Severability.** If any section, subsection, sentence, clause or phrase of these standards is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these standards.~~

#### **8.2700 Enforcement.**

1. It shall be the duty of the Community Development Director or designated representative to administer and enforce the provisions of these standards in such a way as to carry out its intent and purpose.
2. Violation of any provision of these standards is a Class A Civil Infraction and shall be enforced through the Redmond Civil Infraction procedure.
3. Each day that a nuisance continues to exist constitutes a separate violation, and a separate penalty may be assessed for each day the violation continues.
4. Violation of these standards is hereby declared a nuisance and may be subject to abatement, removal or other remedy provided in the City of Redmond nuisance code under section 5.345
5. When any real property is or is proposed to be used, transferred, sold or disposed of in violation of these standards, the Community Development Director, designee, or any person whose interest in the property is or may be affected by the violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or other

appropriate proceedings to prevent, temporarily or permanently enjoin, abate or set aside such use, transfer, sale, disposition, offer, negotiation or agreement.

6. If any section, subsection, sentence, clause or phrase of these standards is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these standards.

## **Article IV: Site and Design Review**

### **8.3180 Enforcement.**

1. It shall be the duty of the Community Development Director or designated representative to administer and enforce the provisions of these standards in such a way as to carry out its intent and purpose.
2. Violation of any provision of these standards is a Class A Civil Infraction and shall be enforced through the Redmond Civil Infraction procedure.
3. Each day that a nuisance continues to exist constitutes a separate violation, and a separate penalty may be assessed for each day the violation continues.
4. Violation of these standards is hereby declared a nuisance and may be subject to abatement, removal or other remedy provided in the City of Redmond nuisance code under section 5.345
5. When any real property is or is proposed to be used, transferred, sold or disposed of in violation of these standards, the Community Development Director, designee, or any person whose interest in the property is or may be affected by the violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate or set aside such use, transfer, sale, disposition, offer, negotiation or agreement.
6. If any section, subsection, sentence, clause or phrase of these standards is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these standards.

**DRAFT**

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**REDMOND URBAN AREA PLANNING COMMISSION**  
**Minutes**

Tuesday, December 18, 2012

City Hall Conference Room A, 716 SW Evergreen Avenue, Redmond, Oregon

**Commissioners Present:** Chair Eric Porter, Vice Chair Anne Graham, Bob Bleile, Bea Leach, Katie McDonald (2 positions vacant)

**City Staff:** Heather Richards, *Community Development Director*; James Lewis, *Planning Manager*; Cameron Prow, *TYPE-Write II*

**Visitors:** Tory Allman, *City Councilor*; Alan Unger, *Deschutes County Commissioner*; Dean Lanouette, *Planning Commissioner-to-be*

*(scribe CP's note: The minutes were created from an audio record and notes taken at the meeting.*

*The three digits after the motion title shows the number of Commissioners voting in favor/against/abstaining.)*

**I. CALL TO ORDER**

Chair Porter opened the meeting at 6:36 p.m. with a quorum present. He requested a moment of silence for the people suffering from the recent shootings in Connecticut and Oregon.

**II. CITIZEN COMMENTS**

Mr. Lanouette introduced himself. He will be sworn in at the January 2013 meeting.

County Commissioner Unger commended Commissioners for their service to the Redmond community. He expressed sadness at the recent steps taken by the *Redmond Spokesman*, which will result in less media coverage of what local government is doing.

**III. WORK SESSION****A. Mayor Endicott**

Chair Porter bypassed this item, noting that the mayor spoke to everyone before the meeting.

**B. Residential Design Standards – Architectural Design Standards for Single-Family Residences and Duplexes (cont. from December 4, 2012)**

Mr. Lewis summarized the history of this issue and the changes requested by Commissioners on October 16, November 6, and December 4, 2012.

Following discussion, Commissioners, **by consensus**, accepted the 12-18-2012 draft language for Residential Design Standards as the public hearing draft, subject to making the changes to Screening of Mechanical Equipment and Trash Storage Areas [Section 8.0141(5)(A)], Roof Design [(5)(B)(2)], and Driveways and Garages [(5)(B)(5)(e)] discussed at this meeting.

**C. Fence Standards**

Mr. Lewis presented his written staff report and reviewed the background of this issue including Commissioner changes at the December 4, 2012, meeting. The intent of these standards is to maintain a property owner's ability to construct a fence for privacy, security, animal restraint, and other typical factors. The proposed amendments are intended to ensure that such fences compliment, rather than detract from, the character of the neighborhood and community.

Following discussion, Commissioners, **by consensus**, accepted the 12-18-2012 draft language for Fence Standards as the public hearing draft, subject to making the changes to Section 8.0340(1)(A)(2), (1)(A)(3), and (1)(A)(5) discussed at this meeting.

**IV. CITY COUNCIL LIAISON COMMENTS (None)**

**V. STAFF COMMENTS**

Mr. Lewis suggested using the first January 2013 meeting as a training session on the Oregon land use system, how local plans (comprehensive plan, zoning code, transportation system plan, parks plan, and others) work together, and ethics. Chair Porter recommended also covering Oregon public meeting law, Robert's Rules of Order, land use cases that impact Redmond's development, current City projects, and related topics.

The first public information meeting on the Southwest Area Plan will be held at Ridgeview High School at 6 p.m., January 9, 2013. Mr. Lewis said that he will e-mail meeting details and a copy of the letter that went out to citizens to all Commissioners. A technical advisory committee and a stakeholder advisory committee will be formed to assist in developing a final concept plan. Planning Commission participation on either or both of those committees would be welcome.

Mr. Lewis announced that four new commissioners will be sworn in next year: Dean Lanouette (petrochemical construction estimator), Laurie McCoy (graphic design), Gretchen Stauffer (real estate), and Evan Dickens.

**VI. COMMISSIONER COMMENTS**

Chair Porter asked staff to invite certified arborists from the Oregon Department of Forestry to attend the Commission's review of street tree provisions. He commended Commissioners Bleile and McDonald for their service.

Commissioner McDonald said she has enjoyed being part of the planning process.

Commissioner Bleile said that his service has been fun and educational.

**VII. ADJOURN**

The next meeting is scheduled for Tuesday, January 15, 2013.

With no further business, Chair Porter adjourned the meeting at 7:20 p.m.

APPROVED by the Redmond Urban Area Planning Commission and SIGNED by me this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

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Eric Porter, Chair