

CITY OF RENTON
Community and Economic Development Department

#D-207: Administrative Code Interpretations, Group B

Staff: Katie Buchl-Morales

Date: February 11, 2022

Applicant or Requestor: N/A

General Description

Title IV, Development Regulations, of Renton Municipal Code (RMC) are proposed to be amended based on recent administrative interpretations (attached) of unclear or contradictory code. These administrative decisions have already become effective. This report to the Planning Commission is part of the formal process by which code is to be amended based on such decisions. Municipal code section 4-1-080 provides guidance for Administrative Interpretations as it states:

RMC 4-1-080.A.1.a: The Community and Economic Development Administrator, or designee, is hereby authorized to make interpretations regarding the implementation of unclear or contradictory regulations contained in this Title. Any interpretation of the Renton Title IV Development Regulations shall be made in accordance with the intent or purpose statement of the specific regulation and the Comprehensive Plan. Life, safety and public health regulations are assumed to prevail over other regulations.

Interpretations are needed where there are unclear or contradictory regulations. Examples include mistakenly placed text, sections of code that lack predictability for users, and where certain situations were not evaluated in updating Title IV. Each decision has a public appeal period and is supplied with a background, justification, decision, and recommended code amendment. For more information about the process or each determination, go to:

- Background and decision: [Administrative Policy & Code Interpretations - City of Renton \(rentonwa.gov\)](https://www.rentonwa.gov/administrative-policy-and-code-interpretations)
- Process: [Section 4-1-080 \(codepublishing.com\)](https://www.rentonwa.gov/section-4-1-080)

Staff Recommendation

Staff recommends codifying all code amendments as described for Administrative Code Interpretations 150, CI-153, CI-158, and CI-167. An abbreviated summary for each code interpretation is included below. See Exhibit A, which summarizes each code interpretation in greater detail.

- **CI-150, Preschool and Daycare Permissibility:** Clarified that when daycare centers are built as an accessory use to public or community facilities, it is a permitted use which does not require a Hearing Examiner Conditional Use Permit (CUP).
- **CI-153, Administrative Fees for the Collection of School Impact Fees:** Aligned the Renton Municipal Code (RMC) and the City of Renton Fee Schedule to reflect that a five percent administrative fee shall be applied to cover administrative costs associated with collecting, processing, and handling school impact fees.

- **CI-158, Warehousing and Distribution:** Aligned the terminology used in RMC 4-2-060, Land Use Table, and Chapter 11, Definitions, for Warehousing and Distribution.
- **CI-167, Secondary Front Yards for Residential Accessory Structures:** Clarified that the same minimum front yard setback requirements for accessory buildings shall also be applied to accessory buildings when a secondary front yard is present.

Impact Analysis:

Effect on rate of growth, development, and conversion of land as envisioned in the Plan

None

Effect on the City's capacity to provide adequate public facilities

None

Effect on the rate of population and employment growth

None

Whether Plan objectives are being met as specified or remain valid and desirable

Not applicable

Effect on general land values or housing costs

None

Whether capital improvements or expenditures are being made or completed as expected

Not applicable

Consistency with GMA and Countywide Planning Policies

Determinations are based on proposed development standards that have been previously reviewed considering these plans and policies. Code Interpretations are consistent with these plans.

Effect on critical areas and natural resource lands

None

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Impact Analysis:

Effect on rate of growth, development, and conversion of land as envisioned in the Plan

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Whether Plan objectives are being met as specified or remain valid and desirable

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Effect on critical areas and natural resource lands

None



**Department of Community and Economic Development
Planning Division
ADMINISTRATIVE POLICY/CODE INTERPRETATION**

**ADMINISTRATIVE
POLICY/CODE**

INTERPRETATION #: CI-150

MUNICIPAL

CODE SECTIONS: RMC 4-2-080 Conditions Associated with Zoning Use Table, Condition 25

REFERENCE: N/A

SUBJECT: Preschool and Daycare Permissibility

BACKGROUND: RMC 4-2-080 Zoning Use Table establishes permitted, conditional, accessory and prohibited uses, by zone, within the City of Renton. Pursuant to the table, day care centers are a permitted use with an approved hearing examiner conditional use permit subject to condition twenty-five (25) in zones Residential – 4 (R-4) through Residential – 14 (R-14), and Residential Multi Family (RMF). Condition twenty-five (25) states, “A preschool or day care center, when accessory to a public or community facility listed in RMC 4-2-060G, as it exists or may be amended, is considered a permitted use.” The wording of this condition creates ambiguity because it can be read to either forbid day care centers when not constructed as an accessory to a public or community facility, or to allow day care centers as a permitted use without the need for a hearing examiner conditional use permit if accessory to a public or community facility. The ambiguity is further compounded by the inclusion of the superfluous statement “as it exists or may be amended”.

JUSTIFICATION: RMC 4-2-080 Conditions Associated with Zoning Use Table, Condition 25 should be amended to clarify that day care centers that are built as an accessory to public or community facilities are a permitted use and do not require a hearing examiner conditional use permit. This is appropriate because public and community facilities already require a conditional use permit, making the requirement to obtain a second conditional use permit redundant. It is also appropriate to remove the statement “as it exists or may be amended” to clarify that future code amendments will not apply retroactively and to streamline the code.

DECISION: Amend RMC 4-2-080, Condition 25, as specified below.

**ADMINISTRATOR
APPROVAL:**

C. E. "Chip" Vincent

EFFECTIVE DATE: February 14, 2019

**APPEAL
PROCESS:**

To appeal this determination, a written appeal--accompanied by the required filing fee--must be filed with the City's Hearing Examiner (1055 South Grady Way, Renton, WA 98057, 425-430-6515) no more than 14 days from the date of this decision. Your submittal should explain the basis for the appeal. Section 4-8-110 of the Renton Municipal Code provides further information on the appeal process.

DISCLAIMER: Excerpts from the Renton Municipal Code shown below may not contain the most recently codified text. In such instances, code amendments implemented through this Administrative Code Interpretation shall be construed to affect the current code and past/future Administrative Code Interpretations not yet codified in the same manner as shown below. Should any conflicts result the Administrator shall determine the effective code.

**CODE
AMENDMENTS
NEEDED TO
IMPLEMENT
DETERMINATIONS:**

RMC 4-2-080 CONDITIONS ASSOCIATED WITH ZONING USE TABLES:

25. A preschool or day care center, when accessory to a public or community facility listed in RMC 4-2-060G, ~~as it exists or may be amended,~~ is considered a permitted use which does not require a hearing examiner conditional use permit.

STAFF CONTACT: Jeffrey Taylor, Assistant Planner x7246



**Department of Community and Economic Development
Planning Division
ADMINISTRATIVE POLICY/CODE INTERPRETATION**

**ADMINISTRATIVE
POLICY/CODE
INTERPRETATION #:**

CI-153

**MUNICIPAL
CODE SECTIONS:**

4-1-190 Impact Fees and 4-1-210 Waived Fees

REFERENCE:

2019-2020 City of Renton Fee Schedule

SUBJECT:

Administrative fee for the collection of school impact fees

BACKGROUND:

The most recently adopted City of Renton Fee Schedule shows a five percent administrative fee for the collection of school impact fees. However, Renton Municipal Code was not updated to reflect this fee. It is clear that the City Council's legislative intent was to collect a five percent administrative fee.

DECISION:

The City of Renton will collect an administrative fee equal to five percent of the total school impact fee collected in order to defray the administrative cost of collecting, processing, and handling the impact fees.

JUSTIFICATION:

The City incurs a cost for the collection, processing, and handling of school impact fees, and it is necessary for Renton Municipal Code and the Fee Schedule to be aligned.

**ADMINISTRATOR
APPROVAL:**

C. E. "Chip" Vincent

EFFECTIVE DATE:

September 16, 2019

APPEAL PROCESS:

To appeal this determination, a written appeal--accompanied by the required filing fee--must be filed with the City's Hearing Examiner (1055 South Grady Way, Renton, WA 98057, 425-430-6515) no more than 14 days from the date of this decision. Section 4-8-110 of the Renton Municipal Code provides further information on the appeal process.

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**CODE
AMENDMENTS
NEEDED TO
IMPLEMENT
DETERMINATION(S):**

4-1-190 IMPACT FEES:

R. ADMINISTRATIVE FEES:

1. Administrative Fee: The City shall collect an administrative fee equal to five percent (5%) of the total school impact fee collected in order to defray the administrative cost of collecting, processing, and handling the impact fees described in this Section.

2. Deferred Fees: Each application for a deferral of payment of residential impact fees, either under subsection G7 or 8 of this Section, shall pay a nonrefundable administrative deferral fee of eighty five dollars (\$85.00) for each lot, single detached dwelling unit, or condominium unit and eighty five dollars (\$85.00) for each multi-family residential building. The fee shall be paid at the time the application for deferral is submitted to the City.

32. Independent Fee Calculations: Any feepayer submitting an independent fee calculation shall pay a fee to cover the cost of reviewing the independent fee calculation. The fee shall be five hundred dollars (\$500.00), unless otherwise established by the Administrator, school district, or the RRFA, and shall be paid by the feepayer at submittal of the independent fee calculation.

43. Appeals: Any feepayer filing an appeal of impact fees shall pay the fee set by the City for appeals of administrative interpretations and decision. The appeal fee shall be paid at the time of filing of the appeal.

54. Account Established: Administrative fees shall be deposited into a separate administrative fee account within the impact fee account(s). Administrative fees shall be used to defray the actual costs associated with the assessment, collection, administration and update of the impact fees.

65. Refunds, Waivers, and Credits: Administrative fees shall not be refundable, shall not be waived, and shall not be credited against the impact fees.

4-1-210 WAIVED FEES:

A. GENERAL:

The Renton City Council may in its discretion waive any and all fees authorized under this Chapter of Title 4. (Ord. 5153, 9-26-2005)

B. AFFORDABLE OWNER-OCCUPIED HOUSING INCENTIVE:

1. Purpose: To encourage the development of new affordable owner-occupied housing in the City by waiving certain development and mitigation fees for eligible affordable “For Sale” housing projects, subject to City Council approval.

2. Definitions: In construing the provisions of this subsection B, the following definitions shall be applied:

a. “Administrator” means the Department of Community and Economic Development Administrator, or any other City office, department or agency that shall succeed to its functions with respect to this subsection B.

b. “Affordable housing” means, for the purposes of housing intended for owner-occupancy, residential housing that is within the means of, set aside for, and purchased by moderate-income households.

c. “Household” means a single person, family, or unrelated persons living together.

d. “Median income” means the median household income adjusted for household size for King County, as reported by the United States Department of Housing and Urban Development (HUD). In the event that HUD no longer publishes median income figures for King County, the City may use or determine such other method as it may choose to

determine the King County median income, adjusted for household size.

e. "Moderate-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below either eighty percent (80%) or one hundred and twenty percent (120%) of the median income, as implied by context.

3. Eligibility Criteria: To qualify for waived fees, projects shall consist entirely of new construction with all of the housing units platted or condominium "For Sale" housing, and meet the following criteria:

- a. The project shall include a minimum of ten (10) units; and
- b. The project shall designate and sell at least fifty percent (50%) of total housing units as affordable housing for households at or below eighty percent (80%) of median income, and designate and sell any remaining housing units as affordable housing for households at or below one hundred twenty percent (120%) of median income; and
- c. Affordable housing units for households with income at or below eighty percent (80%) of median income shall remain as affordable housing in perpetuity through a community land trust or other similar model acceptable to the City; and
- d. The applicant/owner shall demonstrate their experience and/or ability to provide affordable housing and identify a third-party entity who will document compliance with the affordable housing requirements for the annual reports described in subsection B9 of this Section.

4. Applicable Fees:

- a. Fees which may be waived are:
 - i. Building permit fees;
 - ii. Building permit plan review fees;

- iii. Water, surface water, and wastewater system development charges;
- iv. Public Works plan review and inspection fees;
- v. Transportation and parks impact mitigation fees;
- vi. Fire impact mitigation fees, to the extent such waiver is authorized by interlocal agreement with the Renton Regional Fire Authority;
- vii. Civil plan review and inspection fees; ~~and~~
- viii. Technology surcharge fees; and
- x. Administrative fee for collecting, processing, and handling school impact fees.

b. Fees which may not be waived are all fees not listed in subsection B4a of this Section, including:

- i. Fire plan review and permit fees.

5. Application Process: To apply for waived fees under this subsection B, the applicant/owner shall apply by sending a written letter describing the project and requesting the fee waiver to the Administrator at the time of the land use application, unless otherwise approved by City Council.

6. Restrictive Covenant: If the City Council waives fees under this subsection B, all real property subject to the waiver shall be encumbered by a restrictive covenant requiring that the real property be platted or restricted to condominium housing, that the housing units designated as affordable housing for households at or below eighty percent (80%) of median income shall be maintained and sold as affordable housing to households at or below eighty percent (80%) of median income in perpetuity, and that the housing units designated as affordable housing for households at or below one hundred twenty percent (120%) of median income shall be initially sold as affordable housing to households at or below one hundred twenty percent (120%) of median income. After review and approval of the fee waiver by the City Council and review and approval of the restrictive covenant by the Administrator, the

restrictive covenant shall be executed and recorded at the applicant/owner's expense prior to the issuance of any building permit for the project, unless otherwise approved by City Council. If the applicant/owner fails to timely execute and record the covenant, the fee waiver shall be revoked and the applicant/owner shall pay all applicable fees plus interest accrued at the statutory rate from the date of the City Council's fee waiver.

7. Contract: If the City Council waives fees for a project, the applicant/owner shall enter into a contract with the City, approved by the City Council, regarding the terms and conditions of the project under this subsection B. The contract shall be executed and recorded against the subject real property at the applicant/owner's expense before the project is entitled to issuance of a Certificate of Occupancy. If the applicant/owner fails to timely execute and record the contract, the fee waiver shall be revoked and the applicant/owner shall pay all applicable fees plus interest accrued at the statutory rate from the date of the City Council's fee waiver.

8. Cancellation: If the applicant/owner or project fails to meet any requirement of this subsection B after the City Council waives fees, the fee waiver shall be revoked and the applicant/owner shall pay all applicable fees plus interest accrued at the statutory rate from the date of the City Council's fee waiver.

9. Annual Certification and Report: Within thirty (30) days after the first anniversary of issuance of the project's Certificate of Occupancy and each year thereafter for thirty (30) years, the applicant/owner shall file an annual report with the Administrator. The report shall contain such information as the Administrator may deem necessary or useful, and shall at a minimum include the following information:

- a. A certification that the project has been in compliance with the affordable housing requirements as described in subsections B3b and c of this Section since the date the City issued the project's Certificate of Occupancy and that the project continues to be in compliance with the contract with the City and the requirements of this subsection B;

b. A breakdown of the number and specific housing units sold during the twelve (12) months ending with the anniversary date, as applicable, to meet the affordable housing requirements in subsections B3b and c of this Section;

c. The total sale amount of each affordable housing unit for households at or below eighty percent (80%) and/or one hundred twenty percent (120%) of median income sold during the twelve (12) months ending with the anniversary date, as applicable;

d. The income of each purchaser (at the time of purchase) of an affordable housing unit for households at or below eighty percent (80%) and/or one hundred twenty percent (120%) of median income during the twelve (12) months ending with the anniversary date, as applicable; and

e. Documentation that a third-party entity has monitored the project's compliance with the affordable housing requirements in subsections B3b and c of this Section, as applicable.

10. Sunset: The City will accept applications for waived fees under this subsection B until close of business on December 31, 2021, unless extended by City Council action. (Ord. 4913, 8-27-2001; Amd. Ord. 5095, 9-13-2004; Ord. 5153, 9-26-2005; Ord. 5309, 10-8-2007; Ord. 5524, 2-1-2010; Ord. 5668, 8-20-2012; Ord. 5676, 12-3-2012; Ord. 5760, 6-22-2015; Ord. 5782, 12-7-2015)

C. AFFORDABLE RENTAL HOUSING INCENTIVE:

1. Purpose: To encourage development of new affordable rental housing in the City by waiving certain development and mitigation fees for eligible affordable rental housing projects, subject to City Council approval.

2. Definitions: In construing the provisions of this subsection C, the following definitions shall be applied:

a. "Administrator" means the Department of Community and Economic Development Administrator, or any other City

office, department or agency that shall succeed to its functions with respect to this subsection C.

b. "Affordable housing" means residential housing that is rented by a low-income household whose monthly housing costs, including rent and utilities other than telephone, do not exceed thirty percent (30%) of the household's monthly income. However, if the housing project is funded with federal low-income housing tax credits (LIHTC) as provided for in Section 42 of the Internal Revenue Code, a unit will be considered affordable housing if it is rented at or below the rental rate for a household at sixty percent (60%) of the King County median income under the LIHTC program rules with a deduction for utility costs, if applicable. The King County LIHTC rents are published annually by the Washington State Housing Finance Commission and are based on unit size assuming occupancy of one person for a studio unit and one and one-half (1.5) persons per bedroom.

c. "Household" means a single person, family, or unrelated persons living together.

d. "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below sixty percent (60%) of the median income.

e. "Median income" means the median household income adjusted for household size for King County, as reported by the United States Department of Housing and Urban Development (HUD). In the event that HUD no longer publishes median income figures for King County, the City may use or determine such other method as it may choose to determine the King County median income, adjusted for household size.

f. "Rental housing" means housing that provides rental accommodation on a nontransient basis. This definition includes rental accommodation that is leased for a period of at least one month but excludes, for example, hotels and

motels that predominantly offer rental accommodation on a daily or weekly basis.

3. Eligibility Criteria: To qualify for waived fees, projects shall consist entirely of new construction and meet the following criteria:

- a. The project shall include a minimum of eight (8) units if in the Residential-1 (R-1), Residential-4 (R-4), Residential-6 (R-6), Residential-8 (R-8), Residential-10 (R-10), Residential-14 (R-14), or Residential Multi-Family (RMF) Zones; or the project shall include a minimum of thirty (30) units if in the Center Neighborhood (CN), Commercial Arterial (CA), Center Village (CV), Center Downtown (CD), or Commercial Office (CO) Zone;
- b. The project shall designate and rent one hundred percent (100%) of the housing units as affordable housing for households at or below sixty percent (60%) of median income;
- c. For projects funded by the federal low-income housing tax credit program (LIHTC), income averaging is permitted provided all units are affordable housing for households with income at or below eighty percent (80%) of median income, and the average rent for all housing units does not exceed the rate affordable for households with income at or below sixty percent (60%) of median income;
- d. Affordable housing units for households with income at or below sixty percent (60%) of median income shall remain as affordable housing for a minimum of thirty (30) years; and
- e. The applicant/owner shall demonstrate experience and/or ability to provide affordable housing and identify a third-party entity who will document compliance with the affordable housing requirements for the annual reports described in subsection C9 of this Section.

4. Fees:

- a. Fees which may be waived are:

- i. Building permit fees;
- ii. Building permit plan review fees;
- iii. Water, surface water, and wastewater system development charges;
- iv. Public Works plan review and inspection fees;
- v. Transportation and parks impact mitigation fees;
- vi. Fire impact mitigation fees, to the extent such waiver is authorized by interlocal agreement with the Renton Regional Fire Authority;
- vii. Civil plan review and inspection fees; ~~and~~
- viii. Technology surcharge fees; ~~and~~
- viii. Administrative fee for collecting, processing, and handling school impact fees.

b. Fees which may not be waived are all fees not listed in subsection C4a of this Section, including:

- i. Fire plan review and permit fees.

5. Application Process: To apply for the waived fees under this subsection C, the applicant/owner shall apply by sending a written letter describing the project and requesting the fee waiver to the Administrator at the time of the land use application, unless otherwise approved by City Council.

6. Restrictive Covenant: If the City Council waives fees under this subsection C, all real property subject to the waiver shall be encumbered by a restrictive covenant requiring that the real property shall be maintained and rented as affordable housing as described in subsections C3b, c and d of this Section. After review and approval of the fee waiver by the City Council and the review and approval of the restrictive covenant by the Administrator, the restrictive covenant shall be executed and recorded at the applicant/owner's expense prior to the issuance of any building permit for the project, unless otherwise approved by City Council. If

the applicant/owner fails to timely execute and record the covenant, the fee waiver shall be revoked and the applicant/owner shall pay all applicable fees plus interest accrued at the statutory rate from the date of the City Council's fee waiver.

7. Contract: If the City Council waives fees for a project, the applicant/owner shall enter into a contract with the City, approved by the City Council, regarding the terms and conditions of the project under this subsection C. The contract shall be executed and recorded against the subject real property at the applicant/owner's expense before the issuance of the Certificate of Occupancy. If the applicant/owner fails to timely execute and record the contract, the fee waiver shall be revoked and the applicant/owner shall pay all applicable fees plus interest accrued at the statutory rate from the date of the City Council's fee waiver.

8. Cancellation or Modification: If the applicant/owner or project fails to meet any requirements of this subsection C after the City Council waives fees, the fee waiver shall be revoked and the applicant/owner shall pay all applicable fees with interest accrued at the statutory rate from the date of the City Council's fee waiver. After the City Council waives fees, the project may not be modified to owner-occupied "For Sale" housing without the advance approval of the City Council.

9. Annual Certification and Report: Within thirty (30) days after the first anniversary of issuance of the project's Certificate of Occupancy and each year thereafter for thirty (30) years, the applicant/owner shall file an annual report with the Administrator. The report shall contain such information as the Administrator may deem necessary or useful, and shall at a minimum include the following information:

- a. A certification that the property has been in compliance with the affordable housing requirements in subsections C3b, c, and d of this Section, as applicable, since the date the City issued the Certificate of Occupancy and that the project continues to be in compliance with the contract with the City and the requirements of this subsection C;

b. A statement of occupancy and vacancy of the dwelling units during the twelve (12) months ending with the anniversary date;

c. A breakdown of the number and specific housing units rented during the twelve (12) months ending with the anniversary date;

d. The total monthly rent of each housing unit rented during the twelve (12) months ending with the anniversary date;

e. The income of each renter household at the time of initial occupancy during the twelve (12) months ending with the anniversary date; and

f. Documentation that a third-party entity has monitored the project's compliance with the affordable housing requirements in subsections C3b, c, and d of this Section, as applicable.

STAFF CONTACT:

Paul Hintz, Senior Planner, x7436



**Department of Community and Economic Development
Planning Division
ADMINISTRATIVE POLICY/CODE INTERPRETATION**

**ADMINISTRATIVE
POLICY/CODE
INTERPRETATION #:**

CI-158

**MUNICIPAL
CODE SECTIONS:**

4-2-060 Zoning Use Table – Uses Allowed in Zoning Designations
4-11-230 DEFINITIONS W

REFERENCE:

N/A

SUBJECT:

Warehousing and Distribution

BACKGROUND:

“Warehousing” is a land use identified in RMC 4-2-060, Zoning Use Table, and yet is undefined in Chapter 11, Definitions. Instead, “warehousing and distribution” is defined as follows:

WAREHOUSING AND DISTRIBUTION: A use engaged in storage and distribution of manufactured products, supplies, and equipment. This use excludes hazardous material storage, indoor storage, outdoor storage, self-service storage, vehicle storage, and warehousing, storage, or distribution for commercial laundry operations within the City of Renton Urban Center.

This definition ties warehousing and distribution together and yet “distribution” is omitted from the Land Use Table. Additionally, the definition excludes “warehousing,” which staff deem to be an error; instead, “warehousing, storage, or distribution” was intended to only apply to commercial laundry operations within the City of Renton Urban Center.

DECISION:

RMC 4-2-060 will be amended to list “warehousing and distribution.” Additionally, the definition of “warehousing and distribution” will be amended to exclude “warehousing, storage, or distribution” for commercial laundry operations within the City of Renton Downtown Business District instead of the much larger area encompassed by the Urban Center.

JUSTIFICATION:

Identified land uses should match corresponding defined terms, and those definitions should not contain internal conflicts (e.g.,

excluding “warehousing” from the term “warehousing and distribution.” Additionally, new commercial laundry facilities are only allowed within industrial zones within the Employment Area land use designation, which is not located in the Urban Center; therefore, the geographical limitation can be reduced to the Downtown Business District where an existing facility is located.

**ADMINISTRATOR
APPROVAL:**

C. E. “Chip” Vincent

EFFECTIVE DATE:

October 30, 2020

APPEAL PROCESS:

To appeal this determination, a written appeal--accompanied by the required filing fee--must be filed with the City's Hearing Examiner (1055 South Grady Way, Renton, WA 98057, 425-430-6515) no more than 14 days from the date of this decision. Section 4-8-110 of the Renton Municipal Code provides further information on the appeal process.

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**CODE
AMENDMENTS
NEEDED TO
IMPLEMENT
DETERMINATION(S):**

See next page.

4-11-230 DEFINITIONS W:

WAREHOUSING AND DISTRIBUTION: A use engaged in storage and distribution of manufactured products, supplies, and equipment. This use excludes hazardous material storage, indoor storage, outdoor storage, self-service storage, vehicle storage, ~~and~~ or warehousing, storage, or distribution for commercial laundry operations within the Downtown Business District ~~City of Renton Urban Center~~.

STAFF CONTACT:

Paul Hintz, x7436



4-2-060 Zoning Use Table – Uses Allowed in Zoning Designations:

USES:	RESIDENTIAL ZONING DESIGNATIONS									INDUSTRIAL			COMMERCIAL ZONING DESIGNATIONS						
	RC	R-1	R-4	R-6	R-8	RMH	R-10	R-14	RMF	IL	IM	IH	CN	CV	CA	CD	CO	COR	UC
M. STORAGE																			
Warehousing <u>and distribution</u>										P	P	P							

**Department of Community and Economic Development
Planning Division
ADMINISTRATIVE POLICY/CODE INTERPRETATION**

**ADMINISTRATIVE
POLICY/CODE
INTERPRETATION #:**

CI-167

**MUNICIPAL
CODE SECTIONS:**

4-2-110B

REFERENCE:

CI-96 and Ordinance 5841

SUBJECT:

Secondary Front Yards for Residential Accessory Structures

BACKGROUND:

RMC 4-11-250 defines “yard requirement” as “an open space on a lot unoccupied by structures, unless specifically authorized otherwise.” The definition of “yard requirement” is synonymous with the definition of “setback,” which is defined as “the minimum required distance between the building footprint and the property line and any private access easement or tract.” The definition “yard requirement” furthers defines four different types of yards: front yards, secondary front yards, rear yards, and side yards. “Secondary front yard” is defined as “the yard requirement for corner lots and through lots that serves as a second front yard abutting a street right-of-way, private street, or shared driveway.” RMC 4-2-110, Residential Development Standards, provides the measured distance of the yard requirement/setback for each residential zone and separates the yard requirements by structure type: primary, accessory, and accessory dwelling units.

Administrative Code Interpretation #96 (CI-96) removed the requirement of providing a rear yard setback for residentially zoned corner lots and instead required such lots to provide two front yard setbacks and a side yard setback in place of a typical rear yard. While preparing Ordinance 5841 to codify CI-96, among others, staff took the opportunity to replace the term “side yard along a street” with “secondary front yard” as the latter was deemed to be a more easily understood term; however, staff erroneously failed to replace “side yard along street” with “secondary front yard” in RMC 4-2-110.B, Development Standards for Residential Development (Detached Accessory Buildings).

Although the subsection on Minimum Setbacks of RMC 4-2-110.B states “setbacks applied to the primary structure also apply to accessory structures,” and a secondary front yard setback standard is provided for each residential zone in RMC 4-2-110.A, Development Standards for Residential Zoning Designations (Primary Structures), there exists some ambiguity as to the applicability of secondary front yard setbacks to accessory structures.

DECISION: Amend 4-2-110.B to add the term Secondary Front Yard with the existing Front Yard standards in the setback regulations for residential detached accessory buildings.

JUSTIFICATION: Because the legislative intent of CI-96 (as codified by Ord. 5841) was to replace a term with one more easily understood, and staff edited said terminology in each instance except as noted above in RMC 4-2-110.B, it is reasonable to correct staff's error through an Administrative Code Interpretation pursuant to RMC 4-9-025.

ADMINISTRATOR APPROVAL:



C. E. "Chip" Vincent

EFFECTIVE DATE: 6/21/2021

APPEAL PROCESS: To appeal this determination, a written appeal--accompanied by the required filing fee--must be filed with the City's Hearing Examiner (1055 South Grady Way, Renton, WA 98057, 425-430-6515) no more than 14 days from the date of this decision. Section 4-8-110 of the Renton Municipal Code provides further information on the appeal process.

***DISCLAIMER:** Excerpts from the Renton Municipal Code shown below may not contain the most recently codified text. In such instances, code amendments implemented through this Administrative Code Interpretation shall be construed to affect the current code and past/future Administrative Code Interpretations not yet codified in the same manner as shown below. Should any conflicts result the Administrator shall determine the effective code.*

CODE AMENDMENTS NEEDED TO IMPLEMENT DETERMINATION(S):

RMC 4-2-110.B, Development Standards for Residential Development (Detached Accessory Buildings)

MINIMUM SETBACKS

Front Yard and Secondary Front Yard

STAFF CONTACT: Paul Hintz, x7436