D# 94 TECHNICAL AMENDMENTS

General Description
This is a collection of 11 separate items that involve changes that improve consistency in the code, tie up loose-ends of other code amendments, ensure compliance with state law, and make other superficial changes. The items included are: clean-up refund provisions for land use fees, consistent use of the terms "adjacent" and "abutting," provisions for mobile and manufactured homes consistent with state law, use of a consistent term to define CED authority, definitions of construction and demolition waste consistent with state law, codification of doggy daycare rules from an administrative interpretation, clean-up of the application of design guidelines for site plan review, clarification of appeal provisions for major plat amendments, allowing planned urban development approvals to be extended with the underlying plat approval, clarifying the timing of appeals, and clarifying when landscaping is installed for final plats. These changes do not reflect any changes in policy or procedure.

Impact Analysis
<u>Effect on rate of growth, development, and conversion of land as envisioned in the Plan</u>
None.

<u>Effect on the City's capacity to provide adequate public facilities</u>
None.

<u>Effect on the rate of population and employment growth</u>
None.

<u>Whether Plan objectives are being met as specified or remain valid and desirable</u>
While this set of amendments does not change City policies, including the Comprehensive Plan, it helps to clarify and consistently implement the policies by making the Code easier to understand.

<u>Effect on general land values or housing costs</u>
None.

<u>Whether capital improvements or expenditures are being made or completed as expected</u>
None.

<u>Consistency with GMA, the Plan, and Countywide Planning Policies</u>
These amendments do not result in policy changes and do not alter the Renton Municipal Code's consistency with GMA, the Plan, and the Countywide Planning Policies.

<u>Effect on critical areas and natural resource lands</u>
None.

Effect on other considerations
Not applicable.

Staff Recommendation
Approve the technical amendments as presented.

Implementation Requirements
Adopt an ordinance that includes these amendments.

Docket 8 – Technical Corrections

Name	Code Section	Change	Reason
Refund Provisions	4-1-140 Refund of Building Division Fees and 4-1-170 Refund of Land Use Application Fees.	Update this section to address fee refunds for all of CED	When the fee schedule was moved out of the code, these sections remained but were not updated.
Adjacent and Abutting	Various	Modify use of the term "adjacent"	Ensure consistent use of the terms abutting and adjacent in Title IV: Abutting: Lots sharing common property lines and easements Adjacent: Lots located across a street, railroad, or right-of-way, except limited access roads
Manufactured and Mobile Homes	4-2-060 Zoning Use Table, 4-2-070 Conditions Associated with Zoning Use Table, 4-9-110 Manufactured and Mobile Home Parks, 4-11-040 Dwelling Unit – Attached, 4-11-130 Manufactured Home, Manufactured Home Designated, Mobile Home	(1) Allow manufactured homes that meet design guidelines to be allowed in residential zones, and (2) allow RVs to be included in mobile home parks if they have a shower and toilet, per state law	(1) Our code prohibits any new mobile and manufactured homes when previously they had been allowed in parks and in other zones if design criteria were met. (2) State law requires RVs to be allowed in Mobile Home parks.
Reviewing Official and CED Authority	Various	Remove references to "Reviewing Official" and use the terminology "Administrator" or "Hearing Examiner" as appropriate	The code uses multiple terms to describe types of authority within CED, including "Reviewing Official, which is not defined except in RMC 4-3-050D.1.d. Use of the term "Administrator" is appropriate except in cases where another specific authority is required (for example, the Hearing Examiner). The use of the phrase "or designee" throughout Title IV can be nearly eliminated by ensuring that definitions in chapter 11 include provisions for designees when defining authority figures.
Construction and Demolition Waste	4-11-030 Construction Waste and 4-11-040 Demolition Waste	Add definitions of Construction Waste and Demolition Waste	These definitions from state law define terms used in regulations on fill material and solid waste.

Doggy Daycare	4-9-090 Home Occupations, 4-11-110 Kennels	Clarify that Doggy Daycare businesses are subject to rules for kennels and are not suitable for home occupation permits	This follows and administrative interpretation that has already been made.
Design Guidelines and Master/ Site Plan Review	4-9-200F.7 Review of Compliance to Design Guidelines	Remove reference to zones in this review criterion	It is more efficient to delete references to the zones, since the zones in which the design guidelines are applied may vary.
Appeals of Major Amendments to Plats	4-8-070 H Hearing Examiner, Council, 4-8-080G Permit Procedures	Clarify that Major Amendments to Plats may be appealed to City Council	Major amendments to Plats have an established process, but there is no established recourse for appeal of the Hearing Examiner's decision. It is appropriate, and consistent with other practices, to allow an appeal to the City Council.
Preliminary PUD Extensions	4-9-150G.1 Time Limits (Planned Urban Developments)	Clarify that for PUDs processed concurrently with a plat, that if the plat approval is extended, the PUD approval is also extended	PUDs processed concurrently with Plats are allowed the same timeline for completion as the Plat. In the past few years subdivision rules have been amended to allow additional time extensions, but the corresponding change was not made for PUDs.
Timing for Filing Appeals	4-8-110 Appeals	Clarify that appeals may be processed within 14 days of issuance of a Hearing Examiner Decision.	Consistency with state rulings on this issue.
Landscape Installation	4-4-070M Landscape Installation	Clarify that landscaping must be installed prior to Final Plat approval.	The landscaping code applies to subdivisions, but does not specify a timeline for installation of landscaping for subdivisions.

4-1-080 INTERPRETATION:

A. ADMINISTRATIVE INTERPRETATION:

1. General: 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.

2. Zoning Conflicts: In the event that there is a conflict between either the development standards or special development standards listed in chapter 4-2 RMC, Zoning Districts – Uses and Standards, and the standards and regulations contained in another Section, the Community and Economic Development Administrator~~, or designee~~, shall determine which requirement shall prevail 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.

4-1-100 ENFORCEMENT:

B. RESPONSIBILITY AND AUTHORITY:

The Community and Economic Development Administrator ~~Development Services Director, or his/her designee,~~ shall be authorized to enforce the provisions of Title 4 of the Renton Municipal Code. The ~~Director~~ Administrator shall also enforce any implementing administrative rules, administration, and approval conditions attached to any land use approval, through revocation or modification of permits, or through the enforcement, penalty and abatement provisions of chapter 1-3 RMC, Remedies and Penalties.

4-1-110 VIOLATIONS AND PENALTIES

D. AUTHORITY TO REVOKE OR MODIFY A PERMIT OR LAND USE APPROVAL

2. The Community and Economic Development Administrator may, for cause, revoke or modify any permit or other land use approval issued by the Administrator~~, or a designee~~.

4-1-140 REFUND OF DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT ~~BUILDING DIVISION~~ FEES:

A. AUTHORITY TO REFUND FEES: The Administrator ~~Development Services Director~~ may authorize the refunding of ~~any~~ all or a portion of the fees paid hereunder which were erroneously paid or collected.

B. AMOUNT REFUNDED:

1. Land Use Permit Application Fee: ~~Due to the City's cost in screening, accepting, and initial procession of land use applications~~ Based upon an evaluation of the amount of work expended, the Administrator ~~Development Services Director~~ may authorize the refunding of not more than eighty percent (80%) of the permit fee paid when no substantial processing work has been done on the application. ~~under a permit issued in accordance with this Code.~~

2. Building and Public Works Application ~~Plan Review~~ Fees: ~~Due to the City's cost in screening, accepting, and initial processing of land use applications, t~~ The Administrator ~~Development Services Director~~ may authorize the refunding of ~~not more than eighty percent (80%) of the plan review~~ fees paid when an application ~~applicant for a permit for which a plan review fee has been paid~~ is withdrawn or cancelled before any substantial work ~~plan review~~ effort has been expended.

C. METHOD OF OBTAINING REFUND AND TIME: The Administrator ~~Development Services Director~~ shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of the fee payment.

~~4-1-170 REFUND OF LAND USE APPLICATION FEES:~~

~~The filing fees as set forth in the fee schedule for the City are established to defray the cost of posting and processing and the proceedings in connection with a land use application. The Community and Economic Department Administrator may authorize the refunding of not more than eighty percent (80%) of the total application fees paid, provided the applicant presents a written request to withdraw or cancel prior to the routing of the application for staff review. Eighty percent (80%) of the applicable fee will be refundable if the application is withdrawn prior to circulation by the Planning Staff. Once circulation (and review has begun) no refund of base fees will be authorized.~~

4-1-200 EXTRA FEES

D. Any general administrative costs when directly attributable to the project.

Such fees shall be charged only to the extent incurred beyond that normally incurred for processing an application. (Ord. 4596, 4-8-1996)

When the application or development plans are modified so as to require additional review by the City beyond the review normally required for like projects, at the discretion of the ~~Development Services Director~~ Community and Economic Development Administrator, an additional fee may be charged at seventy five dollars ($75.00) per hour.

4-1-210 WAIVED FEES

B. OWNER-OCCUPIED HOUSING INCENTIVE

4. Application Process: Persons who intend to apply for the owner-occupied housing incentive fee waivers must disclose their intent to apply for waived fees prior to or by the administrative S~~s~~ite P~~p~~lan Development R~~r~~eview period. The application for waived fees must be made to the ~~Planning Director~~ Community and Economic Development Administrator (or any other City office, department or agency that shall succeed to its functions with respect to this Section~~, or his or her authorized designee~~) at the time of the land use application, unless otherwise approved by City Council.

5. Restrictive Covenant: All residential units which obtain a successful fee waiver must contain a restrictive covenant indicating that the units will be platted or will be restricted to condominium housing. After review and approval of the waiver by the City Council and the review and approval of the restrictive covenant by the ~~Planning Director~~ Community and Economic Development Administrator ~~or his/her designee~~, the restrictive covenant must be executed and recorded at the applicant's expense

prior to the issuance of the building permit for the project, unless otherwise approved by City Council. Failure to timely execute and record the covenant will result in the applicant being responsible for any and all applicable fees and interest accrued as a result of the delay.

C. RENTAL HOUSING INCENTIVE

5. Application Process: Persons who intend to apply for the rental housing incentive fee waivers must disclose their intent to apply for waived fees prior to or by the administrative S~~s~~ite P~~p~~lan Development R~~r~~eview period. The application for waived fees must be made to the ~~Planning Director~~ Community and Economic Development Administrator (or any other City office, department or agency that shall succeed to its functions with respect to this Section~~, or his or her authorized designee~~) at the time of the land use application, unless otherwise approved by City Council.

6. Restrictive Covenant: All projects which obtain a fee waiver as affordable housing under subsection C4bi of this Section must contain a restrictive covenant indicating that at least fifty percent (50%) of the units will be set aside and rented as affordable housing. After review and approval of the waiver by the City Council and the review and approval of the restrictive covenant by the ~~Planning Director~~ Community and Economic Development Administrator ~~or his/her designee~~, the restrictive covenant must be executed and recorded at the applicant's expense prior to the issuance of the building permit for the project, unless otherwise approved by City Council. Failure to timely execute and record the covenant will result in the applicant being responsible for any and all applicable fees and interest accrued as a result of the delay.

4-1-220 PROPERTY TAX EXEMPTION FOR MULTI-FAMILY HOUSING IN RESIDENTIAL TARGETED AREAS

B. DEFINITIONS

1. "Administrator" means ~~the Administrator of~~ 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 Section~~, or his or her authorized designee~~.

4-1-230 SURETIES AND BONDS

A. CITY APPROVAL REQUIRED:

All sureties posted with the City shall be approved as to form by the City Attorney and approved by the appropriate Administrator as to amount and adequacy. Sureties for Public Works Construction Permits and Future Public Works Street/Utility Maintenance Requirements shall be approved by the Public Works Administrator and all other sureties shall be approved by the Community and Economic Development Administrator. The City's decision as to the acceptability of the security shall be conclusive.

D. SECURITY REQUIREMENTS

7. City Approval Required Prior to Transfer of Responsibility: The City shall not be required to permit a substitution of one party for another on any security if the ~~Reviewing Official~~ Administrator feels that

the new owner does not provide sufficient security to the City that the improvements will be installed when required.

4-1-240 COMMON OPEN SPACE SUBSTITUTIONS

B. PUBLIC TRAIL OR PARK IMPROVEMENTS OR FEE-IN-LIEU FOR COMMON OPEN SPACE:

Improvements to public trails, public parks, or payment of a fee may occur to reduce common open space requirements, if approval for such substitution is accepted by the Community Services ~~Department and granted by the~~ Administrator ~~or designee~~.

1. Public Trail Improvement in Lieu of Common Open Space: The requirements for open space may be reduced where public trail improvements are being provided. On-site public trail improvements may occur as a substitute to common open space requirements on a square footage basis, provided the trail has been identified in the Renton Trails and Bicycle Master Plan or the Parks, Recreation, Open Space, and Natural Resources Plan or an adopted community plan. Trails shall be constructed by the developer to standards specified by the Community Services Department and dedicated to and accepted by the City of Renton as a public trail prior to F~~f~~inal P~~p~~lat recording or S~~s~~hort P~~p~~lat recording, or building permit final occupancy for non-subdivision projects.

2. Public Park Improvement in Lieu of Common Open Space: The requirements for open space may be reduced where public park improvements are being provided. On-site public park improvements may occur as a substitution to common open space requirements on a square footage basis provided the park has been identified in the Parks, Recreation, Open Space, and Natural Resources Plan or an adopted community plan. The park shall be constructed by the developer to standards specified by the Community Services Department and dedicated to and accepted by the City of Renton as a public park prior to F~~f~~inal P~~p~~lat recording or S~~s~~hort P~~p~~lat recording, or building permit final occupancy for non-subdivision projects.

3. Fee in Lieu of Common Open Space: A fee-in-lieu may occur as a substitute to common open space requirements; provided, that an off-site public park is within one-quarter (1/4) mile of the site proposed for development, safe and easy pedestrian access is provided to such public park, and the public park shall be an integral part of the design approach of the development.

a. Fee Calculation: The fee shall be the equivalent of the monetary value of the required improvements for common open space plus the monetary value of the land area required to be placed in common open space. The project applicant shall provide the City with an estimate of the improvement value and an appraisal for the value of the land for the identified intended use with utilities and other non-structural improvements. The total monetary value of the fee-in-lieu shall be approved by the Community Services Department.

b. The fee shall be paid prior to F~~f~~inal P~~p~~lat recording or final S~~s~~hort P~~p~~lat recording or building permit issuance for non-subdivision projects.

4-2-020 PURPOSE AND INTENT OF ZONING DISTRICTS

A. GENERAL:

~~Reviewing Official approval~~ Approval of projects in the zones is contingent upon the determination that the proposed developments are consistent with the purpose of the zone and the purpose and intent of the land use designations and guiding policies of the Comprehensive Plan.

The Comprehensive Plan Land Use Element policies for each corresponding zone classification and all the Elements of the Comprehensive Plan shall be used together with the purpose statements for each zone and map designation set forth in the following sections to guide interpretation and application of land use regulations within the zones and designations and any changes to the range of permitted uses within each zone through amendments to the code.

J. COMMERCIAL NEIGHBORHOOD ZONE (CN):

The purpose of the Commercial Neighborhood Zone (CN) is to provide for small-scale convenience retail/commercial areas offering incidental retail and service needs for the ~~adjacent~~ surrounding area. Uses serving a larger area may be appropriate if they also serve the residents of the immediate area and are compatible with the scale and character of the neighborhood. This designation is the smallest and least intensive of the City's commercial zones.

4-2-060 ZONING USE TABLE

	RC	**R-1**	**R-4**	**R-8**	**RMH**	**R-10**	**R-14**	**RM**
~~MANUFACTURED HOMES~~								
Manufactured Homes	P50	P50	P50	P50		P50	P50	
~~Manufactured Homes, designated~~	~~P~~	~~P~~						
~~Mobile Homes~~								

(note: rest of table to remain the same)

4-2-080 CONDITIONS ASSOCIATED WITH ZONING USE TABLES

A. SUBJECT TO THE FOLLOWING CONDITIONS:

44. Permitted; provided, that the facility has a minimum setback of one hundred feet (100') from any adjacent or abutting residentially zoned parcel; if the setback is less than 100' an administrative conditional use permit is required pursuant to RMC 4-9-030J decision criteria.

45. For Monopoles Proposed on Private Property: May be allowed via an administrative conditional use permit pursuant to RMC 4-9-030J decision criteria; provided, that the site is over one-half acre in size and the facility has minimum setbacks of one hundred feet (100') from any adjacent or abutting residentially zoned parcel; if the setback is less than one hundred feet (100') a Hearing Examiner conditional use permit is required.

For Monopoles Proposed on Public Right-of-Way: May be allowed via an administrative conditional use permit pursuant to RMC 4-9-030J decision criteria, and right-of-way use permit, provided, the facility is located on a principal, minor, or collector arterial and has minimum setbacks of one hundred feet (100')

from any adjacent or abutting residentially zoned parcel; if the setback is less than one hundred feet (100') a Hearing Examiner conditional use permit is required.

46. Eligible for an administrative conditional use permit pursuant to RMC 4-9-030J decision criteria; provided, that the facility has a minimum setback of one hundred feet (100') from any adjacent or abutting residentially zoned parcel; if the setback is less than one hundred feet (100') a Hearing Examiner conditional use permit is required.

47. May be allowed by an administrative conditional use permit pursuant to RMC 4-9-030J decision criteria, if the monopole II facility is to be constructed on property where wireless communication support structures presently operate, and the new monopole II facility will not exceed the height of the existing support structures. Prohibited if located within three hundred feet (300') of an RC, R-1, R-4, R-8, R-10, or R-14 zone unless the ~~Reviewing Official~~ Community and Economic Development Administrator determines that all residentially zoned property within three hundred feet (300') of the proposed facility is undevelopable due to critical areas regulations (RMC 4-3-050); then the administrative conditional use process shall apply.

48. A Hearing Examiner conditional use permit pursuant to RMC 4-9-030J decision criteria is required. This use is prohibited if located within three hundred feet (300') of an RC, R-1, R-4, R-8, R-10, or R-14 zone, unless the ~~Reviewing Official~~ Community and Economic Development Administrator determines that all residentially zoned property within three hundred feet (300') of the proposed facility is undevelopable due to critical areas regulations (RMC 4-3-050), in which case the new wireless support structure can be reviewed as a Hearing Examiner conditional use permit.

49. Emergency or routine modifications are permitted when there is minimal or no change in the visual appearance, as determined by the ~~Reviewing Official~~ Community and Economic Development Administrator.

50. ~~Reserved.~~ Manufactured Homes shall be allowed only if in compliance with the Residential Design and Open Space Standards in RMC 4-2-115.

4-2-110C DEVELOPMENT STANDARDS FOR RESIDENTIAL MANUFACTURED HOME PARK ZONING DESIGNATION

	DEVELOPMENT STANDARDS FOR RESIDENTIAL MANUFACTURED HOME PARK ZONING DESIGNATION	**INDIVIDUAL MANUFACTURED HOME SPACES Primary and Attached Accessory Structures**	**DETACHED ACCESSORY STRUCTURES[5]**

PRIVATE STREET IMPROVEMENTS			
On-Site Private Streets, Curbs and Sidewalks	Asphaltic or concrete streets and concrete curbings shall be provided to each lot. The minimum width of streets shall be 30 ft. Concrete sidewalks of at least 5 ft. in width shall be placed along at least 1 side of each street or located in the back or side of each lot so that there is sidewalk access to all lots.	NA	NA
	Illumination: ~~The Reviewing Official shall approve a~~ A street lighting plan shall be approved if it provides~~ing~~ sufficient illumination between sunset and sunrise to illuminate adequately the roadways and walkways within a mobile home park.	NA	NA

4-2-110D CONDITIONS ASSOCIATED WITH DEVELOPMENT STANDARDS TABLE FOR RESIDENTIAL ZONING DESIGNATIONS

1. a. Phasing, shadow platting, or land reserves may be used to satisfy the minimum density requirements if the applicant can demonstrate that the current development would not preclude the provision of adequate access and infrastructure to future development and would allow for the eventual satisfaction of minimum density requirements through future development. Within the Urban Center, surface parking may be considered a land reserve.

b. In the event the applicant can show that minimum density cannot be achieved due to lot configuration, lack of access, environmental or physical constraints, minimum density requirements may be waived ~~by the Reviewing Official~~.

3. Within designated urban separators, clustering is required; individual lots shall not be less than ten thousand (10,000) square feet and development shall be consistent with RMC 4-3-110, Urban Separator Overlay Regulations. Outside of designated urban separators, clustering may be allowed in order to meet objectives such as preserving significant natural features, providing neighborhood open space, or facilitating the provision of sewer service. The maximum net density shall not be exceeded; except within urban separators a density bonus may be granted allowing the total density to achieve one dwelling unit per gross contiguous acre. In order for the bonus to be allowed, projects must provide native vegetation cover (either existing or new) on sixty five percent (65%) of the gross area of all parcels in the land use action, including both the area within and outside the open space corridor. In addition, projects shall provide at least one of the following:

a. Enhancement of wetlands at a ratio of one-half (1/2) acre enhanced for one acre delineated within the urban separator pursuant to RMC 4-3-050M12b, Evaluation Criteria, and RMC 4-3-050M12c, Wetlands Chosen for Enhancement. Enhancement proposed for a density bonus may not also be used for a mitigation for other wetland alterations; or

b. The removal of and/or bringing into conformance with Renton standards of legal nonconforming uses from the site; or

c. Natural surface pedestrian trails with public access. The trails can be part of an adopted trail system or, where there is no planned trail system, of a configuration approved by the ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~or designee~~. In the absence of either wetlands or legal nonconforming uses on the site, public access and trails shall be provided and approved by the ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~or designee~~.

9. Public facilities are allowed the following height bonus:

a. Water towers/reservoirs are permitted up to a maximum height of one hundred seventy five feet (175') to the highest point of the reservoir.

b. Water treatment facilities and pump stations are allowed up to fifty feet (50') subject to S~~s~~ite P~~p~~lan Development R~~r~~eview. The ~~Reviewing Official may modify~~ setback standards may be modified to increase setbacks as part of the S~~s~~ite P~~p~~lan Development R~~r~~eview approval.

c. Public utility facilities exceeding 50 feet (50') in height shall be treated with public art consistent with RMC 4-9-160. Such public art shall be eligible for one percent (1%) for art funding and shall be reviewed by the Renton Municipal Arts Commission.

d. Structures on Public Suffix (P) properties are permitted an additional fifteen feet (15') in height above that otherwise permitted in the zone if “pitched roofs,” as defined herein, are used for at least sixty percent (60%) or more of the roof surface of both primary and accessory structures. In addition, the height of a publicly owned structure may be increased as follows:

i. When abutting a public street, one additional foot of height for each additional one and one-half feet (1-1/2') of perimeter building setback beyond the minimum street setback required; or

ii. When abutting a common property line, one additional foot (1') of height for each additional two feet (2') of perimeter building setback beyond the minimum required along a common property line.

10. Small lot clusters of up to a maximum of fifty (50) lots shall be allowed within the R-4 zone, when at least thirty percent (30%) of the site is permanently set aside as “significant open space.” Such open space shall be situated to act as a visual buffer between small lot clusters and other development in the zone. The percentage of open space required may be reduced ~~by the reviewing official~~ to twenty percent (20%) of the site when:

a. Public access is provided to open space; and

b. Soft surface trails are provided within wetland buffers; and

c. Storm water ponds are designed to eliminate engineered slopes requiring fencing and enhanced to allow passive and/or active recreation.

All portions of a site that are not dedicated to platted single family lots or a dedicated right-of-way shall be set in a separate tract and/or tracts to preserve existing viable stands of trees or other native vegetation. The tract may also be used as a receiving area for tree replacement requirements in accordance with RMC 4-4-130H.

Such tracts shall be shown and recorded on the face of the plat to be preserved in perpetuity.

Such tracts may be included in contiguous open space for the purposes of qualifying for small lot clustered development.

Where trees are removed, they shall be replaced in accordance with RMC 4-4-130H.

11. Approval for l~~L~~ot size, width, and depth reductions may be approved ~~reduced by the Reviewing Official~~ when, due to lot configuration or access, four (4) dwelling units per net acre cannot be achieved. The reduction shall be the minimum needed to allow four (4) dwelling units per net acre and shall be limited to the following minimum dimensions:

Lot size – seven thousand two hundred (7,200) sq. ft.

Lot width – sixty feet (60').

Lot depth – seventy feet (70').

12. When lot size is reduced for the purpose of achieving maximum density, reduced setbacks may also be approved ~~reduced by the Reviewing Official~~. Setback reductions shall be limited to the following:

Front – twenty feet (20').

Side yard along a street – fifteen feet (15') primary structure, twenty feet (20') attached garage with access from the side yard.

18. Front and rear setbacks in the RM-U Zone may be reduced to zero feet (0') ~~by the Reviewing Official~~ during the S~~s~~ite D~~d~~evelopment P~~p~~lan R~~r~~eview process provided the applicant demonstrates that the project will provide a compensatory amenity such as an entryway courtyard, private balconies or enhanced landscaping.

19. If the structure located in the RM-U Zone exceeds forty feet (40') in height, a fifteen foot (15') front setback from the property line shall be required of all portions of the structure which exceed forty feet (40'). This requirement may be modified ~~by the Reviewing Official~~ during the S~~s~~ite D~~d~~evelopment P~~p~~lan R~~r~~eview process to a uniform five foot (5') front setback for the entire structure; provided, that the structure provides a textured or varied facade (e.g., multiple setbacks, brickwork and/or ornamentation) and consideration of the pedestrian environment (e.g., extra sidewalk width, canopies, enhanced landscaping).

20. In the 'F' District, an additional ten feet (10') height for a residential dwelling structure may be obtained through the provision of additional amenities such as pitched roofs, additional recreation facilities, underground parking, and additional landscaped open space areas; as determined through the S~~s~~ite D~~d~~evelopment P~~p~~lan R~~r~~eview process and depending on the compatibility of the proposed

buildings with adjacent or abutting existing residential development. In no case shall the height of a residential structure exceed forty five feet (45').

21. The ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~or designee~~ may modify this provision through the S~~s~~ite D~~d~~evelopment P~~p~~lan R~~r~~eview process where it is determined that specific portions of the required on-site perimeter landscaping strip may be developed and maintained as a usable public open space with an opening directly to a public entrance.

4-2-115 RESIDENTIAL DESIGN AND OPEN SPACE STANDARDS

A. PURPOSE

2. This Section lists elements that are required to be included in all residential development in the zones stated in subsection B of this Section. Each element includes both standards, as well as guidelines. In order to provide predictability, standards are provided. These standards specify a prescriptive manner in which the requirement can be met. In order to provide flexibility, guidelines are also stated for each element. These guidelines provide direction for those who seek to meet the required element in a manner that is different from the standards.

a. The determination as to the satisfaction of the requirement through the use of the guidelines is to be made by the ~~Reviewing Official~~ Community and Economic Development Administrator when no other permit or approval requires Hearing Examiner review.

b. When ~~the Reviewing Official~~ it has been determined that the proposed manner of meeting the design requirement through guidelines is sufficient, the applicant shall have satisfied that design requirement.

E. ADMINISTRATION:

1. Review Process: Applications subject to these design regulations shall be processed as a component of the governing land use process.

2. Authority: The ~~Reviewing Official~~ Administrator shall have the authority to approve, approve with conditions, or deny proposals based upon the provisions of these design regulations when no other permit or approval requires Hearing Examiner review. ~~In rendering a decision, the Official will consider p~~Proposals will be considered on the basis of individual merit, ~~will consider~~ the overall intent of the standards and guidelines, and ~~encourage~~ creative design alternatives will be encouraged in order to achieve the purposes of the design regulations.

4-2-120C CONDITIONS ASSOCIATED WITH DEVELOPMENT STANDARDS TABLES FOR COMMERCIAL ZONING DESIGNATIONS

3. These provisions may be modified ~~by the Reviewing Official~~ through the S~~s~~ite D~~d~~evelopment P~~p~~lan R~~r~~eview process where the applicant can show that the same or better result will occur because of creative design solutions, unique aspects or use, etc., that cannot be fully anticipated at this time.

5. The ~~Reviewing Official may modify the~~ sight-obscuring provision may be modified in order to provide reasonable access to the property through the S~~s~~ite D~~d~~evelopment P~~p~~lan R~~r~~eview process.

10. Heights may exceed the maximum height under an Administrative conditional use permit.
In consideration of a request for a conditional use permit for a building height in excess of ninety five feet (95') the ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~and/or designee~~ shall consider the following factors in addition to the criteria in RMC 4-9-030, Conditional Use Permits, among all other relevant information:

a. Location Criteria: Proximity of arterial streets which have sufficient capacity to accommodate traffic generated by the development. Developments are encouraged to locate in areas served by transit.

b. Comprehensive Plan: The proposed use shall be compatible with the general purpose, goals, objectives and standards of the Comprehensive Plan, the zoning regulations and any other plan, program, map or regulation of the City.

c. Effect on Adjacent or Abutting Properties: Buildings in excess of ninety five feet (95') in height at the proposed location shall not result in substantial or undue adverse effects on adjacent or abutting property. When a building in excess of ninety five feet (95') in height is adjacent or abutting to a lot designated residential on the City Comprehensive Plan, then setbacks shall be equivalent to the requirements of the adjacent or abutting residential zone.

d. Bulk: Buildings near public open spaces should permit public access and, where feasible, physical access to the public open space. Whenever practicable, buildings should be oriented to minimize the shadows they cause on publicly accessible open space.

e. Light and Glare: Due consideration shall be given to mitigation of light and glare impacts upon streets, major public facilities and major public open spaces.

15. The maximum setback may be modified ~~by the Reviewing Official~~ through the S~~s~~ite D~~d~~evelopment P~~p~~lan R~~r~~eview if the applicant can demonstrate that the S~~s~~ite D~~d~~evelopment P~~p~~lan meets the following criteria:

a. Orients development to the pedestrian through such measures as providing pedestrian walkways beyond those required by the Renton Municipal Code (RMC), encouraging pedestrian amenities and supporting alternatives to single occupant vehicle (SOV) transportation; and

b. Creates a low scale streetscape through such measures as fostering distinctive architecture and mitigating the visual dominance of extensive and unbroken parking along the street front; and

c. Promotes safety and visibility through such measures as discouraging the creation of hidden spaces, minimizing conflict between pedestrian and traffic and ensuring adequate setbacks to accommodate required parking and/or access that could not be provided otherwise.

Alternatively, ~~the Reviewing Official may also modify~~ the maximum setback requirement may be modified if the applicant can demonstrate that the preceding criteria cannot be met; however, those criteria which can be met shall be addressed in the S~~s~~ite D~~d~~evelopment P~~p~~lan:

d. Due to factors including but not limited to the unique site design requirements or physical site constraints such as critical areas or utility easements the maximum setback cannot be met; or

e. One or more of the above criteria would not be furthered or would be impaired by compliance with the maximum setback; or

f. Any function of the use which serves the public health, safety or welfare would be materially impaired by the required setback.

16. The following height requests may be allowed by an Administrative conditional use permit:

APPLICABLE ZONE	**HEIGHT CHANGE REQUEST**
All of the CV Zone	Exceed height of 50 feet
	Exceed height of 45 feet when abutting R-8 or R-10 Zone
All of the CA Zone	Exceed maximum height

In consideration of a request for conditional use permit for additional building height, ~~the Reviewing Official shall consider~~ all relevant information~~,~~ and the following factors shall be considered along with the criteria in RMC 4-9-030, Conditional Use Permits.

a. Location Criteria: Proximity of arterial streets which have sufficient capacity to accommodate traffic generated by the development. Developments are encouraged to locate in areas served by transit.

b. Comprehensive Plan: The proposed use shall be compatible with the general purpose, goals, objectives and standards of the Comprehensive Plan, the zoning regulations and any other plan, program, map or regulation of the City.

c. Effect on Adjacent and Abutting Properties: Building heights shall not result in substantial or undue adverse effects on adjacent and abutting property. When a building in excess of the maximum height is proposed adjacent to or abuts a lot designated R-1, R-4, R-8, R-10, R-14 or RM-F, then the setbacks shall be equivalent to the requirements of the adjacent residential zone if the setback standards exceed the requirements of the Commercial Zone.

18. Allowed Projections into Setbacks:

a. Steps, and decks having no roof and being not over forty-two inches (42") high may be built within a front yard setback.

b. Eaves and cornices may project up to twenty-four inches (24") into any required setback.

c. Accessory buildings when erected so that the entire building is within a distance of thirty feet (30') from the rear lot line may also occupy the side yard setback of an inside lot line.

d. Where below-grade structures are permitted to have zero front yard/street setbacks, structural footings may minimally encroach into the public right-of-way, subject to approval of the Community and Economic Development Administrator ~~or designee~~.

4-2-120F CONDITIONS ASSOCIATED WITH DEVELOPMENT STANDARDS TABLES FOR COMMERCIAL ZONING DESIGNATIONS

5. Allowed Projections into Setbacks

d. Where below-grade structures are permitted to have zero front yard/street setbacks, structural footings may minimally encroach into the public right-of-way, subject to approval of the ~~Planning/Building/~~Public Works Administrator ~~or his/her designee~~.

4-2-130A DEVELOPMENT STANDARDS FOR INDUSTRIAL ZONING DESIGNATIONS

	IL	IM	IH
SETBACKS[8, 11]			
Minimum Front Yard	Principal Arterial streets:[12] 20 ft. Other streets: 15 ft. Except 50 ft. is required if a lot is adjacent to or abutting a lot zoned R-1, R-4, R-8, RMH, R-10, R-14, or RM.	Principal Arterial streets:[12] 20 ft. Other streets: 15 ft. Except 50 ft. is required if a lot is adjacent to or abutting a lot zoned R-1, R-4, R-8, RMH, R-10, R-14, or RM.	Principal Arterial streets:[12] 20 ft. Other streets: 15 ft.
Minimum Side Yard Along A Street	Principal Arterial streets:[12] 20 ft. Other streets: 15 ft. Except 50 ft. is required if a lot is adjacent to or abutting a lot zoned R-1, R-4, R-8, RMH, R-10, R-14, or RM.	Principal Arterial streets:[12] 20 ft. Other streets: 15 ft. Except 50 ft. is required if a lot is adjacent to or abutting a lot zoned R-1, R-4, R-8, RMH, R-10, R-14, or RM.	Principal Arterial streets:[12] 20 ft. Other streets: 15 ft.
Minimum Freeway Frontage Setback	10 ft. landscaped setback from the property line.	10 ft. landscaped setback from the property line.	10 ft. landscaped setback from the property line.
Minimum Rear and Side Yards11	None, except 20 ft. if lot abuts or is adjacent to a residential zone, R-1, R-4, R-8, RMH, R-10, R-14, or RM; which may be reduced to 15 ft. through the S~~s~~ite P~~p~~lan D~~d~~evelopment R~~r~~eview process.	None, except 50 ft. if lot abuts or is adjacent to a residential zone, R-1, R-4, R-8, RMH, R-10, R-14, or RM.	None, except, 50 ft. if lot abuts a lot zoned R-1, R-4, R-8, R-10, R-14, or RM-I. 20 ft. if lot abuts a lot zoned CN, CV, CA, CD, CO, COR, or P-Suffix.
Clear Vision Area	In no case shall a structure over 42 in. in height intrude into the 20 ft. clear vision area defined in	In no case shall a structure over 42 in. in height intrude into the 20 ft.	In no case shall a structure over 42 in. in height intrude into the

	RMC 4-11-030.	clear vision area defined in RMC 4-11-030.	20 ft. clear vision area defined in RMC 4-11-030.

4-2-130B CONDITIONS ASSOCIATED WITH DEVELOPMENT STANDARDS TABLE FOR INDUSTRIAL ZONING DESIGNATIONS

2. These provisions may be modified ~~by the Reviewing Official~~ through the S~~s~~ite D~~d~~evelopment P~~p~~lan R~~r~~eview where the applicant can show that the same or better result will occur because of creative design solutions, unique aspects or use, etc., have not been fully planned at the time of S~~s~~ite P~~p~~lan Development R~~r~~eview.

6. The ~~Reviewing Official may waive the~~ sight-obscuring provision may be waived in order to provide reasonable access to the property through the S~~s~~ite P~~p~~lan Development R~~r~~eview process.

4-3-040 COMMERCIAL CORRIDOR BUSINESS DESIGNATIONS

D. DEVELOPMENT STANDARDS FOR USES LOCATED WITHIN THE RENTON AUTOMALL – AREAS A AND B

	ALL USES IN AREA A, DEALERSHIPS AND RELATED USES IN AREA B	**NON-DEALERSHIPS AND RELATED USES IN AREA B**
CUSTOMER PARKING	Customer parking shall be designated and striped near entry drives and visible from public streets. Where possible, customer parking shall be combined with ~~adjacent~~ abutting dealership customer parking and shared access. Where these requirements differ from the requirements of the parking, loading and driveway regulations of chapter 4-4 RMC, these requirements shall govern.	Customer parking shall be designated and striped near entry drives and visible from public streets. Where possible, customer parking shall be combined with ~~adjacent~~ abutting dealership customer parking and shared access. Where these requirements differ from the requirements of the parking, loading and driveway regulations of chapter 4-4 RMC, these requirements shall govern.
AUTOMALL RIGHT-OF-WAY IMPROVEMENT PLAN COORDINATION	~~Once completed, all d~~Development shall be coordinated with ~~a~~ the adopted right-of-way improvement plan~~. A right-of-way improvement plan shall be completed by the City in coordination~~	~~Once completed, all d~~Development shall be coordinated with ~~a~~ the adopted right-of-way improvement plan~~. A right-of-way improvement plan shall be completed by the City in coordination~~

	~~with adjacent property owners, and shall~~ which addresses gateways, signage, landscaping, and shared access.	~~with adjacent property owners, and shall~~ which addresses gateways, signage, landscaping, and shared access.

4-3-050 CRITICAL AREAS REGULATIONS

C. APPLICABILITY – EXEMPT, PROHIBITED AND NONCONFORMING ACTIVITIES

5. Specific Exemptions – Critical Areas and Buffers

EXEMPT ACTIVITIES – PERMITTED WITHIN CRITICAL AREAS AND ASSOCIATED BUFFERS						
EXEMPT ACTIVITY	Aquifer Protection Area	Flood Hazard Area	Geologic Hazard Area	Habitat Conservation Area	Streams and Lakes: Class 2 to 4	Wetlands
c. Agricultural, Harvesting, Vegetation Management:						
ii. Existing/Ongoing Agricultural Activities: Existing and ongoing agricultural activities including farming, horticulture, aquaculture and/or maintenance of existing irrigation systems. Activities on areas lying fallow as part of a conventional rotational cycle are part of an ongoing operation; provided, that the agricultural activity must have been conducted within the last five years. Activities that bring a critical area into agricultural use are not part of an ongoing operation. Maintenance of existing legally installed irrigation, ditch and pipe systems is allowed; new or expanded irrigation, ditch, outfall or other systems are		X	X	X	X	X

not exempt. If it is necessary to reduce the impacts of agricultural practices to critical areas, ~~the Responsible Officialmay required~~ a farm management plan may be required based on the King County Conservation District's Farm Conservation and Practice Standards, or other best management practices.						

7. Exemptions in Buffers

a. Activities in Critical Area Buffers

i. Trails and Open Space:

(3) Enhancement of the buffer area is required where trails are located in the buffer. Where enhancement of the buffer area ~~adjacent to~~ abutting a trail is not feasible due to existing high quality vegetation, additional buffer area or other mitigation may be required.

D. ADMINISTRATION AND INTERPRETATION:

1. General Provisions – All Critical Areas:

a. Duties of Administrator: The Community and Economic Development Administrator ~~or designee~~ shall have the power and authority to enforce the provisions of this Section. For such purposes the ~~Department~~ Administrator shall have the power of a law enforcement officer.

~~**d. Reviewing Official :** Wherever referenced in this Section, Reviewing Official refers to the decision-making official or body authorized to grant permit approval for an activity.~~

2. Aquifer Protection:

a. Inspections Authorized: The ~~Department~~ Administrator ~~or his/her designee~~ shall have the right to conduct inspections of facilities at all reasonable times to determine compliance with this Section.

i. Annual Inspections: All permitted facilities in an APA will be subject to a minimum of one inspection per year by a Department inspector ~~or designee~~.

ii. Monthly Inspections: All permitted facilities in Zone 1 of the aquifer protection area will be subject to monthly inspections to determine compliance with the provisions of the Section.

3. Flood Hazards:

a. Duties and Responsibilities of the ~~Department~~ Administrator ~~or Designee:~~ The duties of the ~~Department~~ Administrator ~~or his/her designee~~ shall include, but not be limited to:

i. Review all development permits to determine that the permit requirements of this Section have been satisfied; and

ii. Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required; and

iii. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of subsection I4 of this Section, Additional Restrictions within Floodways, are met; and

iv. Obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, when base flood elevation data has not been provided in accordance with subsection I1bi of this Section in order to administer subsection I3, Specific Standards, and subsection I4, Additional Restrictions Within Floodways.

b. Information to Be Obtained and Maintained: The ~~Department~~ Administrator ~~or his/her designee~~ shall obtain and maintain the following information:

i. Record Required: Where base flood elevation data is provided through the flood insurance study or required as in subsection D3a(iv) of this Section, use of other base flood data, the applicant shall obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

ii. Elevations and Certificates: For all new or substantially improved floodproofed structures:

(a) The applicant shall verify and record the actual elevation (in relation to mean sea level); and

(b) The ~~Department~~ Administrator ~~or his/her designee~~ shall maintain the floodproofing certifications required in RMC 4-8-120D6, Flood Hazard Data; and

(c) Flood elevation certificates shall be submitted by an applicant to the Development Services Division prior to the building finished floor construction. Finished floor elevation should be verified by a preconstruction elevation certificate at the time of construction of a substantial structural element of the finished floor (i.e., foundation form for the concrete floor). An as-built elevation certificate will be provided prior to issuance of final occupancy, and the certificates shall be maintained by the ~~Department~~ Administrator ~~or designee~~.

iii. Public Records: The ~~Department~~ Administrator ~~or his/her designee~~ shall maintain for public inspection all records pertaining to the provisions of the flood hazard regulations (e.g., elevation certificates, notification of alteration/relocation of watercourses, flood hazard regulation variances).

c. Alteration of Watercourses: The ~~Department~~ Administrator~~, or his/her designee~~ shall:

i. Notice Required: Notify abutting communities and the State of Washington Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

ii. Maintenance: Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished. The City may require covenants, or other mechanisms to ensure maintenance.

d. Interpretation of FIRM Boundaries: The ~~Department~~ Administrator~~, or his/her designee,~~ shall make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field

conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in RMC 4-1-050F, Hearing Examiner, and RMC 4-8-110, Appeals).

e. Record Required: The ~~Department~~ Administrator~~, or his/her designee,~~ shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

4. Review Authority

a. Review Authority – General: The~~ Department~~ Administrator ~~or his/her designee~~ is authorized to make the following administrative allowances and determinations:

i. Issue a critical areas permit for proposals not otherwise requiring a development permit per subsection C3 of this Section, Finding of Conformance Required.

ii. Issue written letters of exemption pursuant to subsection C4 of this Section.

iii. Allow temporary emergency exemptions per subsection C7 of this Section.

iv. Interpret critical areas regulations per subsection D1b of this Section.

v. Approve the use of alternates in accordance with subsection N1 of this Section and RMC 4-9-250E.

vi. Waive report content or submittal requirements per subsection F6 of this Section.

vii. Grant administrative variances to those specified code sections listed in RMC 4-9-250B and per subsection N of this Section.

viii. Require tests for proof of compliance.

ix. Grant modifications per subsection N of this Section.

5. Authority to Approve, Condition, or Deny – General: Based upon site specific review and analysis, ~~the Reviewing Official or his/her designee~~ a proposal may be approved, conditioned, or denied. ~~y a proposal.~~

E. GENERAL PERFORMANCE STANDARDS, AND ALLOWED ALTERATIONS

4. Native Growth Protection Areas:

a. Applicability:

iii. Application as Condition of Approval When Otherwise Not Required: Where subsections H to M do not require a native growth protection area, the proposal ~~Reviewing Official~~ may be conditioned ~~a proposal~~ to provide for native growth protection areas.

5. Discretionary – Building or Development Setbacks: ~~The Reviewing Official may require a~~ A building or activity setback from a critical area or buffer to may be required to ensure adequate protection of the critical area/buffer during construction and ongoing maintenance of the activity. A requirement for a setback shall be based on the findings of a critical area report or a peer review required for the activity.

F. SUBMITTAL REQUIREMENTS AND FEES

7. Independent Secondary Review: The City may require independent review of an applicant's report as follows:

a. Aquifer Protection Areas, Flood Hazards, Habitat Conservation, Streams and Lakes, Wetlands: When appropriate due to the type of critical areas, habitat, or species present, or project area conditions, ~~the Reviewing Official may require~~ the applicant may be required to prepare and/or fund analyses or activities, including, but not limited to:

i. An evaluation by an independent qualified professional regarding the applicant's analysis and the effectiveness of any proposed mitigating measures or programs, to include any recommendations as appropriate. This shall be paid at the applicant's expense, and the ~~Reviewing Official~~ Administrator shall select the third-party review professional; and/or

ii. A request for consultation with the Washington Department of Fish and Wildlife, Washington State Department of Ecology, or the local Native American Tribe or other appropriate agency; and/or

iii. Detailed surface and subsurface hydrologic features both on and abutting to the site.

8. Mitigation Plan Required:

a. Criteria:

v. Avoid mitigation proposals that would result in additional future mitigation or regulatory requirements for adjacent or abutting properties, unless it is a result of a code requirement, or no other option is feasible or practical; and

G. SURETY DEVICES:

1. Required for Mitigation Plans: For any mitigation plans required as a result of the application of these regulations, ~~the Responsible Official shall require~~ a surety device shall be required to ensure performance consistent with RMC 4-1-230.

I. FLOOD HAZARDS

1. Applicability

b. Mapping and Documentation

iii. Interpretation of FIRM Boundaries: Per subsection D3d of this Section, the ~~Department~~ Administrator~~, or his/her designee,~~ shall make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The best available information for flood hazard area identification shall be the basis for regulation.

J. GEOLOGIC HAZARDS

2. Special Studies Required

b. The required studies shall demonstrate the following review criteria can be met:

i. The proposal will not increase the threat of the geological hazard to adjacent or abutting properties beyond pre-development conditions; and

c. A mitigation plan may be required ~~by the Responsible Official~~, consistent with subsection F8 of this Section.

6. Sensitive Slopes – Medium, High and Very High Landslide Hazards – High Erosion Hazards:
b. Conditions of Approval: ~~The Reviewing Official may condition a~~ A development proposal may be conditioned to achieve minimal site erosion, including, but not limited to, timing of construction and vegetation stabilization, sequencing or phasing of construction, clearing and grading limits, and other measures. Mitigation plans may be required consistent with subsection F8 of this Section.

K. HABITAT CONSERVATION
4. Native Growth Protection Areas: Based on the required habitat assessment, ~~the Reviewing Official may require~~ critical habitat areas and their associated buffers may be required to be placed in a native growth protection area subject to the requirements of subsection E4 of this Section, or dedicated to a conservation organization or land trust, or similarly preserved through a permanent protective mechanism acceptable to the City.

6. Mitigation Options: In addition to any performance standards or mitigation required by wetland regulations, additional mitigation may be required ~~determined by the Reviewing Official~~ based upon the consultant report submitted by the applicant, and/or peer review of the applicant's consultant report by a qualified professional selected by the City at the applicant's expense, and/or by information from State or Federal agencies.
a. On-Site Mitigation: Mitigation shall be provided on-site, unless on-site mitigation is not scientifically feasible due to physical features of the property. The burden of proof shall be on the applicant to demonstrate that mitigation cannot be provided on-site.
b. Off-Site Mitigation: When mitigation cannot be provided on-site, mitigation shall be provided in the immediate vicinity of the permitted activity on property owned or controlled by the applicant, and identified as such through a recorded document such as an easement or covenant, provided such mitigation is beneficial to the habitat area and associated resources.
c. In-Kind Mitigation: In-kind mitigation shall be provided except when the applicant demonstrates and the City concurs that greater functional and habitat value can be achieved through out-of-kind mitigation.

L. STREAMS AND LAKES
3. Studies Required
c. When Stream or Lake Mitigation Plan is Required
ii. Criteria for Approval of Stream or Lake Mitigation Plan for Alterations of Streams and Lakes or Associated Buffers
(a) Mitigation Location
1) On-Site Mitigation: On-site mitigation is required unless a finding is made ~~the Reviewing Official finds~~ that on-site mitigation is not feasible or desirable.

5. Stream/Lake Buffer Width Requirements

b. Increased Buffer Width:

i. Areas of High Blow-down Potential: Where the stream/lake buffer is in an area of high blow-down potential as identified by a qualified professional, the buffer width may be expanded an additional fifty feet (50') on the windward side ~~by the Responsible Official~~. Notifications may be required per subsection F8 of this Section.

6. Stream or Lake Buffer Use Restrictions and Maintenance

c. Use of Native Species: When revegetation is required, approved native species, or other appropriate species naturalized to the Puget Sound region ~~and approved by the Reviewing Official,~~ shall be used. A variety of species shall be used which serve as food or shelter from climatic extremes and predators, and as structure and cover for reproduction and rearing of young.

7. Criteria for Permit Approval – Class 2 to 4: Permit approval ~~by the Reviewing Official~~ for projects on or near regulated water bodies shall be granted only if the approval is consistent with the provisions of this subsection L, and complies with the following:

a. Creation of Native Growth Protection Areas Required: As a condition of any approval for any development permit issued pursuant to this Section, the property owner shall be required to create a native growth protection area containing the stream/lake area and associated buffers based upon field investigations performed pursuant to subsection E4 of this Section; and

b. At least one of the following conditions must apply:

i. A proposed action meets the standard provisions of this Section and results in no net loss of regulated riparian area or shoreline ecological function in the drainage basin where the site is located; or

ii. A proposed action meets alternative administrative standards pursuant to this Section and the proposed activity results in no net loss of regulated riparian area or shoreline ecological function in the drainage basin where the site is located; or

iii. A variance process is successfully completed and the proposed activity results in no net loss of regulated riparian area or shoreline ecological function in the drainage basin where the site is located.

8. Alterations Within Streams and Lakes or Associated Buffers.

a. Transportation Crossings:

i. Criteria for Administrative Approval of Transportation Crossings in Stream/Lake or Buffer Areas

(e) Crossings are designed according to the Washington Department of Fish and Wildlife *Fish Passage Design at Road Culverts*, 1999, and the National Marine Fisheries Service *Guidelines for Salmonid Passage at Stream Crossings*, 2000, as may be updated, or equivalent manuals as determined by the ~~Responsible Official~~ Administrator; and

9. Incentives for Restoration of Streams Located in an Underground Pipe or Culvert:

a. Modified Standards:

i. Residential Zones: Reduced ~~S~~ setbacks, lot width and lot depth standards of chapter 4-2 RMC may be ~~reduced by the Reviewing Official~~ approved without requirement of a variance for lots that abut the daylighted watercourse to accommodate the same number of lots as if the watercourse were not daylighted.

M. WETLANDS

2. General Standards for Permit Approval: Permit approval ~~by the Reviewing Official~~ for projects involving regulated wetlands or wetland buffers shall be granted only if the approval is consistent with the provisions of this Section. Additionally, approvals shall only be granted if:

a. A proposed action avoids adverse impacts to regulated wetlands or their buffers or takes affirmative and appropriate measures to minimize and compensate for unavoidable impacts; and

b. The proposed activity results in no net loss of regulated wetland area, value, or function in the drainage basin where the wetland is located; or

c. A variance process is successfully completed to determine conditions for permitting of activity requested including measures to reduce impacts as appropriate.

6. Wetland Buffers

c. Standard Buffer Zone Widths

ii. To protect the buffer functions, ~~the Reviewing Official shall condition~~ permits shall be conditioned as appropriate to the nature of the development. Conditions of approval may include, but are not limited to, the following:

(a) Fencing pursuant to subsection E4e of this Section, plant materials, and signage pursuant to subsection E4f of this Section, to limit pet and human disturbance;

(b) Directing lights from buildings or parking areas, or noise-generating activities, away from the wetland;

(c) Implementing water quality treatment measures required in RMC 4-6-030, Drainage (Surface Water) Standards;

(d) Avoidance of buffer disturbance and retention of the buffer in a natural condition consistent with subsection M6a of this Section.

d. Increased Wetland Buffer Zone Width: Each applicant shall document in required wetland assessments whether the criteria in subsections M6d(i) through (iv) of this Section are or are not met and increased wetland buffers are warranted. Based on the applicant's report or third party review, ~~the Responsible Official may require i~~ncreased standard buffer zone widths may be required in unique cases, i.e., endangered species, very fragile areas, when a larger buffer is necessary to protect wetlands functions and values. Such determination shall be attached as a condition of project approval. Analysis shall be prepared as directed in subsection M6d(v) of this section, and notification shall be given pursuant to criteria in subsection M6d(vi) of this Section.

i. The wetland is used by species listed by the Federal or the State government as threatened, endangered and sensitive species and State-listed priority species, essential habitat for those species or

has unusual nesting or resting sites such as heron rookeries or raptor nesting trees or evidence thereof; or

ii. The subject property, or nearby conditions cannot be restored to prevent adverse wetland impacts; or

iv. Wetland-dependent wildlife species are observed to be present in the wetland, and may require larger buffers based upon the evaluation in subsection M6d(v) of this Section; and

v. For proposals meeting any of the criteria in subsections M6d(i) to (iv) of this Section, buffers are established using a site specific evaluation and documentation of buffer adequacy based upon *The Science of Wetland Buffers and Its Implications for the Management of Wetlands*, McMillan 2000, lands to which the subject property drains in route to a wetland, are susceptible to severe erosion, and erosion control measures will not effectively prevent adverse wetland impacts; or

iii. The subject property or nearby lands to which the subject property drains in route to a wetland have minimal vegetative cover or slopes greater than fifteen percent (15%) and

Wetlands in Washington State Volume 2: Guidance for Protecting and Managing Wetlands, Appendix 8C (Hruby, et al., 2005), or similar approaches; and

vi. Notification is given consistent with subsection F8 of this Section.

e. Reduction of Buffer Width

v. ~~The Reviewing Official shall apply conditions~~ Conditions of approval equivalent or greater than those identified in subsection M6c(ii) of this Section shall be applied to ensure that the reduced buffer width protects the functions and values of the associated wetlands.

8. Wetland Changes – Alternative Methods of Development: If wetland changes are proposed for a non-exempt activity, the applicant shall evaluate alternative methods of developing the property using the following criteria in this order and provide reasons why a less intrusive method of development is not feasible. In determining whether to grant permit approval per subsection M2 of this Section, General Standards for Permit Approval, ~~the Reviewing Official shall make~~ a determination shall be made as to whether the feasibility of less intrusive methods of development have been adequately evaluated and that less intrusive methods of development are not feasible:

a. Avoid any disturbances to the wetland or buffer;

b. Minimize any wetland or buffer impacts;

c. Restore any wetlands or buffer impacted or lost temporarily; and

d. Compensate for any permanent wetland or buffer impacts by one of the following methods:

i. Restoring a former wetland and provide buffers at a site once exhibiting wetland characteristics to compensate for wetlands lost;

ii. Creating new wetlands and buffers for those lost; and

iii. In addition to restoring or creating a wetland, enhancing an existing degraded wetland to compensate for lost functions and values.

11. Wetlands Creation and Restoration

f. Increased Creation/Restoration/Replacement Ratios: ~~The Reviewing Official may increase the r~~ Ratios may be increased under the following circumstances: uncertainty as to the probable success of the proposed restoration or creation; significant period of time between destruction and replication of wetland functions; projected losses in functional value; or off-site compensation. The requirement for an increased replacement ratio will be determined through SEPA review, except in the case of remedial actions resulting from illegal alterations where the Administrator or Environmental Review Committee may require increased wetland replacement ratios.

g. Decreased Creation/Restoration/Replacement Ratios:

i. Category 1: ~~The Reviewing Official may decrease the r~~ Ratios for Category 1 forested and scrub-shrub wetlands may be decreased to 2.0 times the area altered, and to 1.5 times the area altered for emergent wetlands, provided the applicant has successfully replaced the wetland prior to its filling and has shown that the replacement is successfully established for five (5) years.

ii. Category 2: ~~The Reviewing Official may decrease the r~~ Ratios for Category 2 forested and scrub-shrub wetlands may be decreased to 1.5 times the area altered provided the applicant has successfully replaced the wetland prior to its filling and has shown that the replacement is successfully established for two (2) years. Ratios for Category 2 emergent wetlands may be reduced to 1.25 times the area altered provided the applicant has successfully replaced the wetland prior to its filling and has shown that the replacement is successfully established for two (2) years.

iii. Category 3:

(1) ~~The Reviewing Official may decrease the r~~ Ratios for Category 3 emergent wetlands may be decreased to 1.0 times the area altered provided the applicant has successfully replaced the wetland prior to its filling and has shown that the replacement is successfully established for twelve (12) months. Ratios for Category 3 scrub-shrub and forested wetlands may be reduced to 1.25 times the area altered provided the applicant has successfully replaced the wetland prior to its filling and has shown that the replacement is successfully established for two (2) years.

(2) If the applicant can aggregate two (2) or more Category 3 wetlands, each less than ten thousand (10,000) square feet, into one wetland, the replacement ratio shall be reduced to 1:1. If the combined wetland would be rated as a Category 2 wetland as a result of the combination, the buffer requirement may be reduced to twenty five feet (25') minimum provided the buffer is enhanced.

12. Wetland Enhancement

b. Evaluation Criteria: A wetland enhancement compensation project may be approved ~~by the Reviewing Official;~~ provided, that enhancement for one function will not degrade another function unless the enhancement would provide a higher functioning wetland with greater or multiple environmental benefits. For example, an enhancement may degrade habitat for one wildlife species but overall it may result in a wetland that provides higher function to a wider variety of wildlife species. Wetland function assessment shall be conducted in conformance with accepted Federal or State methodologies

e. Ratio Modification and Minimum Restoration/Creation Ratio

ii. ~~The Reviewing Official may increase the~~ Ratios may be increased under the following circumstances: uncertainty as to the probable success of the proposed restoration or creation or enhancement proposal; significant period of time between destruction and replication of wetland functions; projected losses in functional value; or off-site compensation. The requirement for an increased mitigation ratio will be determined through SEPA review, except in the case of remedial actions resulting from illegal alterations where the Administrator or Environmental Review Committee may require increased mitigation ratios.

13. Out-of-Kind Replacement: Out-of-kind replacement may be ~~used~~ approved in place of in-kind compensation only where the applicant can demonstrate ~~to the satisfaction of the Reviewing Official~~ that:

a. The wetland system is already significantly degraded and out-of-kind replacement will result in a wetland with greater functional value; or

b. Scientific problems such as exotic vegetation and changes in watershed hydrology make implementation of in-kind compensation impossible or unacceptable; or

c. Out-of-kind replacement will best meet identified regional goals (e.g., replacement of historically diminished wetland types).

14. Off-Site Compensation

a. When Permitted: Off-site compensation may be approved ~~provided~~ in lieu of on-site compensation only where the applicant can demonstrate ~~to the satisfaction of the Responsible Official~~ that:

i. The hydrology and ecosystem of the original wetland and those abutting or adjacent land and/or wetlands which benefit from the hydrology and ecosystem will not be substantially damaged by the on-site loss; and

ii. On-site compensation is not feasible due to problems with hydrology, soils, or other factors; or

iii. Compensation is not practical due to potentially adverse impact from surrounding land uses; or

iv. The proposed wetland functions at the mitigation site are significantly greater than the wetland functions that could be reasonably achieved with on-site mitigation, and there is no significant loss of function on-site, i.e., at the development project site; or

v. Established regional goals for flood storage, flood conveyance, habitat or other wetland functions have been addressed and strongly justify location of compensatory measures at another site.

d. Timing: Compensatory projects shall be substantially completed and approved by the City prior to the issuance of an occupancy permit. Construction of compensation projects shall be timed to reduce impacts to existing wildlife and flora. ~~The Reviewing Official may elect to require a~~ A surety device may be approved for completion of construction.

15. Cooperative Wetland Compensation: Mitigation Banks or Special Area Management Programs (SAMP):

e. Compensation Payments to Mitigation Bank: If approved,~~C~~ compensation payments~~, amount to be determined by the Reviewing Official,~~ received as part of a mitigation or creation bank must be received prior to the issuance of an occupancy permit.

16. Mitigation Plans

d. Performance Surety: As a condition of approval of any mitigation plan, ~~the Reviewing Official shall require~~ a performance surety shall be required per RMC 4-1-230 and subsection G of this Section.

N. ALTERNATES, MODIFICATIONS AND VARIANCES

3. Variances

c. Geologic Hazards, Habitat Conservation, Streams and Lakes – Classes 2 to 4, and Wetlands – Variance

iii. Review Authority: Variances shall be determined administratively by the ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~and/or designee,~~ as indicated in RMC 4-9-250B.

O. APPEALS

2. Record Required – Flood Hazards: The ~~Department~~ Administrator ~~and/or designee, the Building Official,~~ shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

4-3-080 PUBLIC USE/"P" SUFFIX NOTIFICATION PROCEDURES

A. NOTICE REQUIRED

2. A proposed change of the major tenant and/or tenant group using the premises if such a change is determined by the ~~Planning/Building/~~Public Works Administrator ~~or designee~~ to have probable major adverse impacts to the immediate surrounding area; or

4-3-100 URBAN DESIGN REGULATIONS:

A. PURPOSE

2. This Section lists elements that are required to be included in all development in the zones stated in subsection B1 of this Section. Each element includes an intent statement, guidelines, and standards. In order to provide predictability, standards are provided. These standards specify a prescriptive manner in which the requirement can be met. In order to provide flexibility, guidelines are also stated for each element. The guidelines and the intent statement provide direction for those who seek to meet the required element in a manner that is different from the standards.

a. The determination as to the satisfaction of the requirement through the use of the guidelines and the intent statement is to be made by the ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~or designee~~.

b. When the Administrator ~~of the Department of Community and Economic Development~~ ~~or designee~~ has determined that the proposed manner of meeting the design requirement through the guidelines

and intent is sufficient, the applicant shall not be required to demonstrate sufficiency to the standard associated with the guideline that has been approved.

D. ADMINISTRATION:

2. Authority: The ~~Reviewing Official~~ Community and Economic Development Administrator shall have the authority to approve, approve with conditions, or deny proposals based upon the provisions of the design regulations when no other permit or approval requires Hearing Examiner review. ~~In rendering a decision, the Official will consider~~ ~~p~~Proposals will be considered on the basis of individual merit, ~~will consider~~ the overall intent of the standards and guidelines, and ~~encourage~~ creative design alternatives will be encouraged in order to achieve the purposes of the design regulations.

E. REQUIREMENTS:

1. Site Design and Building Location

(note: rest of table to remain the same)

TRANSITION TO SURROUNDING DEVELOPMENT **Intent:** To shape redevelopment projects so that the character and value of Renton's long-established, existing neighborhoods are preserved.		
Guidelines: Careful siting and design treatment shall be used to achieve a compatible transition where new buildings differ from surrounding development in terms of building height, bulk and scale.		
Standards:		
	Districts A, B, and D	At least one of the following design elements shall be used to promote a transition to surrounding uses: 1. Building proportions, including step-backs on upper levels in accordance with the surrounding planned and existing land use forms; or 2. Building articulation to divide a larger architectural element into smaller increments; or 3. Roof lines, roof pitches, and roof shapes designed to reduce apparent bulk and transition with existing development. Additionally, the Administrator ~~of the Department of Community and Economic Development or designee~~ may require increased setbacks at the side or rear of a building in order to reduce the bulk and scale of larger buildings and/or so that sunlight reaches adjacent and/or abutting yards.

2. Parking and Vehicular Access

(note: rest of table to remain the same)

SURFACE PARKING **Intent:** To maintain active pedestrian environments along streets by placing parking lots primarily in back of buildings.

Guidelines: Surface parking shall be located and designed so as to reduce the visual impact of the parking area and associated vehicles. Large areas of surface parking shall also be designed to accommodate future infill development.	
Standards:	
District C	All of the following are required: 1. Parking shall be at the side and/or rear of a building and may not occur between the building and the street. However, if due to the constraints of the site, parking cannot be provided at the side or rear of the building, the Administrator~~ of the Department of Community and Economic Development or designee~~ may allow parking to occur between the building and the street. If parking is allowed to occur between the building and the street, no more than sixty feet (60') of the street frontage measured parallel to the curb shall be occupied by off-street parking and vehicular access. 2. Parking shall be located so that it is screened from surrounding streets by buildings, landscaping, and/or gateway features as dictated by location. 3. Surface parking lots shall be designed to facilitate future structured parking and/or other infill development. For example, provision of a parking lot with a minimum dimension on one side of two hundred feet (200') and one thousand five hundred feet (1,500') maximum perimeter area. Exception: If there are size constraints inherent in the original parcel.

STRUCTURED PARKING GARAGES **Intent:** To promote more efficient use of land needed for vehicle parking; encourage the use of structured parking; physically and visually integrate parking garages with other uses; and reduce the overall impact of parking garages.	
Guidelines: Parking garages shall not dominate the streetscape; they shall be designed to be complementary with adjacent and abutting buildings. They shall be sited to complement, not subordinate, pedestrian entries. Similar forms, materials, and/or details to the primary building(s) should be used to enhance garages.	
Standards:	
All Districts	2. The entire public facing facade shall be pedestrian-oriented. The Administrator~~ of the Department of Community and Economic Development~~ may approve parking structures that do not feature a pedestrian orientation in limited circumstances. If allowed, the structure shall be set back at least six feet (6') from the sidewalk and

feature substantial landscaping. This landscaping shall include a combination of evergreen and deciduous trees, shrubs, and ground cover. This setback shall be increased to ten feet (10') when abutting a primary arterial and/or minor arterial.

(note: rest of table to remain the same)

6. The Administrator~~ of the Department of Community and Economic Development or designee~~ may allow a reduced setback where the applicant can successfully demonstrate that the landscaped area and/or other design treatment meets the intent of these standards and guidelines. Possible treatments to reduce the setback include landscaping components plus one or more of the following integrated with the architectural design of the building:
   a. Ornamental grillwork (other than vertical bars);
   b. Decorative artwork;
   c. Display windows;
   d. Brick, tile, or stone;
   e. Pre-cast decorative panels;
   f. Vine-covered trellis;
   g. Raised landscaping beds with decorative materials; or
   h. Other treatments that meet the intent of this standard.

4. Recreation Areas and Common Open Space

(note: rest of table to remain the same)

RECREATION AREAS AND COMMON OPEN SPACE **Intent:** To ensure that areas for both passive and active recreation are available to residents, workers, and visitors and that these areas are of sufficient size for the intended activity and in convenient locations. To create usable and inviting open space that is accessible to the public; and to promote pedestrian activity on streets particularly at street corners.
Guidelines: Developments located at street intersections should provide pedestrian-oriented space at the street corner to emphasize pedestrian activity (illustration below). Recreation and common open space areas are integral aspects of quality development that encourage pedestrians and users. These

areas shall be provided in an amount that is adequate to be functional and usable; they shall also be landscaped and located so that they are appealing to users and pedestrians.	
Standards:	
Districts A, C, and D	1.b. The location, layout, and proposed type of common space or recreation area shall be subject to approval by the Administrator~~ of the Department of Community and Economic Development or designee~~. 1.d. At least one of the following shall be provided in each open space and/or recreation area (the Administrator~~ of the Department of Community and Economic Development or designee~~ may require more than one of the following elements for developments having more than one hundred (100) units): 2.c.i. The minimum required walkway. However, where walkways are widened or enhanced beyond minimum requirements, the area may count as pedestrian-oriented space if the Administrator~~ of the Department of Community and Economic Development or designee~~ determines such space meets the definition of pedestrian-oriented space.

(*note: rest of table to remain the same)*

5. Building Architectural Design

Intent: To encourage building design that is unique and urban in character, comfortable on a human scale, and uses appropriate building materials that are suitable for the Pacific Northwest climate and to discourage franchise retail architecture.

BUILDING CHARACTER AND MASSING **Intent:** To ensure that buildings are not bland and so that they appear to be at a human scale, as well as to ensure that all sides of a building which can be seen by the public are visually interesting.	
Guidelines: Building facades shall be modulated and/or articulated to reduce the apparent size of buildings, break up long blank walls, add visual interest, and enhance the character of the neighborhood. Articulation, modulation, and their intervals should create a sense of scale important to residential buildings.	
Standards:	
District C	2.d. Other features as approved by Administrator~~ of the Department of Community and Economic Development or designee~~.

(*note: rest of table to remain the same)*

F. MODIFICATION OF MINIMUM STANDARDS:

The Administrator ~~of the Department of Community and Economic Development or designee~~ shall have the authority to modify the minimum standards of the design regulations, subject to the provisions of RMC 4-9-250D, Modification Procedures, and the following requirements:

1. The project as a whole meets the intent of the minimum standards and guidelines in subsections E1, E2, E3, E4, E5, E6, and E7 of the design regulations;
2. The requested modification meets the intent and guidelines of the applicable design standard;
3. The modification will not have a detrimental effect on nearby properties and the City as a whole;
4. The deviation manifests high quality design; and
5. The modification will enhance the pedestrian environment on the abutting and/or adjacent streets and/or pathways.

4-3-110 URBAN SEPARATOR OVERLAY REGULATIONS

D. ADMINISTRATION:

1. Review Process: Applications subject to urban separator regulations shall be processed as a component of the governing land use process.

2. Authority: The ~~reviewing official~~ Community and Economic Development Administrator shall have the authority to approve with conditions or deny proposals based on the provisions of the Urban Separator Overlay regulations when no other permit or approval requires Hearing Examiner review.

E. URBAN SEPARATOR OVERLAY REGULATIONS:

2. Dedication of Open Space Required.

a. Approval of a plat, and/or building permit on an undeveloped legal lot:

i. May Valley Urban Separator Overlay: Approval of a plat, and/or building permit on an undeveloped legal lot in the May Valley Urban Separator Overlay shall require dedication of fifty percent (50%) of the gross land area of the parcel or parcels as a non-revocable open space tract retained by the property owner, or dedicated to a homeowners association or other suitable organization as determined by the ~~reviewing official~~ Administrator.

ii. Talbot Urban Separator Overlay: Approval of a plat, and/or building permit on an undeveloped legal lot in the Talbot Urban Separator Overlay shall require dedication of fifty percent (50%) of the gross land area of that portion of the parcel or parcels located within the Urban Separator as a non-revocable open space tract retained by the property owner, or dedicated to a homeowners association or other suitable organization as determined by the ~~reviewing official~~ Administrator. In order to satisfy the dedication requirement, some of the area to be dedicated may consist of land abutting the Urban Separator, as determined by the ~~Planning Director~~ Community and Economic Development Administrator, on a case-by-case basis. Acreage in tracts may include critical areas and/or critical area buffers. At a minimum, open space shall be connected to another contiguous open space parcel by a fifty foot (50') corridor. (Ord. 5578, 11-15-2010)

b. Existing residences, existing accessory uses and structures, existing above ground utilities located in the tract at the time of designation and new small and medium utilities shall not count toward the fifty percent (50%) gross land area calculation for open space except for storm water ponds designed with

less than 3:1 engineered slopes and enhanced per techniques and landscape requirements set forth in the publication the "Integrated Pond" King County Land and Water Resources Division.

c. Approval of a building permit for an addition of three hundred (300) square feet for a primary use structure or five hundred (500) square feet for an accessory structure shall require recordation of a conservation easement, protective easement or tract and deed restriction on critical areas and critical area buffers located within the contiguous open space corridor pursuant to RMC 4-3-050E4, Native Growth Protection Areas.

d. Land dedicated as open space shall be located within the mapped contiguous open space corridor unless a modification is approved pursuant to subsection E6 of this Section.

5. Standards Within Entire Urban Separator.

a. Forest/vegetation clearing shall be limited to a maximum of thirty five percent (35%) of the gross acreage of the site except:

i. The percentage of forest/vegetation coverage may be increased to qualify for the density bonus allowed in RMC 4-2-110D.

ii. Modification of~~The Reviewing Official may modify~~ the percentage of forest/vegetation retention may be approved if determined necessary to meet the surface water retention/detention standards of subsection E5d of this Section.

iii. ~~The Reviewing Official may approve f~~ Forest/vegetation clearing greater than thirty five percent (35%) of individual building sites may be approved to allow grading for a home site; provided, that:

(a) A landscape plan is provided for each building site showing compensating replanting of species with the same or better water retention and erosion control functions;

(b) Five percent (5%) additional replacement landscaping per site is provided;

(c) Plant caliper is ~~determined by the Reviewing Official to be~~ sufficient to achieve needed water retention and erosion control functions;

(d) Individual trees or stands of trees are retained when feasible. Feasibility is defined as locations and tree health sufficient to ensure continued viability of the tree and safety of structures within the developed portion of the lot; and

(e) The landscape plan provides massing of plant material to create either a connection to required open space or is of sufficient size to create functional wildlife habitat.

b. If the existing cleared area of a site, as of March 21, 2005, is greater than thirty five percent (35%), approval of a plat shall require replanting of forest/vegetative cover.

c. Forest/vegetation cover may include a combination of Northwest native vegetation including conifer, deciduous trees and shrubs sufficient to provide water retention and erosion control~~, as determined appropriate by the Reviewing Official~~. ~~The Reviewing Official shall determine whether~~ If existing vegetation is found to be insufficient ~~provides functions~~ to meet forest/vegetation coverage standards, ~~and shall require~~ additional plantings shall be required. ~~if existing vegetation is found to be insufficient.~~

d. Stormwater management shall comply with the Surface Water Design Manual. (Ord. 5526, 2-1-2010)

e. Private access easements and improvements shall be established at the minimum standard needed to meet public safety requirements.

f. Landscape plans required in RMC 4-4-070 shall include retention/replanting plans as applicable, consistent with standards and plant lists in King County Department of Natural Resources and Parks Water and Land Resources Division Publication "Going Native."

6. Modification of Mapped Contiguous Open Space: Modification of ~~The~~ ~~Reviewing Official may modify~~ the open space configuration may be approved where:

a. Site specific data confirms that the adopted contiguous open space corridor map includes more than the required gross area for any parcel; or

b. The applicant can demonstrate a configuration of contiguous open space that provides better or equal provision of the open space requirement. Modifications to the contiguous open space corridor shall be remapped during the City's annual RMC Title 4 review process.

4-4-010 ANIMAL KEEPING STANDARDS

M. REVIEW CRITERIA FOR ADDITIONAL ANIMALS PERMITS:

Special review criteria to be considered ~~by the Reviewing Official~~ for Additional Animals Permits are included in RMC 4-9-100.

4-4-030 DEVELOPMENT GUIDELINES AND REGULATIONS – GENERAL:

A. INTENT:

It is the intent of this Section to provide the City, especially the Development Services Division and the Hearing Examiner, with criteria to make consistent and rational land use recommendations and decisions that (1) place the public health, safety and welfare paramount; (2) recognize property rights; (3) promote aesthetics, amenities and good design; (4) minimize incompatibility of adjacent or abutting uses; (5) minimize pollution; (6) contain adverse impacts on-site; (7) make consistent and rational decisions and recommendations. Furthermore it is the intent of this Section to comply with the various resolutions, codes and ordinances of the City and the State Environmental Policy Act, as amended.

4-4-040 FENCES AND HEDGES

G. SPECIAL ADMINISTRATIVE FENCE PERMITS:

2. Evaluation Criteria: The Development Services Division may approve the issuance of special fence permits provided that the following objectives can be met:

- The proposed fence improves the privacy and security of the adjoining yard space;
- The proposed fence does not detract from the quality of the residential environment by being out of scale or creating vast blank walls along public roadways;
- The proposed fence compliments the environment it serves in an aesthetically pleasing manner; and
- The proposed fence does not present a hazard to vehicular or pedestrian traffic.

a. Acceptable Measures to Meet Criteria: Fences located within the front or side and/or rear yard along a street setback may be a maximum of seventy two inches (72") in height, provided the evaluation criteria are met. Acceptable measures to achieve these criteria include, but are not limited to the following:

- Permanent landscaping along the front of the fence;
- Quality fence material, such as cedar fencing;
- Modulation of the fence;
- Similar design and material as other fences in the surrounding neighborhood;
- Increased setbacks from the ~~adjacent~~ abutting sidewalk;
- Ornamental materials or construction treatment, such as wrought iron;
- Orientation of the finished face of the fence toward the street; and
- Other comparable construction or design methods.

b. Clear Vision Area: The fence proposed for special permits must have no portion in the clear vision area over forty-two inches (42") in height. The location and height of the fence must not obstruct views of oncoming traffic, or views from driveways.

4-4-060 GRADING, EXCAVATION AND MINING REGULATIONS

C. GENERAL

2. Screening: With the exception of offices, every effort shall be made to screen effectively all structures and activities to minimize detrimental effects on adjacent or abutting property. Screening may include but is not limited to landscaping, berms with landscaping, and a screening fence.

D. GENERAL EROSION AND SEDIMENT CONTROL STANDARDS

3. Expansion or Restriction of Seasonal Limitations: Based on the information provided under subsection D1 of this Section, the Community and Economic Development Administrator ~~or designee~~ may expand or restrict the seasonal limitations on site disturbance. The Administrator ~~or designee~~ shall set forth in writing the basis for approval or denial of clearing or grading during the seasonal limitation period.

G. RESTORATION OF HAZARD REQUIRED:

Whenever the Community and Economic Development Administrator ~~or designee~~ determines that an existing site, as a result of clearing or grading, excavation, embankment, or fill has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the clearing, grading, excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the Administrator ~~or designee~~, shall within the period specified therein restore the site affected by such clearing or grading or repair or eliminate such excavation or embankment or fill so as to eliminate the hazard and be in conformance with the requirements of this chapter.

4-4-070 LANDSCAPING

C. EXEMPTIONS

2. The following uses are exempt from all but the maintenance and street tree requirements of this Section:

a. Single Family Building Permits: Single family residential building permits, when not a part of a new subdivision;

b. Residential Subdivisions: Those yards not abutting a public street or private street or shared driveway are exempt from landscape regulations;

c. Vehicle Sales Parking: Non-perimeter portions of vehicle sales display areas are exempt;

d. Storage Lots: Non-perimeter portions of storage lots, see RMC 4-4-120; and

e. Those alterations or small additions determined by the ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~or designee~~ not to warrant improvements to the entire site.

E. AUTHORITY:

All plans and landscaping required by this section are subject to approval by the ~~Administrator of the Department of~~ Community and Economic Development Administrator~~or designee~~.

F. AREAS REQUIRED TO BE LANDSCAPED

2. Street Trees and Landscaping Required Within the Right-of-Way on Public Streets: Minimum planting strip widths between the curb and sidewalk are established according to the street development standards of RMC 4-6-060. Street trees and, at a minimum, groundcover per subsection L3 of this Section, are to be located in this area when present. Spacing standards shall be as stipulated by the Department of Community and Economic Development, provided there shall be a minimum of one street tree planted per address. Any additional undeveloped right-of-way areas shall be landscaped unless otherwise determined by the Administrator ~~of the Department of Community and Economic Development or designee~~. Refer to the City's Approved Tree List and spacing standards available through the Department of Community and Economic Development and on the City website.

3. Front Yard Trees Required When Street Trees Are Not Located Within the Right-of-Way Abutting a Front Yard: Where there is insufficient right-of-way space or no public frontage, street trees are required in the front yard subject to approval of the ~~Department of Community and Economic Development~~ Administrator ~~or designee~~. Front yard trees are not required in the RC and R-1 zones. A minimum of two (2) trees are to be located in the front yard prior to final inspection.

G. GENERAL LANDSCAPE REQUIREMENTS

5. Avoidance of Hazards: All landscaping shall be planned in consideration of the public health, safety, and welfare.

a. Landscaping shall not intrude within the clear vision areas at driveways and street intersections;

b. Trees planted near overhead power lines shall be species that will comply with utility purveyor clearance requirements;

c. Landscaping shall not obscure fire hydrants or access for emergency response vehicles; and

d. Landscaping in a parking lot shall not conflict with the safety of those using a parking lot, ~~adjacent~~ abutting sidewalks, or with traffic safety.

I. IRRIGATION REQUIREMENTS

2. Exceptions for Drought Tolerant Plants: Landscape plans featuring one hundred percent (100%) drought-tolerant plants or landscaping already established without irrigation systems are exempt from installation of a permanent irrigation system, but drought tolerant proposals must provide supplemental moisture by means of a City-approved temporary irrigation system for a period not less than two (2) years. The ~~Department of Community and Economic Development~~ Administrator ~~or designee~~ shall have the option of conditioning the approval (i.e., requiring a screening fence, etc.). An inspection will be required one year after final inspection to ensure that the landscaping has become established. An inspection fee, paid at the time of permit application, will be required and the fee amount will be determined by the Administrator ~~of the Department of Community and Economic Development or designee~~.

M. LANDSCAPE INSTALLATION

1. Timing: All approved landscaping shall be installed before the final approval of the permit or land use action that triggered the landscaping requirement, such as issuance of an occupancy permit, ~~or for single family dwellings,~~ prior to final inspection for single family dwellings, or Final Plat approval for a subdivision.

O. LANDSCAPE PLAN REVISIONS:

To alter an approved landscape plan, changes shall be submitted to and approved by the Administrator ~~of the Department of Community and Economic Development or designee~~. The plans may be approved, denied, or returned to the applicant with suggestions for changes that would make them acceptable. The request must be accompanied by the following:

1. Copy of original, approved landscape plan.
2. An amendment plan meeting requirements of RMC 4-8-120D12, Landscaping Plan, Detailed.
3. Narrative describing and justifying proposed changes.
4. Modified tree retention and land clearing plan for any protected trees proposed to be removed in accordance with RMC 4-4-130, Tree Retention and Land Clearing Regulations.

P. MAINTENANCE:

1. Maintenance Required: Landscaping required by this Section shall be maintained by the owner ~~and/ or designee~~ and shall be subject to periodic inspection by the Department of Community and Economic Development. Plantings are to be maintained in a healthy, growing condition and those dead or dying shall be replaced. Property owners shall keep the planting areas reasonably free of weeds and litter.

2. Failure to Maintain Landscaping: The Department of Community and Economic Development is authorized to notify the owner ~~and/ or designee~~ that any required landscaping is not being adequately maintained and the specific nature of the failure to maintain. The Department shall send the property owner ~~and/ or designee~~ written notice, specifying what corrections shall be made.

Q. DAMAGED LANDSCAPING:

Upon request of the City, any landscaping required by City regulations that is damaged must be replaced with like or better landscaping as determined by the Administrator ~~of the Department of Community and Economic Development or designee~~.

4-4-075 LIGHTING, EXTERIOR ON-SITE

D. AUTHORITY

During development permit review, the ~~Responsible Official~~ Community and Economic Development Administrator shall determine compliance ~~with the provisions of this Section~~, apply c~~. C~~onditions of approval ~~may be applied~~ if necessary to achieve compliance, and~~. The Development Services Division Director or designee shall~~ enforce the provisions of this Section.

F. SPECIFIC REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT IN THE R-10 AND R-14 ZONES

2. The standards portion of this subsection ~~specify~~ specifies a prescriptive manner in which the landscaping requirement can be met. The guideline portion of this subsection provides direction for those who seek to meet the required design element in a manner that is different from the standards. The determination as to the satisfaction of the requirement through the use of the guidelines is to be made by the ~~Reviewing Official~~ Administrator.

G. MODIFICATIONS OF STANDARDS:

Lighting which does not meet the standards in subsection E of this Section may be permitted by the ~~Reviewing Official~~ Administrator as follows: Alternative shielding of lights, or lighting visible above the roofline may be permitted via the S~~s~~ite P~~p~~lan Development R~~r~~eview process for applications requiring such review or via a modification approved by the Development Services Division Director in accordance with RMC 4-9-250D for applications which do not require S~~s~~ite P~~p~~lan Development R~~r~~eview. In any case, no use or activity shall cause light trespass beyond the boundaries of the property lines.

4-4-080 PARKING, LOADING AND DRIVEWAY REGULATIONS:

D. ADMINISTRATION:

1. Authority: The Department of Community and Economic Development is hereby authorized and directed to enforce all the provisions of this Section. For such purpose, the Community and Economic Development Administrator ~~or designee~~ shall have the authority of a police officer.

E. LOCATION OF REQUIRED PARKING

2. Off-Site Parking

b. Agreement Required: A parking agreement ensuring that off-site parking is available for the duration of the use shall be approved by the ~~Development Services Director~~ Community and Economic Development Administrator, following review by the City Attorney.

c. Additional Information Required: The ~~Development Services Division shall review~~ the following shall be reviewed as part of the permit process:
i. A letter of justification addressing the need for off-site parking and compatibility with the surrounding neighborhood.
ii. A S~~s~~ite P~~p~~lan showing all dimensions of parking spaces, aisles, landscaping areas, ~~adjacent~~ abutting street improvements, curb cuts, and on-site and ~~adjacent~~ abutting uses and buildings.

3. Joint Use Parking Facilities
b. Agreement Required: A parking agreement ensuring that joint use parking is available for the duration of the uses shall be approved by the ~~Development Services Director~~ Community and Economic Development Administrator, following review by the City Attorney.

F. PARKING LOT DESIGN STANDARDS
2. Maximum Parking Lot and Parking Structure Slopes: Maximum slopes for parking lots shall not exceed eight percent (8%) slope. The ~~Community and Economic Development~~ Administrator ~~or his/her designee~~ may allow a driveway to exceed eight percent (8%) slope but not more than fifteen percent (15%) slope, upon proper application in writing and for good cause shown, which shall include, but not be limited to, the absence of any reasonable alternative.

6. Fire Lane Standards
f. Existing Buildings – Hazards: When the Fire Chief~~, or his authorized~~ ~~designee~~, determines that a hazard due to inaccessibility of fire apparatus exists around existing buildings, he may require fire lanes to be constructed and maintained as provided by this Section.

10. Number of Parking Spaces Required
e. Parking Spaces Required Based on Land Use

USE	NUMBER OF REQUIRED SPACES
COMMERCIAL ACTIVITIES OUTSIDE OF THE CENTER DOWNTOWN ZONE AND EXCEPT SHOPPING CENTERS:	
Drive-through retail or drive-through service:	**Stacking spaces:** The drive-through facility shall be so located that sufficient on-site vehicle stacking space is provided for the handling of motor vehicles using such facility during peak business hours. Typically 5 stacking spaces per window are required unless otherwise determined by the ~~Planning Director~~ Community and Economic Development Administrator. Stacking spaces cannot obstruct required parking spaces or ingress/egress within the site or extend into the public right-of-way.

11. Number of Bicycle Parking Spaces Required

b. The location of and access to bicycle parking areas for all uses except office, manufacturing and fabrication, laboratories, packaging operations, and attached dwellings, shall be in accordance with the following standards:

ii. Each bicycle parking space shall be at least two feet (2') by six feet (6'), with no less than an overhead clearance of seven feet (7'). A maneuvering area of five feet (5') shall separate rows of bicycle parking spaces. Where the bicycle parking is ~~adjacent to~~ abutting the sidewalk, only the maneuvering area may extend into the right-of-way; and

I. DRIVEWAY DESIGN STANDARDS:

1. Driveway Location – Hazard Prohibited: No driveway shall be constructed in such a manner as to be a hazard to any existing street lighting standard, utility pole, traffic regulating device, fire hydrant, ~~adjacent~~ abutting street traffic, or similar devices or conditions. The cost of relocating any such street structure when necessary to do so shall be borne by the abutting property owner. Said relocation of any street structure shall be performed only through the department and person holding authority for the particular structure involved.

3. Driveway Width Maximums Based Upon Land Use:

a. Industrial, Warehouse and Shopping Center Uses:

iii. The ~~Community and Economic Development~~ Administrator ~~or designee~~ may grant an exception upon proper application in writing and for good cause shown, which shall include, but not be limited to, the absence of any reasonable alternative.

6. Driveway Grades – Maximum Based Upon Land Use:

a. Single Family and Two (2) Family Uses: Maximum driveway slopes shall not exceed fifteen percent (15%); provided, that driveways exceeding eight percent (8%) shall provide slotted drains at the lower end with positive drainage discharge to restrict runoff from entering the garage/residence or crossing any public sidewalk. To exceed fifteen percent (15%), a variance from the ~~Community and Economic Development~~ Administrator ~~or his/her designee~~ is required.

b. All Other Uses: Maximum driveway slope shall not exceed eight percent (8%). The ~~Community and Economic Development~~ Administrator ~~or his/her designee~~ may allow a driveway to exceed eight percent (8%) slope but not more than fifteen percent (15%) slope, upon proper application in writing and for good cause shown, which shall include, but not be limited to, the absence of any reasonable alternative. To exceed fifteen percent (15%), a variance from the Administrator is required.

4-4-090 REFUSE AND RECYCLABLES STANDARDS

C. GENERAL REQUIREMENTS APPLICABLE TO ALL USES (EXCEPT SINGLE FAMILY AND TWO (2) ATTACHED DWELLING UNITS):

3. Special Setbacks from Residential Properties: Outdoor refuse and recyclables deposit areas and collection points shall not be located within fifty feet (50') of a property zoned RC, R-1, R-4, R-8, R-10, R-

14, or RM, except by approval ~~by the Reviewing Official~~ through the S~~s~~ite Development P~~p~~lan R~~r~~eview process, or via the modification process if exempt from S~~s~~ite Development P~~p~~lan R~~r~~eview.

5. Collocation Encouraged: When possible, the recyclables deposit areas and collection points shall be located ~~adjacent to or~~ near garbage collection areas to encourage their use.

G. APPEALS:

Any decisions made in the administrative process described in this Section may be appealed to the Community and Economic Development Administrator ~~or designee~~ within fifteen (15) days and filed, in writing, with the Department of Community and Economic Development. The Administrator shall give substantial weight to any discretionary decision of the City rendered pursuant to this Section.

4-4-095 SCREENING AND STORAGE HEIGHT/LOCATION LIMITATIONS

A. PURPOSE:

The purpose of this Section is to provide screening standards for mechanical equipment and outdoor service and storage areas to reduce visibility, noise, and related impacts while allowing accessibility for providers and users.

B. APPLICABILITY:

The standards contained in this Section shall apply to:

1. New or Replacement Equipment/Activity: All proposals for new or replacement surface mounted equipment, rooftop equipment, outdoor storage, loading, repair, maintenance, work and/or retail areas.

2. Enlargement or Exterior Modifications of Existing Structures: Sites with existing surface mounted equipment, rooftop equipment, outdoor storage, loading, repair, maintenance, work and/or retail areas, that are not screened in conformance with this Section shall be required to conform to the screening requirements of this Section if enlarged or altered when the cost of additions, expansions, or alterations exceeds fifty percent (50%) of the assessed value of the existing structure or use shall result in the application of this Section; provided, that interior alterations or improvements which do not result in the exterior modification of an existing building, structure, or use shall be exempt from these provisions.

C. AUTHORITY:

The ~~Reviewing Official for a development permit that includes the uses and activities in subsection B2 of this Section and exceeds the thresholds in subsection B3~~ Community and Economic Development Administrator shall determine compliance with these standards concurrently with any development permit review.

D. SURFACE MOUNTED EQUIPMENT:

1. General Screening: All on-site surface mounted utility equipment shall be screened from public view. Screening shall consist of equipment cabinets enclosing the utility equipment, solid fencing or a wall of a height at least as high as the equipment it screens, or a landscaped visual barrier allowing for reasonable access to equipment. Equipment cabinets, fencing, and walls shall be made of materials and/or colors compatible with building materials.

a. Industrial Zone Exemption: Surface mounted equipment located in industrial developments that are greater than one hundred feet (100') from residentially zoned property and/or public streets are exempted from requirements in subsection D1 of this Section, General Screening.

E. ROOF-TOP EQUIPMENT:

All operating equipment located on the roof of any building shall be enclosed so as to be screened from public view, excluding telecommunications equipment. Shielding shall consist of the following:

1. New Construction: Roof wells, clerestories, or parapets, walls, solid fencing, or other similar solid, nonreflective barriers or enclosures as determined by the ~~Reviewing Official~~ Administrator to meet the intent of this requirement.

2. Additions to Existing Buildings: Where the existing roof structure cannot safely support the required screening, or where the integrity of the existing roof will be compromised by the screening, the ~~Reviewing Official~~ Administrator may authorize painting of the equipment to match the approximate color of the background against which the equipment is viewed, or an equivalent nonstructural method to reduce visibility.

F. OUTDOOR STORAGE, LOADING, REPAIR, MAINTENANCE AND WORK AREAS:

1. Outdoor Loading – Multi-Family Zones: Loading areas shall be screened by a solid barrier fence or landscaping, or some combination thereof as determined ~~by the Reviewing Official,~~ through the S~~s~~ite P~~p~~lan Development R~~r~~eview process or the modification process for S~~s~~ite P~~p~~lan Development Review - exempt proposals.

2. Outdoor Loading, Repair, Maintenance and Work Areas – Commercial and Industrial Zones: Screening is not required, except when the subject commercial or industrial lot abuts or is adjacent to a residentially zoned lot, i.e., RC, R-1, R-4, R-8, RMH, R-10, R-14, RM, and the regulated activity is proposed on the side of the property abutting or adjacent to the listed zones. In such cases, a fence, or landscaping, or a landscaped berm, or a combination thereof is required ~~as determined by the Reviewing Official~~ to achieve adequate visual or acoustical screening. These provisions may be modified ~~by the Reviewing Official~~ through the S~~s~~ite P~~p~~lan Development R~~r~~eview process, or the modification process for site-plan exempt proposals, where the applicant can show that the same or better result will occur because of creative design solutions, unique aspects or use, etc.

3. Outdoor Storage – Commercial or Industrial Zones: When permitted by the underlying zone, outdoor storage must be screened from adjacent or abutting properties and public rights-of-way. Outdoor storage uses shall provide sight-obscuring fences or solid walls a minimum of six feet (6') in height, berming, and/or landscaping as determined by the ~~Reviewing Official~~ Administrator to achieve adequate visual or acoustical screening. Outside storage shall not be permitted in any required setback area. Products or materials covered by buildings with roofs but without sides shall be considered outside storage and subject to the screening provisions of this Section. Exterior sales of autos, boats and motorcycles are not considered outdoor storage.

a. Special Outdoor Storage Height Requirements, Industrial Zones: Limited to fifteen feet (15') in height ~~or one story~~.

G. VEHICLE STORAGE SCREENING, CA ZONE:

In lieu of subsection F3 of this Section, vehicle storage screening shall include the following: fencing, berming, enclosing walls and landscaping, as determined by the ~~Reviewing Official~~ Administrator, sufficient to achieve substantial visual and acoustical screening, shall be provided to screen adjacent and abutting properties, public rights-of-way and limited rights-of-way.

H. OUTDOOR RETAIL SALES – CD ZONE:

Outdoor retail sales uses in the CD Zone must be fully enclosed on all sides and screened from view of adjacent uses and abutting public streets.

I. VARIANCES:

A variance to standards that are not otherwise allowed to be altered via another process in accordance with subsections D through G of this Section may be sought pursuant to RMC 4-9-250.

J. APPEALS:

See RMC 4-8-110.

4-4-100 SIGN REGULATIONS

C. PROHIBITED SIGNS AND DEVICES

1. Signs Which Violate State Regulations: All signs not complying with the Washington State Highway Department regulations ~~adjacent to~~ abutting State roads.

D. GENERAL REQUIREMENTS FOR SIGNS

6. Removal of Signage Upon Closure of Business:

b. City Center Sign Regulation Area: Upon the effective date of this Section (June 8, 1998), the following regulations shall govern sign removal in the City Center Sign Regulation Area upon closure of business:

i. Timing and Responsibility for Removal: Upon the closure and vacation of a business or activity, the owner of said business or activity shall immediately remove all signs relating to said business and activity. If the owner of said business or activity fails to remove said signs, then the owner of the property upon which said signs are located shall remove said signs within thirty (30) days of said closure and vacation of premises. If the owner of the property fails to remove the signs within the designated time limit, then the Building Official ~~or designee~~ may upon due notice enforce civil penalty regulations per RMC 1-3-2. Prior to the end of the thirty (30) day time period or time period established upon notice by the City pursuant to enforcement of civil penalty regulations, a new tenant or the property owner may request utilization of existing signs or sign structures as regulated in paragraphs ii through iv of this subsection.

ii. Exception for Conforming Signs: Conforming signs and sign structures may be utilized by a new tenant or owner. The tenant or owner shall submit a sign permit application to confirm the conformity of the signs and sign structures. Permit fees are not required when the ~~reviewing official~~ Administrator determines that no change to the conforming sign will be made. Where there will be alterations or new sign faces of the existing conforming signs or sign structures, sign permit fees shall apply. (Ord. 4720, 5-4-1998)

iii. Exception for Nonconforming Signs: Nonconforming signs and sign structures shall not be utilized by a new tenant or owner unless one or more of the following conditions is present:

- The sign is considered to be of historic value, and has been designated as such by the Renton City Council through adoption of a resolution or ordinance; or
- Replacement of sign faces may be allowed if there is a change in the corporate name of the business due to merger, acquisition or new management, but no change in use or activity, and the property was not vacated in the transition. Such signs shall be subject to applicable sign permit and fee requirements; or
- A variance or modification was granted to the previous tenant or owner, and the conditions warranting the variance or modification are still present. The approval or denial shall be documented by administrative determination. If the ~~reviewing official~~ Administrator indicates that conditions do not appear to warrant continuation of the previous variance or modification, the applicant may submit a new variance or modification application; or
- The applicant proposes to alter the nonconforming sign in order to make it fully conforming. Alteration of the sign shall be subject to applicable sign permit and fee requirements; or
- Application is made for a sign modification or variance as appropriate. If the above provisions are not met, then the nonconforming sign or sign structure shall be removed immediately.

iv. Immediate Removal: If the provisions of subsection D6b(iii) of this Section are not met, then the nonconforming sign or sign structure shall be removed immediately.

H. SIGNS WITHIN CITY CENTER – SPECIAL REQUIREMENTS

9. Modifications of City Center Sign Regulations:

a. **Authority and Purpose:** The ~~Development Services Director~~ Community and Economic Development Administrator may grant a modification from the sign standards for individual signs which do not meet the specific provisions of the City Center sign standards when the proposed sign is intended to accomplish one of the following purposes:

i. Respond to the needs of the public in locating a business establishment; or

ii. Assist business in contributing to the economic well-being of the community; or

iii. Install a sign that is considered to be historic or of historic value by the advertising industry or a recognized historic preservation organization, provided that such entity was not involved in the use, design or production of the proposed sign; or

iv. Result in a reduction of signs on a site; or

v. Result in a reduction in the number of freestanding or ground signs otherwise allowed; or

vi. Result in a coordinated sign plan for a multi-tenant building or multiple building complex.

b. Review Criteria: If the ~~Development Services Director~~ Community and Economic Development Administrator determines that the intent of the proposed sign accomplishes one of the above purposes, the ~~Development Services Director~~ Community and Economic Development Administrator may grant a modification request provided the proposed sign also meets all of the following criteria:

i. The modification will not create a significant adverse impact to other property or improvements in the immediate vicinity of the subject property; and

ii. The modification will not increase the number of signs allowed by this Chapter; and

iii. The modification will not increase the allowed height or area of any wall, projecting, awning/canopy/marquee/traditional marquee, or secondary sign by more than twenty five percent (25%); and
iv. The modification will not increase the allowed height or area of any freestanding or ground sign; and
v. The modification does not create a public safety hazard.
c. **Variance May Be Required:** Proposals which do not meet the purposes or criteria of subsections H9a and H9b of this Section may be reviewed as variance applications as provided in subsection R of this Section.
d. Fees: Fees shall be as stipulated by RMC 4-1-140M4.

J. TEMPORARY AND PORTABLE SIGNS
2. Real Estate Signs
b. Off-Premises Real Estate Signs
iv. Real Estate Sign Kiosks
f) Permitted Locations: Sign panels shall be located on designated kiosk structures within the public right-of-way. If available kiosk structures will not permit adequate directional information, kiosk structures may be approved on private property with the permission of the property owner granted through an easement. A kiosk location plan shall be prepared showing the site of each kiosk and shall be submitted to the ~~Planning Director~~ Community and Economic Development Administrator for review and decision with the sign permit applications.

(i) Design Standards: Colors, fonts, etc., shall conform to design standards approved by the ~~Planning Director~~ Community and Economic Development Administrator.

S. VARIANCES:
Applications for variances from the provisions of this Chapter shall be heard by the ~~Community and Economic Development~~ Administrator ~~or his/her designee~~ as provided in RMC 4-8-070D and consistent with the provisions of RMC 4-9-250B.

4-4-110 STORAGE FACILITIES, BULK
A. INTENT:
The intent of the regulation of bulk storage facilities is to allow such facilities in a location and manner so they are compatible with adjacent or abutting properties and beneficial to the City and in accordance with the State Environmental Policy Act. It is further the intent to insure that the safety, health, welfare, aesthetics and morals of the community are maintained at a high level.

C. SPECIAL PERMIT AND ADMINISTRATION
2. Applicability: The ~~Building~~ Department of Community and Economic Development shall be responsible for determining whether an application is a bulk storage facility as defined herein.

3. Authority and Responsibility: The Hearing Examiner is designated as the official agency of the City for the conduct of public hearings, and the ~~Building Department~~ Community and Economic Development Administrator is responsible for the general administration and coordination. The ~~Building Department~~ Administrator shall establish administrative procedures, which shall include, but are not limited to: Preparation of application forms, determining completeness and acceptance of application, and establishment of interdepartmental review routing procedures.

D. DEVELOPMENT STANDARDS

3. Landscaping and Screening

b. Screening Required for Recognized Higher Risk Storage

ii. Landscaping Required: All areas between the property lines and the screen shall be landscaped except for ingress and egress areas and except when a second bulk storage facility has a contiguous side or rear property line with an existing bulk storage facility constructed to the standards specified in this Section. The landscape plan shall be prepared by a licensed landscape architect and approved by the ~~Building Department~~ Administrator.

c. Screening Required for Other Bulk Storage: Those bulk storage uses not included in subsection D3b of this Section shall have a screen including gates and shall be at least eighty percent (80%) opaque surrounding the property area. Said screen shall be at least twenty-five percent (25%) as high as the bulk storage containers or stock piles provided said screen is at least eight feet (8') high. The screen and optional security fence shall be set back at least twenty feet (20') from all property lines except that for those bulk storage facilities whose total ownership is less than two and one-half (2-1/2) contiguous acres in area, the Hearing Examiner may reduce this setback up to fifty percent (50%) for good cause and upon proper written application. All areas between the property lines and the screen shall be landscaped except for ingress and egress areas and except when a second bulk storage facility has a contiguous side or rear property line that abuts an existing bulk storage facility constructed to the standards specified in this Section provided there is at least a twenty foot (20') landscaped strip. The landscape plan is to be approved by the ~~Building Department~~ Administrator. A landscaped berm may be used by itself or in combination with a screen provided the required height is met. The slopes of said berm shall be at least two feet (2') horizontal to one foot (1') vertical. There shall be a flat area on top of the berm with a minimum width of two feet (2'). A retaining wall may be substituted for the internal side of the berm provided the retaining wall is approved by a licensed engineer.

6. Toxic Substances

d. Method of Measurement: The samples shall be taken by a qualified person as per the publication of the ACGIH and the concentrations of toxic substances shall be measured in a certified laboratory or facility at the request of the ~~Administrative Official~~ Administrator.

7. Traffic and Access Control

g. Paving of Access Routes: All on-site surfaces used for daily traffic within the lot or as a part of the traffic flow pattern required in subsection D7d of this Section shall be paved and maintained in a good condition with an asphalt surfacing, or its equivalent if approved ~~by the Administrative Official~~, to prevent the generation of dust or the tracking of mud onto public rights-of-way.

9. Liquid Waste

c. Standards and Permits: The discharge of any water containing liquid, gas or solid wastes in solution and/or as a mixture into any part of the natural water system shall comply with the standards and compatibility requirements of the Washington State Department of Ecology or any successor department or agency thereof. The ~~Administrative Official~~ Administrator shall be supplied with a true copy of any and all discharge permits issued to the facility by the State of Washington Department of Ecology.

f. Proof of Compliance: Upon ~~the~~ request ~~of the Administrative Official~~, the industry shall provide substantial proof of having disposed of liquid waste, falling in the categories of subsection D9e of this Section equal to or greater than eighty percent (80%) in either volume or weight of the amount generated during the previous six (6) months of operation. Should the generation of such liquid waste be on a sporadic basis then the industry shall provide ~~the Administrative Official with~~ written evidence of substantial compliance with this subsection.

11. Odorants

b. Maximum Levels: The concentration of specific compounds listed in the following schedule shall not exceed the odor threshold values in two (2) consecutive air samples. Three (3) air samples are to be taken over a two (2) hour period, one sample each at the beginning and end of the test period and one sample near the time midway through the sample period. The ~~Administrative Official~~ Administrator may establish the time of the sample period. When more than one concentration is listed for a substance in these standards, the more stringent shall apply.

(note: table that follows to remain the same)

c. Testing Procedure: The samples shall be taken by a qualified person and the concentrations of odorants shall be measured in a certified laboratory or facility at the request of the ~~Administrative Official~~ Administrator. The location for taking the three (3) samples shall remain fixed during the test period and shall be at a point outside lot lines, at ground level or habitable elevations and a safe and reasonable place consistent with the location of the reported violation.

12. Hazardous Materials

c. Barrier Required: An industry or facility storing for its own use or redistribution any highly flammable toxic or polluting liquid of a capacity equal to or greater than the lesser of that quantity sufficient to result in a flow across lot lines or a quantity of fifteen (15) cubic inches per square foot of total lot area shall construct a permanent continuous barrier surrounding all buildings, structures and facilities which

could contribute to the flow. The storage in liquid form of those materials which are normally in a gas phase at ambient temperature and atmospheric pressures shall be contained within a barrier unless it is determined ~~by the Administrative Official~~ that dispersion of the resulting gas or aerosol would be less hazardous. The capacity of the space within the barrier shall be one hundred percent (100%) of the maximum possible volume of stored liquid and the top of the barrier shall be at least one foot (1') above this liquid level. The barrier shall be designed and constructed in such a manner that there is no visible leakage on or below any portion of the exterior surface of the barrier which is below the level of the confined liquid after a forty-eight (48) hour period. A report on a test of a typical barrier section constructed to full scale shall be prepared by a licensed engineer and submitted as proof of the design.

13. Gaseous and Particulate Emissions

e. Further Emission Limitations During an Alert: A facility shall be capable of achieving a condition of near-zero discharge during an alert or higher stage of operational and technical means to reach the lowest physically possible quantity of emissions during the entire alert period. It shall be the responsibility of the ~~Administrative Official~~ Administrator to enforce a reduction in the process weight to comply with this restriction.

g. Report by Developer Required: It shall be the responsibility of the developer of the facility to ascertain the information required in the emission and density schedule in this subsection D13 and to report such finding to the ~~Administrative Official~~ Administrator. All new facilities or expansion of existing facilities, unless exempted by the limitations in the emission and density schedule in this subsection D13, shall provide an initial report covering the emission of those specific substances listed in the emission and density schedule in this subsection D13. The report shall cover the first three (3) months of operation and shall be filed with the ~~Administrative Official~~ Administrator within thirty (30) days after the end of the reporting period. The report shall enumerate all sources by type or category contributing ten percent (10%) or more of the total emission for each specific substance. The total of all sources contributing less than ten percent (10%) individually may be grouped as one entry and if so shall specify the number of sources included. The report shall contain such information or analyses as will disclose the reported values of the emissions which are or may be discharged by such source. The report shall be certified by a licensed engineer.

h. Quarterly Reports May Be Required: Each emission greater than twenty percent (20%) of the annual weight per facility or spatial density, computed on an annual basis, as reported in subsection D13g of this Section shall be reported thereafter on a quarterly basis until such time as the total weight of the specific emission drops below and remains below the twenty percent (20%) specified above. Such reports shall be due and filed with the ~~Administrative Official~~ Administrator within thirty (30) days after the end of the reporting quarter. The beginning and ending dates of each quarter shall be established during the approval process~~by the Administrative Official.~~

i. Notification Required: Each facility subject to this standard shall be responsible for notifying the ~~Administrative Official~~ Administrator of all new initial emissions of a substance listed in the emission and density schedule in this subsection D13 and all increases in emissions of that specific substance for existing sources, above the twenty percent (20%) level specified in subsection D13h of this Section. Such notification will be in a report as per subsection D13g of this Section.

j. Additional Reports Authorized: In addition to such reports as required above, the ~~Administrative Official~~ Administrator may designate and employ a licensed engineer of his choice to make an independent study and report as to the type and quantity of emissions which are or may be discharged from the source. The ~~Administrative Official~~ Administrator shall be authorized to enter and inspect the facility upon a showing of need and upon the owner's permission or upon court order.

l. Special Emission Standards for Existing Facilities: All existing bulk storage facilities on the effective date of this Section (9-18-1975) and emitting more than the maximum permitted emission of any listed substance shall be assumed as having the maximum permitted emission for the purpose of calculating the locational density of facilities as specified in subsection D13k of this Section. For the purpose of this standard, existing bulk storage facilities shall include those facilities for which substantial construction, other than site preparation, is in progress and as determined by the ~~Administrative Official~~ Administrator.

m. Compliance Later Required for Existing Facilities: All existing facilities qualifying under subsection D13/ of this Section shall comply with the emission standards set forth in the emission and density schedule in this subsection D13 within three (3) years of the effective date of this Section. A one-time extension of up to two (2) years may be granted by ~~the Administrative Official~~ upon the showing of good cause why compliance cannot be achieved within the specified time period.

4-4-130 TREE RETENTION AND LAND CLEARING REGULATIONS

C. ALLOWED TREE REMOVAL ACTIVITIES

8. Site Investigative Work

1. Protected Trees – Retention Required

d. No site investigative work shall commence without first notifying the Community and Economic Development Administrator ~~Director or his or her designee~~ in advance.

E. REVIEW AUTHORITY

1. Authority and Interpretation: The ~~Reviewing Official~~ Community and Economic Development Administrator is hereby authorized and directed to interpret and enforce all the provisions of this Section when no other permit or approval requires Hearing Examiner review. He or she is authorized to require retention above the minimum standards, to require phasing of tree retention plans, or to require any other measures to meet the purpose of this Section.

2. Independent Secondary Review: The ~~Reviewing Official~~ Administrator may require independent review of any land use application that involves tree removal and land clearing at the City's discretion. An evaluation by an independent qualified professional regarding the applicant's analysis on the effectiveness of any proposed removal, retention, or replacement measures, to include recommendations as appropriate. This review shall be paid for by the applicant and the City shall select the third-party review professional.

H. PERFORMANCE STANDARDS FOR LAND DEVELOPMENT/BUILDING PERMITS

d. Utility Uses and Mineral Extraction Uses: Such operations shall be exempt from the protected tree retention requirements of this Chapter if removal can be justified in writing and approved by the ~~Reviewing Official~~ Administrator.

7. Tree/Ground Cover Retention: The following measures may be used ~~by the Reviewing Official~~ in conditioning a land development permit or building permit proposal, to comply with the general review criteria of subsection H4 of this Section:

a. Trees shall be maintained to the maximum extent feasible on the property where they are growing. ~~The Reviewing Official may require~~ ~~m~~ Modification of the tree retention and land clearing plan, or the associated land development permits, may be required to ensure the retention of the maximum number of trees.

b. The ~~Reviewing Official may require the~~ applicant may be required to replace trees, provide interim erosion control, hydroseed exposed soils, or other similar conditions which would implement the intent of this Section.

c. Trees that shelter interior trees or trees on abutting properties from strong winds that could otherwise cause them to blow down should be retained.

d. Except in critical areas or their buffers, unless enhancement activities are being performed, the removal of trees on the following list should be allowed in order to avoid invasive root systems, weak wood prone to breakage, or varieties which tend to harbor insect pests:

i. All Populus species including cottonwood (Populus trichocarpa), quaking aspen (Populus tremuloides), lombardy poplar (Populus nigra "Italica"), etc.

ii. All Alnus species which includes red alder (Alnus oregona), black alder (Alnus glutinosa), white alder (Alnus rhombifolia), etc.

iii. Salix species which includes weeping willow (Salix babylonica), etc.

iv. All Platanus species which include London plane tree (Platanus acerifolia), American sycamore, buttonwood (Platanus occidentalis), etc.

8. Protection Measures During Construction: Protection measures in this subsection shall apply for all trees that are to be retained in areas subject to construction. All of the following tree protection measures shall apply:

a. Construction Storage Prohibited: The applicant may not fill, excavate, stack or store any equipment, dispose of any materials, supplies or fluids, operate any equipment, install impervious surfaces, or compact the earth in any way within the area defined by the drip line of any tree to be retained.

b. Fenced Protection Area Required: The applicant shall erect and maintain six foot (6') high chain link temporary construction fencing around the drip lines of all retained trees, or along the perimeter of a stand of retained trees. Placards shall be placed on fencing every fifty feet (50') indicating the words, "NO TRESPASSING – Protected Trees" or on each side of the fencing if less than fifty feet (50'). Site access to individually protected trees or groups of trees shall be fenced and signed. Individual trees shall be fenced on four (4) sides. In addition, the applicant shall provide supervision whenever equipment or trucks are moving near trees.

c. Protection from Grade Changes: If the grade level adjoining to a tree to be retained is to be raised, the applicant shall construct a dry rock wall or rock well around the tree. The diameter of this wall or well must be equal to the tree's drip line.

d. Impervious Surfaces Prohibited Within the Drip Line: The applicant may not install impervious surface material within the area defined by the drip line of any tree to be retained.

e. Restrictions on Grading Within the Drip Lines of Retained Trees: The grade level around any tree to be retained may not be lowered within the greater of the following areas: (i) the area defined by the drip line of the tree, or (ii) an area around the tree equal to one and one-half feet (1-1/2') in diameter for each one inch of tree caliper. ~~The Reviewing Official may require a~~ A larger tree protection zone based on tree size, species, soil, or other conditions may be required .

f. Mulch Layer Required: All areas within the required fencing shall be covered completely and evenly with a minimum of three inches (3") of bark mulch prior to installation of the protective fencing. Exceptions may be approved ~~by the Reviewing Official~~ if the mulch will adversely affect protected ground cover plants.

g. Monitoring Required During Construction: The applicant shall retain a professional arborist or other qualified professional to prune branches and roots, fertilize, and water as appropriate for any trees and ground cover which are to be retained.

h. Alternative Protection: Alternative safeguards may be used if determined ~~by the Reviewing Official~~ to provide equal or greater tree protection.

I. VARIANCE PROCEDURES:

The ~~Reviewing Official~~ Administrator shall have the authority to grant variances from the provisions of this Section pursuant to RMC 4-8-070D and the decision criteria in RMC 4-9-250 when no other permit or approval requires Hearing Examiner review.

4-4-140 WIRELESS COMMUNICATION FACILITIES

D. ADMINISTERING AND ENFORCING AUTHORITY:

The Community and Economic Development Administrator ~~or designee~~ is responsible for the general administration and coordination of this Section.

F. STANDARDS AND REQUIREMENTS FOR ALL TYPES OF WIRELESS COMMUNICATIONS FACILITIES

1. Equipment Shelters or Cabinets:

a. Location: Accessory equipment facilities used to house wireless communication equipment and associated cabling should be located within buildings or placed underground when possible. However, in those cases where it can be demonstrated by the applicant ~~to the reviewing official~~ that the equipment cannot be located in buildings or underground, equipment shelters or cabinets shall be screened and/or landscaped to the satisfaction of the ~~reviewing official~~ Administrator.

b. Landscaping and Screening: Landscaping, for accessory equipment located on private property, shall include a minimum fifteen foot (15') sight obscuring landscape buffer around the accessory equipment facility. Accessory equipment facilities located on the roof of any building need not be landscaped but shall be enclosed so as to be shielded from view. Accessory equipment located on public right-of-way shall be screened and/or landscaped as determined by the ~~reviewing official~~ Administrator through the conditional use permit process. Accessory equipment facilities may not be enclosed with exposed metal surfaces.

c. Size: The applicant must provide documentation ~~to the reviewing official~~ that the size of any accessory equipment is the minimum possible necessary to meet the provider's service needs.

6. Advertising Prohibited: No lettering, symbols, images, or trademarks large enough to be legible to occupants of vehicular traffic on any ~~adjacent~~ abutting roadway shall be placed on or affixed to any part of a telecommunications tower, antenna array or antenna, other than as required by FCC regulations regarding tower registration or other applicable law. Antenna arrays may be located on previously approved signs or billboards without alteration of the existing advertising or sign.

G. STANDARDS FOR SPECIFIC TYPES OF WIRELESS FACILITIES

	MICRO FACILITY	**MINI FACILITY**	**MACRO FACILITY**	**MONOPOLE I**	**MONOPOLE II**	**LATTICE TOWERS**
Location on Buildings	A Micro Facility shall be located on existing buildings, poles or other existing support structures. A Micro Facility may locate on buildings	A Mini Facility may be located on buildings and structures provided that the immediate interior wall or ceiling ~~adjacent~~	A Macro Facility may be located on buildings and structures provided that the immediate interior wall or ceiling to the facility	NA	NA	NA

	and structures; provided, that the interior wall or ceiling immediately ~~adjacent to~~ abutting the facility is not designated residential space.	~~to~~ abutting to the facility is not a designated residential space.	is not a designated residential space.			
(note: rest of table to remain the same)						
Landscaping and Screening	NA	NA	NA	See subsection F of this Section, Standards. A minimum landscaping area of 15 feet shall be required surrounding the facility, or equivalent screening as approved by the ~~Reviewing Official~~ Administrator. Landscaping shall include trees, shrubs and ground cover. The required landscaped	See subsection F of this Section, Standards. A minimum landscaping area of 15 feet shall be required surrounding the facility, or equivalent screening as approved by the ~~Reviewing Official~~ Administrator. Landscaping shall include trees, shrubs and ground cover. The required landscaped	See subsection F of this Section, Standards. A minimum landscaping area of 15 feet shall be required surrounding the facility, or equivalent screening as approved by the ~~Reviewing Official~~ Administrator. Landscaping shall include trees, shrubs and ground cover. The required landscaped

				areas shall include an automated irrigation system.	areas shall include an automated irrigation system.	areas shall include an automated irrigation system.

4-5-050 INTERNATIONAL BUILDING CODE

D. CITY AMENDMENTS TO THE INTERNATIONAL BUILDING CODE

4. Appeals Board: The Appeals Board for purposes of Section 113 of the International Building Code shall be the Community and Economic Development Administrator ~~or designee~~.

4-5-055 INTERNATIONAL RESIDENTIAL CODE

D. CITY AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE

3. Appeals Board: The Appeals Board for purposes of Section R112.1 of the International Residential Code shall hereafter be the Community and Economic Development Administrator ~~or designee~~.

4-5-070 INTERNATIONAL FIRE CODE AND FIRE PREVENTION REGULATIONS

C. AMENDMENTS AND ADDITIONS TO THE FIRE CODE

510.7 Frequency range.

510.7.1 The frequency range which must be supported shall be public safety frequency spectrum as determined by the regional Radio System operator in all areas of the building. Measurements in buildings for the purpose of this Section shall be to a portable radio of the type the City and the 911 system then currently utilize. The ~~City's Development Services Director~~ Community and Economic Development Administrator may designate alternate methods of measuring the signal level, which satisfy appropriate levels of public safety grade coverage.

510.8 Testing procedures.

510.8.4 When an in-building radio system is required, the building owner shall cause a technician in possession of a current FCC license, or a technician certified by the APCO or the PCIA, to test all active components of the system, including but not limited to amplifiers, power supplies and backup batteries, a minimum of once every twelve (12) months. Amplifiers shall be tested to ensure that the gain remains the same as that found upon initial installation and acceptance. Backup batteries and power supplies shall be tested under load for a one (1) hour test period. In the opinion of the testing technician, if the battery exhibits symptoms of failure, the test shall be extended for additional one (1) hour periods until the testing technician confirms the integrity of the battery. All other active components shall be checked to determine that they are operating within the manufacturer's specifications for the intended purpose. The technician shall prepare a written report documenting the test findings, and the building owner

shall provide the ~~Development Services Director~~ Community and Economic Development Administrator with a copy within ten (10) days of completion of testing.

510.8.5 Each building owner shall submit at least one (1) field test, or as determined by the ~~Development Services Director~~ Community and Economic Development Administrator, whenever structural changes occur to the building that would materially change the original field performance tests by a consultant approved by the ~~Development Services Director~~ Community and Economic Development Administrator. The performance test shall include, at minimum, a floor plan and the signal strength in various locations of the building.

510.9 Amplification systems allowed.
510.9.1 Buildings and structures which cannot support the required level of radio coverage shall be equipped with a radiating cable system and/or an internal multiple antenna system with FCC type accepted bi-directional 800 MHz amplifiers, or systems otherwise approved by the ~~Development Services Director~~ Community and Economic Development Administrator in order to achieve the required adequate radio coverage.

510.9.5 The following information shall be provided to the ~~Development Services Director~~ Community and Economic Development Administrator by the builder: A blueprint showing the location of the amplification equipment and associated antenna systems which includes a view showing building access to the equipment, and schematic drawings of the electrical, backup power, antenna system and any other associated equipment relative to the amplification equipment including panel locations and labeling.

4-5-090 INTERNATIONAL MECHANICAL CODE
B. APPEALS BOARD:
The Appeals Board for purposes of Section 109 shall be the Community and Economic Development Administrator ~~or designee~~.

4-5-100 INTERNATIONAL FUEL GAS CODE
B. APPEALS BOARD:
The Appeals Board for purposes of Section 109.1 shall be the Community and Economic Development Administrator ~~or designee~~.

4-5-120 UNDERGROUND STORAGE TANK SECONDARY CONTAINMENT REGULATIONS
I. EXISTING INSTALLATIONS AND MONITORING STANDARDS
4. System Evaluation Criteria
c. Groundwater monitoring may be required by the Fire Code Official ~~or the Official's designee~~ in an Aquifer Protection Area. The Fire Marshal shall review and approve the number and location of the monitoring well(s). More than one underground storage facility may be monitored using the same well

provided the well is directly downgradient of all underground storage facilities being monitored and is within one thousand feet (1,000') of all underground storage facilities being monitored.

4-5-130 INTERNATIONAL PROPERTY MAINTENANCE CODE

B. AMENDMENTS

15. Subsection 301.3, Vacant buildings and land, is deleted in its entirety and replaced by the following:

301.3 Vacant buildings: All vacant buildings and premises thereof must comply with this Code. Vacant buildings shall be maintained in a clean, safe, secure and sanitary condition provided herein so as not to cause a blighting problem or otherwise adversely affect the public health, safety or quality of life.

301.3.1 Appearance: All vacant buildings must appear to be occupied, or appear able to be occupied with little or no repairs.

301.3.2 Security: All vacant buildings must be secured against outside entry at all times. Security shall be by the normal building amenities such as windows and doors having adequate strength to resist intrusion. All doors and windows must remain locked. There shall be at least one operable door into every building and into each housing unit. Exterior walls and roofs must remain intact without holes.

301.3.2.1 Architectural (cosmetic) structural panels: Architectural structural panels may be used to secure windows, doors and other openings provided they are cut to fit the opening and match the characteristics of the building. Architectural panels may be of exterior grade finished plywood or Medium Density Overlaid plywood (MDO) that is painted to match the building exterior or covered with a reflective material such as plexi-glass.

Exception: Untreated plywood or similar structural panels may be used to secure windows, doors and other openings for a maximum period of thirty (30) days.

301.3.2.2 Security fences: Temporary construction fencing may be used for a maximum period of thirty (30) days as a method to secure a building from entry.

301.3.3 Weather protection: The exterior roofing and siding shall be maintained as required in section 304.

301.3.4 Fire Safety:

301.3.4.1 Fire protection systems: All fire suppression and alarms systems shall be maintained in a working condition and inspected as required by the Fire and Emergency Services Department.

301.3.4.2 Flammable liquids: No vacant building or premises or portion thereof shall be used for the storage of flammable liquids or other materials that constitute a safety or fire hazard.

301.3.4.3 Combustible materials: All debris, combustible materials, litter and garbage shall be removed from vacant buildings, their accessory buildings and adjoining yard areas. The building and premises shall be maintained free from such items.

301.3.4.3 Fire inspections: Periodic Fire and Emergency Services Department inspections may be required at intervals set forth by the F~~f~~ire C~~c~~hief ~~or his or her designee~~.

301.3.5 Plumbing fixtures: Plumbing fixtures connected to an approved water system, an approved sewage system, or an approved natural gas utility system shall be installed in accordance with applicable codes and be maintained in sound condition and good repair or removed and the service terminated in the manner prescribed by applicable codes.

301.3.5.1 Freeze protection: The building's water systems shall be protected from freezing.
301.3.6 Electrical: Electrical service lines, wiring, outlets or fixtures not installed or maintained in accordance with applicable codes shall be repaired, removed or the electrical services terminated to the building in accordance with applicable codes.
301.3.7 Heating: Heating facilities or heating equipment in vacant buildings shall be removed, rendered inoperable, or maintained in accordance with applicable codes.
301.3.8 Interior floors: If a hole in a floor presents a hazard, the hole shall be covered and secured with three-quarter inch (3/4") plywood, or a material of equivalent strength, cut to overlap the hole on all sides by at least six inches (6").
301.3.9 Termination of utilities: The code official may, by written notice to the owner and to the appropriate water, electricity or gas utility, request that water, electricity, or gas service to a vacant building be terminated or disconnected.
301.3.9.1 Restoration of service: If water, electricity or gas service has been terminated or disconnected pursuant to section 313.9, no one except the utility may take any action to restore the service, including an owner or other private party requesting restoration of service until written notification is given by the code official that service may be restored.
301.3.10 Notice to person responsible: The code official may inspect the building and premises whenever the code official has reason to believe that a building is vacant, subject to a duly issued court warrant, if there is a present danger, or under the terms of the City's community ~~carjacking~~ caretaking function. If the code official determines that a vacant building violates any provision of this section, the code official shall notify in writing the owner of the building or real property upon which the building is located, or other person responsible, of the violations and required corrections and shall be given a time frame to comply.
301.3.10.1 Alternate requirements: The requirements and time frames of this section may be modified under an approved Plan of Action. Within thirty (30) days of notification that a building or real property upon which the building is located is in violation of this section, an owner may submit a written Plan of Action for the code official to review and approve if found acceptable. A Plan of Action may allow:
1) Extended use of non-architectural panels.
2) Extended use of temporary security fencing.
3) Extended time before the demolition of a building is required.
4) For substandard conditions to exist for a specific period of time, provided the building is secured in an approved manner. When considering a Plan of Action, the building official shall take into consideration the magnitude of the violation and the impact to the neighborhood.
301.3.11 Enforcement: Violations of this section shall be enforced according to the provisions and procedures of RMC 1-3-2 and subject to the monetary penalties contained therein.
301.3.11.1 Abatement: A building or structure accessory thereto that remains vacant and open to entry after the required compliance date is found and declared to be a public nuisance. The code official is hereby authorized to summarily abate the violation by closing the building to unauthorized entry. The costs of abatement shall be a lien against the real property and may be collected from the owner in the manner provided by law.

301.3.11.2 Unsafe buildings and equipment: Any vacant building or equipment therein declared unsafe is subject to the provisions of section 108 and the demolition provisions of section 110.

4-6-020 CROSS CONNECTION CONTROL STANDARDS

C. AUTHORITY:

The ~~Administrator of the Department of~~ Public Works Administrator will administer the provisions of the Chapter. ~~He/She~~ The Administrator will designate cross connection specialists and propound all needful rules and regulations to implement these provisions. The Water Utility Section of the Utility Systems Division will be responsible for monitoring and inspecting all existing cross connection assemblies and for keeping all records generated by the cross connection control program. The Plan Review Section of the Development Services Division of the Department of Community and Economic Development will be responsible for reviewing all new and revised plans for cross connections.

D. INSTALLATION OF BACKFLOW PREVENTION ASSEMBLIES

21. Others specified by the ~~Administrator of the Department of Planning/Building/Public Works~~ Administrator.

4-6-030 DRAINAGE (SURFACE WATER) STANDARDS

E. DRAINAGE REVIEW:

1. When Required: A drainage review is required when any proposed project is subject to a City of Renton permit or approval as determined under subsection D of this Section and:

a. Would result in two thousand (2,000) square feet or more of new impervious surface, replaced impervious surface or new plus replaced impervious surface; or

b. Would involve seven thousand (7,000) square feet of land disturbing activity; or

c. Would construct or modify a drainage pipe or ditch that is twelve inches (12") or more in size or depth or receives surface or stormwater runoff from a drainage pipe or ditch that is twelve inches (12") or more in size or depth; or

d. Contains or is ~~adjacent to~~ abutting a critical area designation, defined and regulated in RMC 4-3-050.

H. DISCHARGE PROHIBITION

2. Prohibition of Illicit Connections: The construction, use, maintenance or continued existence of any connection identified by the Administrator ~~or designee~~, that may convey any pollution or contaminants or anything not composed entirely of surface water and stormwater, directly into the MS4, is prohibited, including without limitation, existing illicit connections regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

3. Remedy:

a. The person and/or property owner responsible for an illicit connection and/or illicit discharge shall initiate and complete all actions necessary to remedy the effects of such connection or discharge at no cost to the City.

b. If the person responsible for an illicit connection or illicit discharge and/or the owner of the property on which the illicit connection or illicit discharge has occurred fails to address the illicit connection or

illicit discharge in a timely manner, the Administrator ~~or designee~~ shall have the authority to implement removal or remedial actions following lawful entry upon the property. Such actions may include, but not be limited to: installation of monitoring wells; collection and laboratory testing of water, soil, and waste samples; cleanup and disposal of the illicit discharge, and remediation of soil and/or groundwater. The property owner and/or other person responsible for the release of an illicit discharge shall be responsible for any costs incurred by the Public Works Department or its authorized agents in the conduct of such remedial actions and shall be responsible for City expenses incurred due to the illicit connection or illicit discharge, including but not limited to removal and/or remedial actions in accordance with RMC 1-3-3.

c. Compliance with this subsection H shall be achieved through the implementation and maintenance of best management practices (BMPs) described in the Stormwater Pollution Prevention Manual. The Administrator ~~or designee~~ shall initially rely on education and informational assistance to gain compliance with this subsection H, unless the Administrator ~~or designee~~ determines a violation poses a hazard to public health, safety, or welfare, endangers any property and/or other property owned or maintained by the City, and therefore should be addressed through immediate penalties. The Administrator ~~or designee~~ may demand immediate cessation of illicit discharges and assess penalties for violations that are an imminent or substantial danger to the health or welfare of persons or danger to the environment.

4. Elimination of Illicit Connection and/or Illicit Discharge:

a. Notice of Violation: Whenever the Administrator ~~or designee~~ finds that a person has violated a prohibition or failed to meet a requirement of this Section, he or she may order compliance by written notice of violation to the property owner and/or responsible person, by first class and certified mail with return receipt requested. Such notice may require without limitation:

i. The performance of monitoring, analyses, and reporting by the violator;

ii. The elimination of illicit connections or discharges;

iii. That violating discharges, practices, or operations shall immediately cease and desist;

iv. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property; and

v. The implementation of source control or treatment BMPs. Any person responsible for a property or premises which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and nonstructural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system and/or waters of the State. These BMPs shall be part of a stormwater pollution prevention plan (SWPP) as necessary for compliance with requirements of the NPDES permit.

b. Requirement to Eliminate Illicit Connection: The Administrator ~~or designee~~ shall send a written notice, sent by first class and certified mail with return receipt requested, to the property owner and/or the person responsible for the illicit connection, informing the property owner or person responsible for an illicit connection to the MS4 that the connection must be terminated by a specified date.

c. Requirement to Eliminate Illicit Discharges: The Administrator ~~or designee~~ shall send a written notice, sent by first class and certified mail with return receipt requested to the property owner and/or

the person responsible for the illicit discharge, informing the property owner or person responsible for an illicit discharge to the MS4, whether it be surface water and/or groundwater, that the discharge must be terminated by a specified date.

d. Sample and Analysis: When the Administrator ~~or designee~~ has reason to believe that an illicit connection is resulting in an illicit discharge, the Administrator ~~or designee~~ may sample and analyze the discharge and recover the cost of such sampling and analysis from the property owner or person responsible for such illicit connection or discharge pursuant to RMC 1-3-3, as now or as hereafter may be amended, and require the person permitting or maintaining the illicit connection and/or discharge to conduct ongoing monitoring at that person's expense.

e. Right of Appeal from Administrative Decision: Any person aggrieved by an administrative decision of the Administrator ~~or designee~~ may appeal such decision pursuant to RMC 4-8-110.

f. Any illicit connection and/or illicit discharge as set forth in this Section or the Stormwater Pollution Prevention Manual is hereby declared to be a nuisance pursuant to RMC 1-3-3, and as defined in RMC 1-3-4A11c(23).

5. Reporting Requirements:

a. In the event of an illicit discharge or spill of hazardous material into the stormwater drainage system or waters of the City, State of Washington or United States, said person with knowledge thereof shall immediately notify the emergency dispatch services (911).

b. In the event of an illicit discharge of nonhazardous material into the stormwater drainage system or waters of the City, State of Washington or United States, said person with knowledge thereof shall immediately notify the Public Works Department by phone at 425-430-7400, or in person.

6. Inspections, Investigation and Sampling: The Administrator ~~or designee~~ may lawfully enter property to inspect the facilities of any person to determine compliance with the requirements of these regulations.

a. Access:

i. The Administrator ~~or designee~~ shall be permitted to lawfully enter and inspect sites subject to regulation under this Chapter and Section as often as may be necessary to determine compliance herewith, at all reasonable hours for the purpose of inspections, sampling or records examination.

ii. The Administrator ~~or designee~~ shall have the right to set up on the property necessary devices to conduct sampling, inspection, compliance monitoring, and/or metering actions.

b. Compliance with Inspection Report: Within thirty (30) days of receiving an inspection report from the Public Works Department, the property owner or operator shall file with the Department a plan and time schedule to implement any required modifications to the site or to the monitoring plan needed to achieve compliance with the intent of this Chapter or Section or the NPDES permit conditions. This plan and time schedule shall also implement all of the recommendations of the Department.

7. All persons subject to the provisions of this Section shall retain and preserve for no less than three (3) years any records, books, documents, memoranda, reports, correspondence, and any and all summaries thereof, relating to operation, maintenance, monitoring, sampling, remedial actions and chemical analysis made by or on behalf of a person in connection with any illicit connection or illicit discharge. All records which pertain to matters which are the subject of administrative or any other enforcement or

litigation activities brought by the City pursuant to this Code shall be retained and preserved by the person until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

4-6-060 STREET STANDARDS:

B. ADMINISTERING AND ENFORCING AUTHORITY:

The ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~and/or designee~~ is responsible for the general administration and coordination of this section.

C. APPLICABILITY:

The standards in this section will be used for all public and private street improvements within the City of Renton. Whenever a building permit is applied for or application made for a S~~s~~hort P~~p~~lat or a full subdivision, the applicant for such permit and/or application shall build and install certain street improvements, including, but not limited to: lighting on all ~~adjacent~~ abutting rights-of-way, and all private street improvements on access easements. The minimum design standards for streets are listed in the tables set forth in subsection F2 of this Section. These standards will determine specific street improvement requirements for development projects, including S~~s~~hort P~~p~~lats and subdivisions.

D. EXEMPTIONS:

3. The construction of one single family house, or the modification or addition to an existing house if the public street ~~adjacent to~~ abutting the lot under construction is currently used for vehicular access and improved with pavement. If the street does not meet the criteria, then the street must be improved to meet minimum Fire Department Standards.

E. RIGHT-OF-WAY DEDICATION REQUIRED:

1. Dedication Required for Development: Where the existing width for any right-of-way ~~adjacent~~ abutting to the development site is less than the minimum standards listed in subsection F of this Section, additional right-of-way dedication will be required for the proposed development.

2. Amount of Dedication: The right-of-way dedication required shall be half of the difference between the existing width and the minimum required width as listed in subsection F of this Section. In cases where additional right-of-way has been dedicated on the opposite side of the right-of-way from the development site in compliance with this Section, then dedication of the remaining right-of-way width to obtain the minimum width as listed in subsection F of this Section shall be required.

3. Waiver of Dedication: The Administrator ~~of the Department of Community and Economic Development and/or designee~~ may waive the requirement for additional right-of-way dedication pursuant to RMC 4-9-250C, Waiver Procedures, where it is determined by the Administrator ~~and/or designee~~ that construction of full street improvements is not anticipated in the future.

F. PUBLIC STREET RIGHT-OF-WAY DESIGN STANDARDS

2. Minimum Design Standards for Public Streets and Alleys: All such improvements shall be constructed to the City Standards for Municipal Public Works Construction. Standards for construction shall be as specified in the following table, and by the Administrator~~ of the Department of Community and Economic Development and/or designee~~.

Minimum Design Standards [1] (see notes)	**Functional Classifications: Public Streets and Alleys**						
	Principal Arterial	**Minor Arterial**	**Commercial-Mixed Use, Industrial, & Neighborhood Collector Arterial**	**Commercial-Mixed Use & Industrial Access**	**Residential Access**	**Limited Residential Access**	**Alleys**
(note: rest of table to remain the same)							
Planting Strips[4]	8' between curb & walk both sides	8' between curb & walk both sides	8' between curb & walk both sides	8' between curb & walk both sides	8' between curb & walk both sides	8' between curb & walk both sides	None
	Tree grates and hardscape may be substituted for planting strip area if approved by ~~Reviewing Official~~ Administrator.				May be reduced if approved by ~~Reviewing Official~~ Administrator.[5]		
(note: rest of table to remain the same)							
	NOTES AND CONDITIONS: MINIMUM DESIGN STANDARDS TABLE FOR PUBLIC STREETS AND ALLEYS: [6] A second parking lane may be required by the ~~Reviewing Official~~ Administrator.						

7. Curves:

a. Horizontal Curves: Where a deflection angle of more than ten degrees (10°) in the alignment of a street occurs, a curve of reasonably long radius shall be introduced, subject to review and

approval of the Administrator~~ of the Department of Community and Economic Development and/or designee~~.

b. Vertical Curves: All changes in grade shall be connected by vertical curves of a minimum length of two hundred feet (200') unless specified otherwise by the Administrator~~ of the Department of Community and Economic Development and/or designee~~.

c. Tangents for Reverse Curves: A tangent of at least two hundred feet (200') in length shall be provided between reverse curves for arterials; one hundred fifty feet (150') for collectors and one hundred feet (100') for residential access streets.

8. City Center Planning Area and Urban Design Districts – Special Standards: Greater sidewalk widths may be required in the City Center Planning Area and Urban Design Districts as part of S~~s~~ite P~~p~~lan Development R~~r~~eview for specific projects. The Administrator~~ of the Department of Community and Economic Development and/or designee~~ may require that sidewalks be extended from property line to the curb with provisions made for street trees and other landscaping requirements, street lighting, and fire hydrants.

G. COMPLETE STREETS

2. Exemptions: Pedestrian and bicycle facilities are not required to be established when it is concluded by the Administrator~~ of the Department of Community and Economic Development and/or designee~~ that application of complete streets principles is unnecessary or inappropriate:

a. Where their establishment would be contrary to public safety; or

b. When the cost would be excessively disproportionate to the need or probable use; or

c. Where there is no identified long-term need; or

d. Where the establishment would violate Comprehensive Plan policies; or

e. Where the Administrator~~ of the Department of Community and Economic Development and/or designee~~ grants a documented exemption which may only be authorized in specific situations where conditions warrant. Such site-specific exemptions shall not constitute general changes to the minimum street standards established in this Section.

H. DEAD END STREETS:

1. Limited Application: Cul-de-sac and dead end streets are limited in application and may only be permitted by the ~~Reviewing Official~~ Administrator.

where, due to demonstrable physical constraints, no future connection to a larger street pattern is physically possible.

2. Cul-de-Sacs and Turnarounds When Permitted – Minimum Requirements: Minimum standards for dead end streets, if approved by the Department of Community and Economic Development, are as follows:

LENGTH OF STREET	TYPE OF TURNAROUND
For up to 150' in length	No turnaround required.
From 150' to 300' in length	Dedicated hammerhead turnaround or cul-de-sac required.

From 300' to 500' in length	Cul-de-sac required.
From 500' to 700' in length	Cul-de-sac required. Fire sprinkler system required for houses.
Longer than 700' in length	Two means of access and fire sprinklers required for all houses beyond 500'.

3. Turnaround Design: The hammerhead turnaround shall have a design approved by the Administrator ~~of the Department of Community and Economic Development and/or designee~~ and Fire and Emergency Services.

4. Cul-de-Sac Design: Cul-de-sacs shall have a minimum paved and landscaped radius of forty five feet (45') with a right-of-way radius of fifty-five feet (55') for the turnaround. A landscaped center island with a radius of twenty feet (20') delineated by curbing shall be provided in the cul-de-sac. The landscaping shall be maintained by the homeowners' association or adjacent property owners. The cul-de-sac turnaround shall have a design approved by the Administrator ~~of the Department of Community and Economic Development and/or designee~~ and Fire and Emergency Services.

5. Secondary Access Requirement: Secondary access for emergency equipment is required when a development of three (3) or more buildings is located more than two hundred feet (200') from a public street.

6. Waiver of Turnaround: The requirement for a turnaround or cul-de-sac may be waived by the Administrator ~~of the Department of Community and Economic Development and/or designee~~ with approval of Fire and Emergency Services when the development proposal will not create an increased need for emergency operations pursuant to RMC 4-9-250C, Waiver Procedures.

L. TIMING FOR INSTALLATION OF IMPROVEMENTS:

No building shall be granted a certificate of final occupancy, or P~~p~~lat or S~~s~~hort P~~p~~lat recorded, until all the required street improvements are constructed in a satisfactory manner and approved by the responsible departments unless those improvements remaining unconstructed have been deferred by the Administrator ~~of the Department of Community and Economic Development and/or designee~~ and security for such unconstructed improvements has been satisfactorily posted.

Q. VARIATIONS FROM STANDARDS:

1. Alternates, Modifications, Waivers, Variances

2. Half Street Improvements

a. When Permitted: Half street improvements may be allowed for a residential access street by the Administrator ~~of the Department of Community and Economic Development and/or designee~~ when it is determined that the adjacent parcel of property has the potential for future development and dedication of the right-of-way necessary for the completion of the street right-of-way.

4-6-090 UTILITY LINES – UNDERGROUND INSTALLATION

C. EXEMPTIONS:

1. This Chapter shall not apply to the following facilities:

a. Electric utility substations, pad-mounted transformers and switching facilities not located on the public right-of-way where site screening is or will be provided in accordance with subsection H7b of this Section.

b. Electric transmission systems of a voltage of fifty-five (55) kv or more, (including poles and wires) and equivalent communication facilities where the utility providing electrical energy is willing to provide at its expense an underground street lighting circuit including all conductor and conduit to a point on the poles at least forty feet (40') above ground level to serve utility owned street lighting fixtures to be mounted on the poles at said location.

c. **Ornamental street lighting** standards.

d. Telephone pedestals and other equivalent communication facilities.

e. Police and fire sirens, or any similar municipal equipment, including traffic-control equipment.

f. When undergrounding is required due to extensions, duplications, relocations or rebuilds to existing overhead electrical and communication facilities but the poles to be removed following undergrounding would not be removed because of continuing requirements for such poles, such as services to residences of King County when those residences are not required to be undergrounded. However, if there is a reasonable likelihood that undergrounding would occur in the foreseeable future, conduit for underground crossings should be installed whenever feasible as part of any ongoing street construction, reconstruction or overlayment project.

g. When:

- undergrounding is required due to extensions, duplications, relocations or rebuilds to existing overhead electrical and communication facilities and there are existing overhead electrical or communication facilities that will not be removed (such as high tension wires), and
- the electrical and communication facilities to be removed by undergrounding parallel the facilities that will not be removed, and are on the same street right-of-way or are immediately adjacent or abutting thereto, either on the same side of the right-of-way or on the opposite side of the right-of-way, then the owners of the property that would be required to underground under subsection E3 of this Section will be given the option to request such undergrounding
- and if the majority of them agree, then the undergrounding shall occur.

D. DEFINITIONS OF TERMS USED IN THIS SECTION:

The following terms when used in this Section shall have the meanings given below:

1. Rebuilds: A replacement of overhead facilities for a distance of three (3) or more spans (four (4) poles) or five hundred feet (500') exclusive of replacements due to casualty damage.

2. Services: Facilities located on private property and/or for the specific purpose of servicing one customer.

3. Relocations: Removal of existing facilities with subsequent reinstallation at an adjacent or abutting location, generally necessitated by roadway widening projects, shall constitute a relocation.

E. UNDERGROUND SERVICE REQUIRED

2. Time Allowed to Convert Existing Above-Ground Facilities

a. Business Centers and Industrial Areas

ii. Special Requirements for Rezoned Areas: All areas rezoned for commercial or industrial use after the effective date of this Chapter shall be converted to underground in the same manner as provided herein for existing facilities within fifteen (15) years from the effective date of such rezoning, subject to a ten (10) year extension by the City; provided, that the Public Works Administrator ~~or his/her designee~~ elects to add such rezoned areas to those outlined on the map as designated in subsection E2a of this Section.

G. PERMITS, PLANS AND FEES

6. As-Built Plans Required for Underground Projects: As-built, project drawings in a form and scale conforming to generally accepted engineering practice shall be submitted in duplicate to the Development Services Division of the Department of Community and Economic Development ~~Department~~ within thirty (30) days of the completion of any underground project within the City.

H. DESIGN STANDARDS

6. Joint Trenches

b. Delay of Permit Issuance to Allow Notice to Other Utilities: Upon application for an underground permit, the Development Services Division of the Department of Community and Economic Development ~~Department~~ shall determine what utilities and franchise holders shall use the proposed trench and the issuance date of the applicable underground permit. If at the time of application for an underground permit it does not appear that all utilities involved in the undergrounding project have made appropriate arrangements for the use of common trenches, the ~~responsible official may delay the~~ issuance of such permit may be delayed until all utilities involved in such relocation shall have been given the opportunity to be heard upon two (2) weeks' notice.

e. Development Services Responsibility: When arrangements do not appear to involve all the above mentioned utilities in a joint trench, the Development Services Division of the Department of Community and Economic Development ~~Department~~ shall notify the utilities and property owner or owner's agent to provide appropriate arrangements. (

I. VARIANCE PROCEDURES:

1. Authority: All applications for variances from the foregoing underground requirements shall first be filed with the ~~Planning/Building/~~Public Works Administrator ~~or his/her designee~~. The Administrator shall promulgate rules and regulations governing application for, hearings pertaining to, and the granting of variances from the foregoing underground requirements.

2. Review Criteria: Underground requirements shall be waived by a variance only if the utility owner or user or any other affected party can demonstrate that it would work an undue hardship to place the facilities concerned underground. By an undue hardship is meant a technological difficulty associated

with the particular facility, or with the particular real property involved, or a cost of undergrounding such a facility which, in the discretion of the ~~Planning/Building/~~Public Works Administrator ~~or his/her designee~~, is deemed to outweigh the general welfare consideration implicit in underground installation, or an area where the growth pattern has not been sufficiently established to permit the determination of ultimate service requirements or major service routes.

4-7-020 ADMINISTERING AUTHORITY

B. ADMINISTRATOR:

The ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~and/or designee~~ shall review and make recommendations to the Hearing Examiner for P~~p~~reliminary P~~p~~lats, but shall have the authority to approve S~~s~~hort P~~p~~lats.

4-7-030 NOTIFICATION OF OTHER AGENCIES:

A. NOTICE TO OTHER JURISDICTIONS:

Notice of the filing of a P~~p~~reliminary P~~p~~lat of a proposed subdivision in the City, which subdivision is adjacent or abutting to the City's municipal boundaries, or which contemplates the use of King County's or any other city's utilities shall be sent to the appropriate county or city authorities.

B. NOTICE FOR STATE HIGHWAYS:

Notice of the filing of a P~~p~~reliminary P~~p~~lat or S~~s~~hort P~~p~~lat located abutting ~~adjacent to~~ the right-of-way of a State highway shall be sent to the State Department of Transportation.

4-7-050 GENERAL OUTLINE OF SUBDIVISION, SHORT PLAT AND LOT LINE ADJUSTMENT PROCEDURES

B. APPLICATION FOR LOT LINE ADJUSTMENT – GENERAL OVERVIEW OF PROCEDURES

3. Decision: The adjustment is either approved, modified, or denied by the Administrator ~~and/or designee~~

C. APPLICATION FOR SHORT SUBDIVISION – GENERAL OVERVIEW OF PROCEDURES

4. Short Plats: The Administrator ~~of the Department of Community and Economic Development and/or designee~~ may approve, modify, or deny the short subdivision; or transfer the matter to the Hearing Examiner for a public hearing and decision.

5. Improvements: The Department will confirm that the required improvements have been installed by the applicant, or deferred by the ~~Planning/Building/Public Works~~ Administrator ~~and/or designee~~.

D. APPLICATION FOR SUBDIVISION – GENERAL OVERVIEW OF PROCEDURES

6. Improvements: The Department will confirm that the required improvements have been installed by the applicant, or deferred by the ~~Community and Economic Development~~ Administrator ~~or designee.~~

4-7-060 DETAILED PROCEDURES FOR LOT LINE ADJUSTMENTS:

A. PURPOSE:

The purpose of a lot line adjustment is to accommodate a transfer of land between abutting ~~adjacent~~ legally created lots provided no additional lot, parcel or tracts are created.

4-7-070 DETAILED PROCEDURES FOR SHORT SUBDIVISIONS:

G. PUBLIC NOTICE:

Public notice shall be given when S~~s~~hort P~~p~~lat application is made. The notices shall state the nature and location of the proposed development, the public approvals that are required and the opportunities for public comment. A fourteen (14) day public comment period shall be provided prior to any final action by the Administrator on the proposed S~~s~~hort P~~p~~lat. Notice of the application for S~~s~~hort P~~p~~lat shall be given in the following manner:

1. Public Information Sign: A minimum of one notice of the application for S~~s~~hort P~~p~~lat shall be posted on or ~~adjacent to~~ near the land to be subdivided at least fourteen (14) days prior to the administrative determination on the S~~s~~hort P~~p~~lat application. Public notice shall be accomplished through use of a four foot by eight foot (4' x 8') plywood face notice board to be provided and installed by the applicant and approved by the Department. Applicant shall be responsible for placement of the notice board in one conspicuous place on or ~~adjacent to~~ near the property subject to the application at least fourteen (14) days prior to the administrative determination on the S~~s~~hort P~~p~~lat application. Applicant will notify the Department staff when the notice board is installed to allow for Department review and approval of the notice board.

2. Newspaper Publication: One notice of the S~~s~~hort P~~p~~lat application shall be given in a newspaper of general circulation within the area in which property is located, at least ten (10) days prior to the administrative determination on the S~~s~~hort P~~p~~lat application.

3. Mailed Notices: Notice shall be mailed to all property owners within a radius of three hundred feet (300') of the exterior boundaries of the property which is the subject of the application. If the owner of the subject property also owns property lying adjacent or abutting to the subject property, the three hundred foot (300') radius must be taken from the exterior boundaries of this adjacent or abutting owned property.

4. Failure to Receive Notice: The failure of any property owner to receive said notice of hearing will not necessarily invalidate the proceedings. Failure to receive notice will be grounds for a request for reconsideration by the decision maker for the S~~s~~hort P~~p~~lat. The decision maker shall reconsider when it is demonstrated that there is additional material testimony to provide that was not provided by others before the original decision.

4-7-080 DETAILED PROCEDURES FOR SUBDIVISION

M. PLAT AMENDMENTS

2. Major Plat Amendments: Major amendments to an approved or pending plat application shall require a new application. For major amendments that due to extraordinary circumstances would result in a highly unreasonable and unconscionable burden on the applicant or plat holder, if the applicant or plat holder was required to go through a new application process, the Administrator ~~or designee~~ may require the major amendment to be treated as a minor amendment.

I. HEARING EXAMINER PUBLIC HEARING

2. Public Notice Required: The notice for public hearing shall include the date and location of the public hearing. Notice of the public hearing shall be given in the following manner:

a. A minimum of one notice of the application for subdivision shall be posted on or ~~adjacent to~~ near the land to be subdivided at least fourteen (14) days prior to the administrative determination on the P~~p~~reliminary P~~p~~lat application. Public notice shall be accomplished through use of a four foot by eight foot (4' x 8') plywood face notice board to be provided and installed by the applicant and approved by the Department. Applicant shall be responsible for placement of the notice board in one conspicuous, clearly visible place on or ~~adjacent to~~ near the property subject to the application at least fourteen (14) days prior to the date of the public hearing. Applicant will notify the Department staff when the notice board has been installed to allow for Department review and approval of the notice board.

b. One notice of the public hearing shall be given in a newspaper of general circulation within the area in which property is located at least ten (10) days prior to the public hearing.

c. Notice shall be mailed to all property owners within a radius of three hundred feet (300') of the exterior boundaries of the property which is the subject of the application. If the owner of the subject property also owns property lying adjacent or abutting to the subject property, the three hundred foot (300') radius must be taken from the exterior boundaries of this adjacent or abutting owned property. The notices shall state the nature and location of the proposed development, the public approvals that are required and the opportunities for public comment. Such notice shall be sent at least fourteen (14) days prior to the public hearing.

d. The failure of any property owner to receive said notice of hearing will not necessarily invalidate the proceedings. Failure to receive notice will be grounds for a request for reconsideration by the Hearing Examiner. The Hearing Examiner shall reconsider when it is demonstrated that there is additional material testimony to provide that was not provided by others before the original decision.

4-7-110 FINAL PLAT PROCEDURES

E. FILING FINAL PLAT:

The Administrator ~~of the Department of Community and Economic Development and/or designee~~ must provide written approval of the F~~f~~inal P~~p~~lat prior to its submission to the Hearing Examiner. The F~~f~~inal P~~p~~lat must then be approved by the Hearing Examiner, and signed by the Mayor and the City Clerk, prior to being filed with the King County Department of Records and Elections by the City.

4-7-150 STREETS – GENERAL REQUIREMENTS AND MINIMUM STANDARDS

A. RELATIONSHIP TO ADJOINING STREET SYSTEM:

The proposed street system shall extend and create connections between existing streets unless otherwise approved by the Public Works Department. Prior to approving a street system that does not extend or connect, the ~~Reviewing Official~~ Public Works Administrator shall find that such exception shall meet the requirements of subsection E3 of this Section. The roadway classifications shall be as defined and designated by the Department.

E. STREET PATTERN:

1. Grid: A grid street pattern shall be used to connect existing and new development and shall be the predominant street pattern in any subdivision permitted by this Section.

2. Linkages: Linkages, including streets, sidewalks, pedestrian or bike paths, shall be provided within and between neighborhoods when they can create a continuous and interconnected network of roads and pathways. Implementation of this requirement shall comply with Comprehensive Plan Transportation Element Objective T-A and Policies T-9 through T-16 and Community Design Element, Objective CD-M and Policies CD-50 and CD-60.

3. Exceptions:

a. The grid pattern may be adjusted to a "flexible grid" by reducing the number of linkages or the alignment between roads, where the following factors are present on site:

i. Infeasible due to topographical/environmental constraints; and/or

ii. Substantial improvements are existing.

4. Connections: Prior to adoption of a complete grid street plan, reasonable connections that link existing portions of the grid system shall be made. At a minimum, stub streets shall be required within subdivisions to allow future connectivity.

5. Alley Access: Alley access is the preferred street pattern except for properties in the Residential Low Density land use designation. The Residential Low Density land use designation includes the RC, R-1, and R-4 zones. Prior to approval of a plat without alley access, ~~the Reviewing Official shall evaluate an alley layout and determine~~ it shall be determined through an evaluation of alley layout that the use of alley(s) is not feasible. Within the R-4 zone, alley access may be required ~~by the Reviewing Official~~ based on one or more of the following criteria:

a. Minimum lot widths are reduced; or

b. An increase in density is allowed; or

c. Alley(s) are present in the surrounding area; or

d. If significant trees and/or vegetation are preserved; or

e. The clustering of homes is allowed; or

f. If site characteristics allow for the effective use of alley(s). (Ord. 5515, 12-14-2009)

6. Alternative Configurations: Offset or loop roads are the preferred alternative configurations.

7. Cul-de-Sac Streets: Cul-de-sac streets may only be permitted ~~by the Reviewing Official~~ where ~~due to demonstrable physical constraints~~ no future connection to a larger street pattern is physically possible due to demonstrable physical constraints.

F. IMPROVEMENTS REQUIRED:

All ~~adjacent~~ abutting rights-of-way and new rights-of-way dedicated as part of the plat, including streets, roads, and alleys, shall be graded to their full width and the pavement and sidewalks shall be constructed as specified in the street standards or deferred by the ~~Planning/Building/~~Public Works Administrator ~~or his/her designee~~.

G. ADJACENT OR ABUTTING ~~TO~~ UNPLATTED ACREAGE:

Streets that may be extended in the event of future adjacent or abutting platting shall be required to be dedicated to the plat boundary line. Extensions of greater depth than an average lot shall be improved with temporary turnarounds. Dedication of a full-width boundary street shall be required in certain instances to facilitate future development.

4-7-160 RESIDENTIAL BLOCKS – GENERAL REQUIREMENTS AND MINIMUM STANDARDS

B. WALKWAYS:

Where circumstances warrant, ~~the Reviewing Official may require~~ one or more public crosswalks or walkways of not less than six feet (6') in width dedicated to the City to extend entirely across the width of the block at locations deemed necessary may be required. Such crosswalks or walkways shall be paved for their entire width and length with a permanent surface and shall be adequately lighted at the developer's cost.

4-7-230 BINDING SITE PLANS

H. PERMIT PROCEDURES FOR BINDING SITE PLAN APPROVAL

2. Review Authority: Pursuant to chapter 4-8 RMC, the ~~Responsible Official for a binding site plan application shall be the~~ Community and Economic Development Administrator is hereby authorized and directed to interpret and enforce all the provisions of this Section, unless the applicant elects to have the B~~b~~inding S~~s~~ite P~~p~~lan application merged with a Type III permit S~~s~~ite P~~p~~lan application or a development agreement under chapter 36.70B RCW. If a B~~b~~inding S~~s~~ite P~~p~~lan application is to be processed with a Type III S~~s~~ite P~~p~~lan, then ~~the responsible Reviewing Official shall be~~ the Hearing Examiner is hereby authorized and directed to interpret and enforce all the provisions of this Section. If a B~~b~~inding S~~s~~ite P~~p~~lan application is to be processed with a development agreement, ~~the responsible Reviewing Official shall be~~ the City Council is hereby authorized and directed to interpret and enforce all the provisions of this Section. The final decision on a development agreement with an application for a B~~b~~inding S~~s~~ite P~~p~~lan shall be made by City Council. No administrative appeal of the City Council decision shall be available. If a B~~b~~inding S~~s~~ite P~~p~~lan is merged with a planned urban development application, the review authority shall be determined pursuant to RMC 4-9-150.

K. REVIEW AUTHORITY DECISION:

1. Action: ~~The responsible Reviewing Official shall review and act upon~~ B~~b~~inding S~~s~~ite P~~p~~lans shall be reviewed based upon the general criteria in this Section and other criteria applicable to the S~~s~~ite P~~p~~lan or development agreement with which the applicant elects to merge the B~~b~~inding S~~s~~ite P~~p~~lan application. Every decision made under this Section shall include findings of fact and conclusions to support the decision.

2. Approval: If ~~the Reviewing Official finds~~ the proposed B~~b~~inding S~~s~~ite P~~p~~lan is found in conformance to the standards and requirements of this Section, then it shall be approved.

3. Approval with Modifications: If modification(s) are deemed necessary ~~by the Reviewing Official~~, then they may be added to the B~~b~~inding S~~s~~ite P~~p~~lan or a revised B~~b~~inding S~~s~~ite P~~p~~lan may be required. The applicant shall be notified of any such modification action.

4. Referral to the Hearing Examiner: Except when a B~~b~~inding S~~s~~ite P~~p~~lan is merged with a development agreement, if the ~~Reviewing Official~~ Administrator determines that there are sufficient concerns by residents in the area of the B~~b~~inding S~~s~~ite P~~p~~lan, or by City staff, to warrant a public hearing, then he/she shall refer the B~~b~~inding S~~s~~ite P~~p~~lan to the Hearing Examiner for public hearing and decision by the Hearing Examiner. Notice of the public hearing will be given as for a Type III permit hearing. B~~b~~inding S~~s~~ite P~~p~~lans merged with development agreements shall be approved by City Council pursuant to the requirements of RCW 36.70B.170 et seq.

5. Denial: If the B~~b~~inding S~~s~~ite P~~p~~lan is denied ~~by the Reviewing Official~~, the applicant shall be notified in writing of the decision, stating the reasons ~~therefor~~ for the denial of the application.

6. Reconsideration: Any party may request that an application, on which ~~the Reviewing Official has made~~ a decision has been made, be reopened ~~by the Reviewing Official~~ if it is found that new information that was not previously available has come to light that might affect the decision~~action taken by the Reviewing Official~~. Requests for reconsideration must be filed within fourteen (14) days of the date of the decision.

4-8-070 AUTHORITY AND RESPONSIBILITIES

C. PUBLIC WORKS ADMINISTRATOR ~~OR DESIGNEE~~:

Authority: The Public Works Administrator ~~or designee~~ shall review and act on the following:

1. Appeals of administrative decisions/determinations regarding requests for modification of storm drainage regulations;
2. Interpretation of flood insurance rate map boundaries;
3. Modifications:

a. Modifications of storm drainage requirements;

b. Modifications/waivers of sewer code requirements;

4. Sewer modifications, alternates, and appeals pursuant to RMC 4-9-250D and E and 4-8-110D, respectively.

D. COMMUNITY AND ECONOMIC DEVELOPMENT ADMINISTRATOR ~~OR DESIGNEE~~:

Authority: The Community and Economic Development Administrator ~~or designee~~ shall review and act on the following:

1. Appeals relating to the International Building Code;
2. Building and grading permits;
3. Permits to rebuild for nonconforming structures;
4. Conditional use permit, administrative;
5. Critical area regulation alternates and modifications;
6. Critical areas regulation administrative determinations per RMC 4-3-050D4;
7. Lot line adjustments;
8. Modifications:

a. Minor modifications to previously approved S~~s~~ite P~~p~~lan;
b. Modification of geologic hazard regulations for manmade slopes;
c Modifications of the number of required parking stalls and the requirements of the parking, loading and driveway regulations; and
d. Modifications to development standards in the Urban Design Regulation Overlay District;
9. Public art exemption certificate;
10. Review of business licenses for home occupations;
11. Revocable permits for the temporary use of public right-of-way;
12. Routine vegetation management permits;
13. Shoreline exemptions;
14. Shoreline permits;
15. Short P~~p~~lats;
16. Site P~~p~~lan approval, administrative;
17. Master Plan review (individual phases);
18. Temporary emergency wetland permits;
19. Temporary use permits;
20. Variances:
a. Administrative pursuant to RMC 4-9-250B;
b. Variances not associated with a development permit that requires review by the Hearing Examiner, provided the variance authority is not specifically given to another authority elsewhere in this Chapter, and any building permits submitted in conjunction with such variance application; and
c. Variances from chapter 8-7 RMC, Noise Level Regulations; and
21. Waivers:
a. Waivers of right-of-way dedication for plat;
b. On- and off-site improvements (including deferrals); and
c. Allowing a commercial or multi-family residential driveway grade of between eight percent (8%) and fifteen percent (15%).
22. Final Planned Urban Developments.

H. HEARING EXAMINER

1. Authority: The Hearing Examiner shall review and act on the following:
j. Plats, preliminary and final, and major amendments to plats,

4. Appeals: Unless otherwise specified, any decision of the Environmental Review Committee, the Community and Economic Development Administrator ~~or designee,~~ or the Public Works Administrator ~~or designee~~ in the administration of this Title shall be appealable to the Hearing Examiner as an administrative determination pursuant to RMC 4-8-110E, Appeals to Examiner of Administrative Decisions and Environmental Determinations.

4-8-080G LAND USE PERMIT PROCEDURES

	PUBLIC NOTICE OF APPLICATION	RECOMMEND-ATION	OPEN RECORD HEARING[7]	DECISION/ ADOPTION	OPEN RECORD APPEAL	CLOSED RECORD HEARING	JUDICIAL APPEAL
TYPE III[4]							
Major Amendments to Plats	YES	Staff	HE	HE		CC	SC

(note: rest of table to remain the same)

LEGEND:

Admin. – Community and Economic Development Administrator ~~or designee~~

(note: rest of legend to remain the same)

FOOTNOTES:

5. The Community and Economic Development Administrator ~~or designee~~ shall hear variances where not associated with a development that requires review by the Hearing Examiner.

4-8-100 APPLICATION AND DECISION – GENERAL

C. LETTER OF COMPLETENESS

2. Applications Which are Not Complete

c. Time Extensions: In such circumstances where a project is complex or conditions exist that require additional time, the ~~Administrator of the Department of~~ Community and Economic Development Administrator~~or designee~~ may allow the applicant, contact person and/or property owner additional time to provide the requested materials. When granted, extension approvals shall be provided in writing.

5. Extension of Complete Application: A one-time, one-year extension may be granted if a written extension request is submitted prior to the expiration date identified in the certified notice and the applicant, contact person or property owner(s) has demonstrated due diligence and reasonable reliance towards project completion. In consideration of due diligence and reasonable reliance the ~~Administrator of the Department of~~ Community and Economic Development Administrator~~or designee~~ shall consider the following:

a. Date of initial application;

b. Time period the applicant had to submit required studies;

c. Availability of necessary information;

d. Potential to provide necessary information within one (1) year;

e. Applicant's rationale or purpose for delay; and

f. Applicant's ability to show reliance together with an expectation that the application would not expire.

4-8-110 APPEALS

A. SCOPE AND PURPOSE

1. Appeals of administrative decisions to Public Works Administrator ~~or designee~~

7. Appeals of administrative decisions to Community and Economic Development Administrator ~~or designee~~

C. GENERAL INFORMATION APPLICABLE TO ALL TYPES OF APPEALS

2. Time to File: ~~**(Reserved)**~~ Unless otherwise specified in Title IV or in state law, the fourteen (14) calendar-day appeal period shall begin either three (3) calendar days after the date of mailing of the decision to the parties of record via US Postal mail by the City Clerk, or the date the decision is electronically transmitted, posted or e-mailed to the appellant and parties of record by the City Clerk, if such electronic transmittal method has been previously been approved or agreed to by the parties.

D. APPEALS OF ADMINISTRATIVE DECISIONS TO THE PUBLIC WORKS DEPARTMENT:

Any decisions made in the administrative process related to the City's storm drainage regulations may be appealed to the Public Works Administrator ~~or his/her designee~~ within fifteen (15) days and filed, in writing, with the Public Works Department. The Administrator shall give substantial weight to any discretionary decision of the City rendered pursuant to this Chapter.

E. APPEALS TO EXAMINER OF ADMINISTRATIVE DECISIONS AND ENVIRONMENTAL DETERMINATIONS

~~**9. Appeal of Examiner Decision to City Council:** Unless a specific section or State law providing for review of decision of the Examiner requires review thereof by the Superior Court or other body, all other appeals of the Hearing Examiner's decision shall be made to the City Council within fourteen (14) calendar days from the date of the Examiner's written report.~~

J. APPEALS OF ADMINISTRATIVE DECISIONS TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT:

Any decisions made in the administrative process related to the Department of Community and Economic Development ~~Department~~ may be appealed to the Administrator ~~or his/her designee~~ within fifteen (15) days and filed, in writing, with the Department of Community and Economic Development. The Administrator shall give substantial weight to any discretionary decision of the City rendered pursuant to this Chapter.

4-8-120 SUBMITTAL REQUIREMENTS – SPECIFIC TO APPLICATION TYPE:

Table 4-8-120C Legend

8. A standard stream or lake study is required for any application proposal. A supplemental stream or lake study is also required if an unclassified stream is involved, or if there are proposed alterations of the water body or buffer, as identified in the standard stream or lake study. If substantial impacts to the

existing vegetation within the buffer required by RMC 4-3-090D7a, Shoreline Bulk Standards, or as modified under RMC 4-3-090F1, Vegetation Conservation, are identified in the standard stream or lake study, a supplemental stream or lake study may be required by the ~~Administrator of the Department of~~ Community and Economic Development Administrator~~or designee~~. A stream or lake mitigation plan will be required prior to final approval for any plans or permits that result in mitigation identified in the supplemental stream or lake study.

D. DEFINITIONS OF TERMS USED IN SUBMITTAL REQUIREMENTS FOR BUILDING, PLANNING AND PUBLIC WORKS PERMIT APPLICATIONS

3. Definitions C

Colored Display Maps: Full-size plan sheets of each of the following maps colored with a wide tip marker in order to clearly define the site's outer property boundary, the area of new construction and/or proposed new lot lines (dashed), existing buildings, landscaping areas, and abutting ~~adjacent~~ street names for use in presenting the project at public hearing and/or to the Environmental Review Committee.

a. Neighborhood D~~d~~etail M~~m~~ap,

b. Site P~~p~~lan,

c. Landscaping P~~p~~lan, and

d. Elevations.

7. Definitions G

Geotechnical Report

Table 18 – Geotechnical Report – Detailed Requirements

11. Conduct sufficient subsurface exploration to provide a site coefficient (S) for use in the International Building Code to the satisfaction of the ~~Administrator of the Department of~~ Community and Economic Development Administrator~~or designee~~.

12. Definitions L

Landscaping Plan, Conceptual: A fully dimensioned plan, prepared by a landscape architect registered in the State of Washington, a certified nurseryman, or other similarly qualified professional, drawn at the same scale as the project S~~s~~ite P~~p~~lan (or other scale approved by the ~~Reviewing Official~~ Community and Economic Development Administrator), clearly indicating the following:

a. Date, graphic scale, and north arrow,

b. Location of proposed buildings, parking areas, access and existing buildings to remain,

c. Names and locations of abutting streets and public improvements, including easements,

d. Existing and proposed contours at five foot (5') intervals or less,

e. Location, size, and purpose of planting areas, including those required in RMC 4-4-070, Landscaping, and those required in RMC 4-3-090, Shoreline Master Program Regulations,

f. Location and height for proposed berming,

g. Location and elevations for any proposed landscape-related structures such as arbors, gazebos, fencing, etc.,

h. Location, size, spacing and names of existing and proposed shrubs, trees, ground covers, and decorative rockery or like landscape improvements in relationship to proposed and existing utilities, and

i. The location, size and species of all protected trees on site. Protected trees shall have the approximate drip line shown (see RMC 4-4-130, Tree Retention and Land Clearing Regulations).

Landscaping Plan, Detailed: A fully dimensioned plan, prepared by a landscape architect registered in the State of Washington, a certified nurseryman, or other similarly qualified professional, drawn at the same scale as the project S~~s~~ite P~~p~~lan (or other scale approved by the ~~Reviewing Official~~ Community and Economic Development Administrator), clearly indicating the following:

a. Date, graphic scale, and north arrow,

b. Location of proposed buildings, property lines, walks, parking areas, access, and existing buildings to remain,

c. Names and locations of abutting streets and public improvements, including easements,

d. Existing and proposed contours at five foot (5') intervals or less,

e. Detailed grading plan,

f. Location, dimensions, and purpose of all planting areas (the width of a landscaping area when curbed shall be measured from inside to inside of the curbs) including those required in RMC 4-4-070, Landscaping,

g. Location and height for proposed berming,

h. Locations, elevations, and details for any proposed landscape-related structures such as arbors, gazebos, fencing, etc.,

i. Location, size, spacing and names of existing and proposed shrubs, trees, ground covers, and decorative rockery or like landscape improvements in relationship to proposed and existing utilities,

j. The location, size and species of all protected trees on site. Protected trees shall have the approximate drip line shown (see RMC 4-4-130, Tree Retention and Land Clearing Regulations),

k. Names of existing and proposed vegetation, and

l. Detailed planting plan (soil mix, planting depth and width, and bark mulch depth).

Lot Line Adjustment Map

aa. Signature and date line(s) for the ~~Administrator of the Department of~~ Community and Economic Development Administrator.

19. Definitions S

Short Plat or Binding Site Plan Map, Final

x. Signature and date line for:

i. All property owners (signatures must be notarized with an ink stamp),

ii. The King County Assessor,

iii. The ~~City of Renton~~ Finance and Information Technology Administrator with the following text preceding: "There are no delinquent special assessments and any special assessments for any dedicated property herein contained have been paid in full", and
iv. The ~~Administrator of the Department of~~ Community and Economic Development Administrator.

Stream or Lake Mitigation Plan
a. Site Map: Site map(s) indicating, at a scale no smaller than one inch equals twenty feet (1" = 20') (unless otherwise approved by the ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~or designee~~):
i. The entire parcel of land owned by the applicant, including one hundred feet (100') of the abutting parcels through which the water body(ies) flow(s);
ii. The ordinary high water mark (OHWM) determined in the field by a qualified biologist pursuant to RMC 4-3-050L1b (the OHWM must also be flagged in the field);
iii. Stream or lake classification, as recorded in the City of Renton Water Class Map in RMC 4-3-050Q4 or RMC 4-3-090 (if unclassified, see "Supplemental Stream or Lake Study");
iv. Topography of the site and abutting lands in relation to the stream(s) and its/their buffer(s) at contour intervals of two feet (2') where slopes are less than ten percent (10%), and of five feet (5') where slopes are ten percent (10%) or greater;
v. One hundred (100) year floodplain and floodway boundaries, including one hundred feet (100') of the abutting parcels through which the water body(ies) flow(s);
vi. Site drainage patterns, using arrows to indicate the direction of major drainage flow;
vii. Top view and typical cross-section views of the stream or lake bed, banks, and buffers to scale;
viii. The vegetative cover of the entire site, including the stream or lake, banks, riparian area, and/or abutting wetland areas, extending one hundred feet (100') upstream and downstream from the property line. Include position, species, and size of all trees at least ten inches (10") average diameter that are within one hundred feet (100') of the OHWM;
ix. The location, width, depth, and length of all existing and proposed structures, roads, stormwater management facilities, wastewater treatment and installations in relation to the stream/lake and its/their buffer(s);
x. Location of site access, ingress and egress; and
xi. Location of where all mitigation or remediation measures have taken place on the site, or are proposed to take place.

Stream or Lake Study, Standard: A report shall be prepared by a qualified biologist, unless otherwise determined by the Community and Economic Development Administrator, and include the following information:
a. Site Map: Site map(s) indicating, at a scale no smaller than one inch equals twenty feet (1" = 20') (unless otherwise approved by the ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~or designee~~):

i. The entire parcel of land owned by the applicant, including one hundred feet (100') of the abutting parcels through which the water body(ies) flow(s);
ii. The ordinary high water mark (OHWM) determined in the field by a qualified biologist pursuant to RMC 4-3-050L1b (the OHWM must also be flagged in the field);
iii. Stream or lake classification, as recorded in the City of Renton Water Class Map in RMC 4-3-050Q4 or RMC 4-3-090 (if unclassified, see "Supplemental Stream or Lake Study" below);
iv. Topography of the site and abutting lands in relation to the stream(s) and its/their buffer(s) at contour intervals of two feet (2') where slopes are less than ten percent (10%), and of five feet (5') where slopes are ten percent (10%) or greater;
v. One hundred (100) year floodplain and floodway boundaries, including one hundred feet (100') of the abutting parcels through which the water body(ies) flow(s);
vi. Site drainage patterns, using arrows to indicate the direction of major drainage flow;
vii. Top view and typical cross-section views of the stream or lake bed, banks, and buffers to scale;
viii. The vegetative cover of the entire site, including the stream or lake, banks, riparian area, and/or abutting wetland areas, extending one hundred feet (100') upstream and downstream from the property line. Include position, species, and size of all trees at least ten inches (10") average diameter that are within one hundred feet (100') of the OHWM;
ix. The location, width, depth, and length of all existing and proposed structures, roads, stormwater management facilities, wastewater treatment and installations in relation to the stream/lake and its/their buffer(s); and
x. Location of site access, ingress and egress.
b. Grading Plan: A grading plan prepared in accordance with RMC 4-8-120D7, and showing contour intervals of two feet (2') where slopes are less than ten percent (10%), and of five feet (5') where slopes are ten percent (10%) or greater.
c. Stream or Lake Assessment Narrative: A narrative report on eight and one-half inch (8.5") by eleven inch (11") paper shall be prepared to accompany the S~~s~~ite P~~p~~lan and describes:
i. The stream or lake classification as recorded in the City of Renton Water Class Map in RMC 4-3-050Q4 or RMC 4-3-090;
ii. The vegetative cover of the site, including the stream or lake, banks, riparian area, wetland areas, and flood hazard areas extending one hundred feet (100') upstream and downstream from the property line, including the impacts of the proposal on the identified vegetation;
iii. The ecological functions currently provided by the stream/lake and existing riparian area and the impacts of the proposal on the identified ecological functions;
iv. Observed or reported fish and wildlife that make use of the area including, but not limited to, salmonids, mammals, and bird nesting, breeding, and feeding/foraging areas, including the impacts of the proposal on the identified fish and wildlife;
v. Measures to protect trees, as defined per RMC 4-11-200, and vegetation; and
vi. For shorelines regulated under RMC 4-3-090, Shoreline Master Program, the study shall demonstrate if the proposal meets the criteria of no net loss of ecological functions as described in RMC 4-3-090D2. If the proposal requires mitigation for substantial impacts to the existing vegetation buffer in order to

demonstrate no net loss of ecological functions, a supplemental stream or lake study may be required by the ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~or designee~~.

22. Definitions V:

Variance Justification: A written statement setting forth the reasons in favor of the application and addressing the criteria listed in RMC 4-9-250B5 which are used by the Hearing Examiner or Community and Economic Development Administrator ~~or designee~~ when reviewing the variance request.

4-9-015 AQUIFER PROTECTION AREA PERMITS

D. ADMINISTRATION:

The ~~Department~~ Community and Economic Development Administrator~~, or his/her designee,~~ shall have the power and authority to administer and enforce the provisions of this Chapter.

E. OPERATING PERMIT

4. Effect of Operating Permit: An operating permit, issued by the ~~Reviewing Official~~ Administrator, shall be effective for one year. ~~The Reviewing Official shall not issue a~~ A permit to operate a facility shall not be issued until ~~he/she~~ it is determined~~s~~ that the facility complies with the provisions of these regulations. If an inspection of the facility reveals noncompliance, then the ~~Responsible Official~~ Administrator must verify by a follow-up inspection that all required corrections have been implemented before renewing the permit. The facility owner shall apply to the Department for permit renewal at least sixty (60) days prior to the expiration of the permit.

H. PERMIT SUSPENSION OR REVOCATION

3. Operating Permit Revocation: The Department may revoke an operating permit if the owner does not apply for a reinspection or hearing within ten (10) days of permit suspension, if the owner does not apply for a reinspection within twenty (20) days of a hearing, for repeated violations of any of the requirements of RMC 4-3-050, Critical Areas Regulations, for interference with the Department in the performance of duty, for submitting false or inaccurate information, and for intentional unauthorized release of hazardous materials within the APA. Prior to revocation, the Department shall notify, in writing, the owner of the specific reason(s) for which the permit is to be revoked and that the permit shall be revoked at the end of the tenth day following service of such notice unless a written request for hearing with the Administrator is filed with the Department by the owner within ten (10) days after the date of service, in which case the revocation shall be stayed until the issuance of a final decision following the hearing. When an operating permit is revoked, facility operations shall immediately cease. The decision as to whether an unauthorized release of hazardous materials by the owners was intentional shall be made by the Administrator ~~of the Department of Community and Economic Development or designee~~.

4-9-020 COMPREHENSIVE PLAN ADOPTION AND AMENDMENT PROCESS

C. INITIATION OF PROPOSED COMPREHENSIVE PLAN AMENDMENTS:

1. The Mayor, City Council, or Planning Commission may initiate a Comprehensive Plan amendment by submitting the request in writing to the ~~Administrator of the Department of~~ Community and Economic Development Administrator.

2. The ~~Administrator of the Department of~~ Community and Economic Development Administrator may initiate Comprehensive Plan amendments that are necessary to ensure the consistency of the Comprehensive Plan, or other City plans and policies, with GMA.

3. Private parties may initiate a Comprehensive Plan amendment by submitting an application by October 15th for consideration the following year.

4-9-025 TITLE IV DEVELOPMENT REGULATION REVISION AND INTERPRETATION PROCESS

B. AUTHORITY:

In accordance with RCW 36.70A.470, a summary containing written comments on suggested development regulation amendments shall be coordinated by the Department of Community and Economic Development. The text revision process is the means to either suggest a change, or to identify needed corrections, or both, in the development regulations. The ~~Planning Director~~ Community and Economic Development Administrator has the authority to issue Title IV code interpretations.

C. APPLICABILITY

1. Proposed Title IV Development Regulation amendments may be suggested by:

a. The Mayor, City Council, or Planning Commission by submitting the request in writing to the ~~Administrator of the Department of~~ Community and Economic Development Administrator.

b. The ~~Administrator of the Department of~~ Community and Economic Development Administrator.

c. Private parties by submitting an application to the Department of Community and Economic Development.

d. Code interpretations issued by the ~~Planning Director~~ Community and Economic Development Administrator.

2. Any person may submit a written request for code interpretation to the ~~Planning Director~~ Community and Economic Development Administrator, regarding any applicable title or any subsequent amendment thereto.

G. REVIEW PROCESS FOR TITLE IV INTERPRETATIONS:

1. Requests for code interpretations shall include:

    a. The section of the code that is allegedly ambiguous or needing clarification;

    b. The subject matter or nature of the request; and

    c. Any facts that are relevant to the request.

2. The ~~Planning Director~~ Community and Economic Development Administrator may deny or reject the request if there is no ambiguity or need for clarification demonstrated by the requestor.

3. Only one interpretation per issue shall be rendered by the ~~Planning Director~~ Community and Economic Development Administrator. In the event an interpretation is requested on an issue previously

addressed, the ~~Planning Director~~ Community and Economic Development Administrator shall provide a copy of the previous interpretation to satisfy such request.
4. The ~~Planning Director~~ Community and Economic Development Administrator shall post proposed interpretations on the City website for public review comment and possible appeal.
5. Interpretations shall follow the process of Development Regulations amendments and be amended into Title IV annually.

4-9-030 CONDITIONAL USE PERMITS:
C. CITY AUTHORITY:
The ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~and/or designee~~ or the Hearing Examiner, as specified in RMC 4-2-060, Zoning Use Tables, shall have the authority to permit conditional uses.

G. DECISION CRITERIA:
3. Effect on Adjacent or Abutting Properties: The proposed use at the proposed location shall not result in substantial or undue adverse effects on adjacent or abutting property. The following site requirements shall be required:
a. Lot Coverage: Lot coverage in residential districts (SF and MR) shall not exceed fifty percent (50%) of the lot coverage of the zone in which the proposed use is to be located, except for detached accessory dwelling units, which shall not be counted toward lot coverage calculations. Lot coverage in all other zones shall conform to the requirements of the zone in which the proposed use is to be located.
b. Yards: Yards shall conform to the requirements of the zone in which the proposed use is to be located. Additions to the structure shall not be allowed in any required yard.
c. Height: Building and structure heights shall conform to the requirements of the zone in which the proposed use is to be located. Spires, belltowers, public utility antennas or similar structures may exceed the height requirement upon approval of a variance. Building heights should be related to surrounding uses in order to allow optimal sunlight and ventilation, and minimal obstruction of views from adjacent or abutting structures.

I. ADDITIONAL DECISION CRITERIA FOR SECURE COMMUNITY TRANSITION FACILITIES (SCTF), CRISIS DIVERSION FACILITIES (CDF) AND CRISIS DIVERSION INTERIM SERVICE FACILITIES (CDIS):
The ~~reviewing official shall consider the~~ following additional criteria shall be considered in determining whether to issue a conditional use permit for secure community transition, crisis diversion, or crisis diversion interim service facilities:
1. Alternative locations were reviewed and consideration given to sites that are farthest removed from any risk potential activity.
2. Adequate buffering is provided from abutting and adjacent uses.
3. Adequate security is demonstrated by the applicant.
4. Public input is provided during the siting process.

5. For SCTF there is no resulting concentration of residential facility beds operated by the Department of Corrections or the Mental Health Division of the Department of Social and Health Services, the number of registered sex offenders classified as Level II or Level III, and the number of sex offenders registered as homeless in a particular neighborhood, community, jurisdiction or region.

K. ADDITIONAL DECISION CRITERIA FOR LIVE-WORK UNITS:

The ~~reviewing official shall consider the~~ following criteria shall be considered in determining whether to issue a conditional use permit for live-work units in addition to development standards of the zone where a project is proposed:

1. Each unit shall:
    a. Not exceed a maximum of one thousand (1,000) square feet of nonresidential space for commercial activity;
    b. Construct all nonresidential space, to the maximum allowed, to commercial building standards;
    c. Provide an internal connection between the residential and nonresidential space within each unit;
    d. Provide a street presence and pedestrian-oriented facade for the nonresidential space; and
    e. Only allow the following uses within the nonresidential space of a unit:
        i. Eating and drinking establishments;
        ii. On-site services; and
        iii. Retail sales.
2. Within the Residential-14 (R-14) Zone, live-work units shall only be allowed along primary, minor, and collector arterials.
3. Within the Commercial Arterial (CA) Zone, live-work units shall only be allowed at a distance of one hundred fifty feet (150') or greater from an arterial.

4-9-060 DEFERRAL OF IMPROVEMENT INSTALLATION PROCEDURES

C. PUBLIC WORKS ADMINISTRATOR'S DEFERRAL OF PLAT IMPROVEMENTS OR DEFERRAL OF OTHER ON- AND OFF-SITE IMPROVEMENTS BEYOND TEMPORARY OCCUPANCY PERMIT:

1. Applicability: If a developer wishes to defer certain improvements listed in this Title until after obtaining a certificate of occupancy for any structures, or in the case of plats, F~~f~~inal P~~p~~lat approval, the written application shall be made to the ~~Public Works~~ Administrator ~~or designee~~ stating the reasons why such delay is necessary.

2. Decision Criteria: (Reserved)

3. Security Required: Upon approval by the ~~Public Works~~ Administrator ~~or his/her designee~~ for such deferment, for good cause shown by the applicant, the applicant shall thereupon furnish security to the City in an amount equal to one hundred fifty percent (150%) of the estimated cost of the installation and required improvements. The decision of the Administrator as to the amount of such security shall be conclusive.

4. Plans for Improvements Required: Should the ~~Public Works~~ Administrator ~~or his/her designee~~ grant the deferral of part or all of the necessary on-site improvements, then full and complete engineering

drawings of the on-site improvements shall be submitted as a condition precedent to the granting of any deferral.

5. Waiver of Requirement for Plans: Board may waive requirement of construction plans for S~~s~~hort P~~p~~lat improvement deferrals.

6. Expiration: Such security shall list the exact work that shall be performed by the applicant and shall specify that all of the deferred improvements shall be completed within the time specified by the ~~Public Works~~ Administrator ~~or his/her designee~~, and if no time is so specified, then not later than one year. For plats, if no time is established, then not later than one year after approval of the F~~f~~inal P~~p~~lat by the City Council or one year after recording of the short subdivision. The security shall be held by the Finance Department.

7. Extension of Time Limit: The ~~Public Works~~ Administrator ~~or his/her designee (Administrator)~~ shall annually review the deferred improvements and the amount of the security. Should the Administrator determine that any improvement need not be installed immediately, then the Administrator may extend the deferral for an additional period of time up to an additional year. Any improvement deferred for five (5) years shall be required to be installed or shall be waived by the Administrator pursuant to RMC 4-9-250C, Waiver Procedures, unless the Administrator determines that it is more likely than not that the improvements would be installed within an additional five (5) year period of time, in which case the Administrator may continue to defer the improvements year to year subject to the other conditions contained in this Section. Should any improvement be initiated before the lapse of a deferral, and the work is diligently pursued, then the Administrator may extend the deferral period for a term equivalent to the time necessary to complete construction, but subject, however, to continuation of the security. At the same time as the granting of any additional deferral, the security for such deferral shall be reviewed and increased or decreased as the Administrator shall deem necessary, but shall remain in an amount equal to a minimum of one hundred fifty percent (150%) of the estimated cost of the installation of the deferred improvement.

8. Acceptable Security: Security acceptable under this Section may be cash, letter of credit, set aside letter; provided, that the funds cannot be withdrawn, spent, or committed to any third party, or savings account assigned to the City and blocked as to withdrawal by the secured party without the City's approval. Only if these security devices are unavailable to the applicant, or the applicant can show hardship, will the City accept a performance bond. Any security device must be payable to the City upon demand by the City and not conditioned upon approval or other process involving the applicant. Security must be unequivocally committed to the project being secured, and cannot be available for any other purpose. Any security that, according to its terms, lapses upon a date certain, will cause the deferral to lapse on that same date unless additional adequate substitute security has been posted prior to the termination date of the prior security. Each security document posted with the City must be approved by the City Attorney, whose decision as to the acceptability of the security shall be conclusive.

9. Fee in Lieu of Required Street Improvements:

a. General. The provisions of this Section establish under what circumstances the requirements of this Chapter may be satisfied with payment of a fee in lieu of required street improvements.

b. Authority To Grant and Duration.

i. Application: If the proposed development of the subject property requires approval through a S~~s~~hort P~~p~~lat approval described in the subdivision ordinance, a request for payment of a fee in lieu of street improvements will be considered as part of this process under the provisions of this Section.

ii. Duration: If granted under a S~~s~~hort P~~p~~lat review process, the authorization to pay a fee in lieu of street improvements is binding on the City for all development permits issued for that S~~s~~hort P~~p~~lat approval under the building code within five (5) years of the granting of the request for payment of a fee in lieu of street improvements.

c. Standards: The City will not accept the applicant's proposed payment of a fee in lieu of street improvements if the ~~Planning/Building/Public Works~~ Administrator ~~or his/her designee~~ determines that it is in the City's interest that the street improvements be installed abutting the subject property, taking into account such factors as the pedestrian safety impacts that result from the development. The City may accept payment of a fee in lieu instead of requiring installation of street improvements in the following circumstances:

i. There are no similar improvements in the vicinity and there is no likelihood that the improvements will be needed or required in the next five (5) years; or

ii. Installation of the required improvement would require substantial off-site roadway modifications; or

iii. The ~~Public Works~~ Administrator ~~or his/her designee~~ determines that installation of the required improvement would result in a safety hazard; or

iv. Other unusual circumstances preclude the construction of the improvements as required.

d. Amount of Payment of Fee in Lieu of Street Improvements. In each instance where the City approves a proposed fee-in-lieu under the provisions of this Section, the amount of the fee-in-lieu shall be one hundred percent (100%) of the then-estimated cost of constructing the street improvements that would otherwise be required under this Chapter, based on information compiled and kept current by the Public Works Department on the cost of street improvement construction.

e. Use of Funds. In each instance where the City accepts payment of a fee in lieu of installing a street improvement under the provisions of this Section, the City shall deposit those funds into a reserve account and expend the funds collected within five (5) years of the date collected to fund other pedestrian safety improvements in the City.

f. No Further Obligation from the Property. In each instance where the City accepts payment of a fee in lieu of installing street improvements, the subject property will not be subject to participation in future street improvement costs (along the property frontage) unless redevelopment occurs that will generate more traffic trips than what was occurring at the property at the time of the payment of the fee in lieu of installation of street improvements.

g. Cost Contribution Toward a City Capital Improvement Project for Properties in which Frontage Improvements Have Been Deferred by Restrictive Covenant. Where restrictive covenants have been recorded against a property, requiring the property owner to pay their fair share of street frontage improvements installed as part of a City capital improvement project and the City undertakes such capital improvement project, the owners of said properties shall pay the City an amount consistent with Subsection C9d of this Section, Amount of Payment of Fee in Lieu of Street Improvements. This assessment must be paid in full within one year following notice from the City of such assessment, or

the payment may be paid over a ten (10) year period, with three percent (3%) per annum interest on the unpaid balance. For payment over time, the owner shall receive a bill from the City for one-tenth (1/10) of the assessment plus interest. The first yearly payment must be paid within one year following the initial notice from the City of the assessment. Payments over time shall become a lien against the property. A notice of such lien specifying the charge, the period covered by the charge, and giving the address and property identification (PID) number shall be filed with the office of the King County Auditor. When the payment has been received by the City in full, a certificate of payment will be recorded with King County.

10. (Repealed by Ord. 5170)

11. Security Requirement Binding: The requirement of the posting of any security ~~therefor~~ shall be binding on the applicant and the applicant's heirs, successors and assigns.

12. Record of Deferral: The ~~Public Works~~ Administrator ~~or his/her designee~~ shall note for the Department's record the following information: the improvements deferred, amount of security or check deposited, time limit of security or check, name of bonding company, and any other pertinent information.

13. Transfer of Responsibility: Whenever security has been accepted by the ~~Planning/Building/Public Works~~ Administrator ~~or his/her designee~~, then no release of the owner or developer upon that security shall be granted unless a new party will be obligated to perform the work as agreed in writing to be responsible under the security, and has provided security. In the instance where security would be provided by a condominium owners' association or property owners' association, then it shall be necessary for the owners' association to have voted to assume the obligation before the City may accept the security, and a copy of the minutes of the owners' association duly certified shall be filed along with the security.

14. Administrative Approval Required Prior to Transfer of Responsibility: The City shall not be required to permit a substitution of one party for another on any security if the ~~Public Works~~ Administrator ~~or his/her designee~~, after full review, feels that the new owner does not provide sufficient security to the City that the improvements will be installed when required.

15. Proceeding Against Security: The City reserves the right, in addition to all other remedies available to it by law, to proceed against such security or other payment in lieu thereof. In case of any suit or action to enforce any provisions of this code, the developer shall pay the City all costs incidental to such litigation including reasonable attorney's fees. The applicant shall enter into an agreement with the City requiring payment of such attorney's fees.

4-9-065 DENSITY BONUS REVIEW

C. REVIEW PROCESS

2. ~~Reviewing Official~~ Authority: The ~~Reviewing Official~~ Community and Economic Development Administrator shall determine compliance with the density bonus process unless ~~for~~ the required land use permit as described in subsection C1 of this Section, Concurrent Review requires Hearing Examiner review. ~~, shall also determine compliance with the density bonus process.~~

D. BONUS ALLOWANCES AND REVIEW CRITERIA:

	R-14 ZONE	RMF ZONE	RM-U ZONE	COR ZONE	ASSISTED LIVING
Bonus Criteria: (continued):	(iii) A minimum of 2 units of affordable housing per net developable acre (fractional results shall be rounded up to the next whole number) to qualify for a density bonus. In addition, in order to qualify for a bonus, developments shall also incorporate at least 1 of the features described below: (i) Active common recreation amenities such as sports courts, recreation center, pool, spa/jacuzzi. (ii) Surface parking lots containing not more than 6 parking stalls separated from other parking areas by landscaping with a minimum width of 15 feet.	(ii) Units built to Built Green 3 Star (at minimum) building standards. Higher Built Green standards are allowed and may receive a greater density bonus upon review and approval of the ~~Planning Director~~ Community and Economic Development Administrator Combinations of the above are allowed; provided, that at least 1 unit of affordable housing (per net acre) is provided. For example, 2 units of affordable housing and 2 units built to Built Green 3 Star standards would achieve a density bonus of 4 units.	• Landscaping/Recreation/ Common Space; and • Building Architectural Design applying to Area "A" of the Urban Design District located in RMC 4-3-100 shall be permitted a maximum density of 100 dwelling units per net acre.	(ii) Open Space: Provide increased common outdoor open space areas or recreational facilities beyond standard code requirements. The open space shall abut the shoreline, where applicable. The open space shall provide a quality environment through either passive or active recreation facilities, and attractive common areas, including accessibility from buildings by public walkways. In addition, in order to qualify for a bonus, developments shall also incorporate the features described below: (iii) Overall Design: Provide a development design that is superior to the design that would result from development of the subject property under standard code	

				requirements, including but not limited to superior architectural design, placement, relationship or orientation of structures and/or enhanced ground plane textures or colors, and (iv) Ground floor commercial shall be provided at appropriate levels given the overall project design, and	

(note: rest of table to remain the same)

4-9-090 HOME OCCUPATIONS:

A. DEFINITION:

Any commercial use conducted entirely within a dwelling or garage and carried on by persons residing in that dwelling unit which is clearly incidental and secondary to the use of the dwelling as a residence. ~~An accessory structure that provides shelter for domestic animals or household pets is allowed to be part of the business use when the household pets or domestic animals are a component of the commercial use.~~

D. PROHIBITED OCCUPATIONS:

The occupations listed below are prohibited since they change the residential character of the structure and shall not be considered incidental and secondary to the use of the residence for dwelling purposes:

1. Kennels and other boarding for pets, including pet daycare.
2. Automobile and associated mechanical repairs.
3. Businesses which dispense regulated substances.

4-9-100 ADDITIONAL ANIMALS PERMIT PROCESS

D. MAXIMUM NUMBER OF ANIMALS PERMITTED WITH AN ADDITIONAL ANIMALS PERMIT:

The number of animals allowed with the Additional Animals Permit is at the discretion of the ~~Administrator of the Department of~~ Community and Economic Development Administrator~~or designee~~ in consultation with the inspecting Animal Control Officer; however, the following numbers shall not be exceeded for these specific animal types:

(note: rest of section to remain the same)

G. DECISION CRITERIA

2. Inspection Authorized: The ~~Development Services Director~~ Community and Economic Development Administrator may require that the property be inspected by an Animal Control Officer.

H. CONDITIONS:

The Development Services Division Director ~~or designee~~, in reviewing an Additional Animals Permit application, may require soundproofing of structures as he or she deems necessary to ensure the compatibility of the proposal for additional animals with the surrounding neighborhood. Other conditions may be applied based upon the determination of the Director ~~or designee~~ that conditions are warranted to meet the purpose and intent of applicable regulations and decision criteria.

J. REVOCATION OF LICENSE

1. Revocation of Additional Animals Permit: If, after conducting an investigation, the ~~Development Services Director~~ Community and Economic Development Administrator finds that the keeping of additional animals is in violation of the provisions of this Section and/or the terms and conditions subject thereto, he or she may revoke the Additional Animals Permit.

2. Revocation of Business License: Upon findings of violation, if the Additional Animals Permit holder also has a home occupation business license, the ~~Administrator of the Department of~~ Community and Economic Development Administrator~~or designee~~ shall refer the findings to the ~~City~~ Finance and Information Technology Administrator who may revoke the home occupation business license pursuant to RMC 5-5-3F, general business license penalties.

3. License – Waiting Period Following Revocation or Refusal to Renew: For a period of one year after the date of revocation or refusal to renew, permits shall not be issued for additional animals to applicants who have previously had such permit revoked or renewal refused. In addition, the applicant must meet the requirements of this Section or any provisions of the animal control authority.

K. APPEAL:

The applicant or a citizen may appeal the decision of the ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~or designee~~ pursuant to RMC 4-8-110, Appeals.

4-9-110 MANUFACTURED AND MOBILE HOME PARKS

B. APPLICABILITY:

Development of mobile home parks shall conform to the regulations established herein. It shall be illegal to allow or permit any mobile home to remain in the mobile home park unless a proper space is available for it. It shall be illegal to allow a recreational vehicle without at least one internal toilet and one internal shower to remain in the mobile home park unless the mobile home park provides community toilets and showers.

E. PARK REVIEW PROCEDURES

2. Referrals, Recommendations of Department: The Development Services Division shall transmit copies of the proposed mobile home park plan to the ~~Department of~~ Public Works Department, the health agency, Fire Department and copies to other department heads and agencies as necessary for their review and recommendation. Two (2) copies shall be retained by the Hearing Examiner. These departments and agencies shall make, within the scope of their municipal functions, their respective recommendations regarding the mobile home park plan to the Development Services Division, in writing, not less than fifteen (15) days prior to the date of hearing.

F. REVIEW CRITERIA FOR NONCONFORMING STRUCTURES:

3. Potential of Site for Redevelopment: Redevelopment of the site with a conforming structure is unlikely either because the size of the existing lot may be too small to be economical, or because the characteristics of adjacent or abutting permitted uses (that might normally be expected to expand to such a site) currently might preclude their expansion. Typically, economic hardship would not be considered for a variance, but is a consideration here.

4-9-150 PLANNED URBAN DEVELOPMENT REGULATIONS:

D. DECISION CRITERIA

3. Additional Review Criteria: A proposed planned urban development shall also be reviewed for consistency with all of the following criteria:

e. Privacy and Building Separation: Provides internal privacy between dwelling units, and external privacy for adjacent and abutting dwelling units. Each residential or mixed use development shall provide visual and acoustical privacy for dwelling units and surrounding properties. Fences, insulation, walks, barriers, and landscaping are used, as appropriate, for the protection and aesthetic enhancement of the property, the privacy of site occupants and surrounding properties, and for screening of storage, mechanical or other appropriate areas, and for the reduction of noise. Windows are placed at such a height or location or screened to provide sufficient privacy. Sufficient light and air are provided to each dwelling unit.

E. DEVELOPMENT STANDARDS:

1. Common Open Space Standard: Open space shall be concentrated in large usable areas and may be designed to provide either active or passive recreation. Requirements for residential, mixed use, commercial, and industrial developments are described below.

a. Residential: For residential developments open space must equal at least ten percent (10%) of the development site's gross land area.

i. Open space may include, but is not limited to, the following:

(a) A trail that allows opportunity for passive recreation within a critical area buffer (only the square footage of the trail shall be included in the open space area calculation), or

(b) A sidewalk and its associated landscape strip, when abutting the edge of a critical area buffer and when a part of a new public or private road, or

(c) A similar proposal as approved by the ~~reviewing official~~ Hearing Examiner.

ii. Additionally, a minimum area equal to fifty (50) square feet per unit of common space or recreation area shall be provided in a concentrated space as illustrated in Figure 1.

iii. Stormwater facilities may be incorporated with the open space, common space or recreation area on a case-by-case basis if the ~~Reviewing Official~~ Hearing Examiner finds:

(a) The stormwater facility utilizes the techniques and landscape requirements set forth in The Integrated Pond, King County Water and Land Resources Division, or an equivalent manual, or

(b) The surface water feature serves areas outside of the planned urban development and is appropriate in size and creates a benefit.

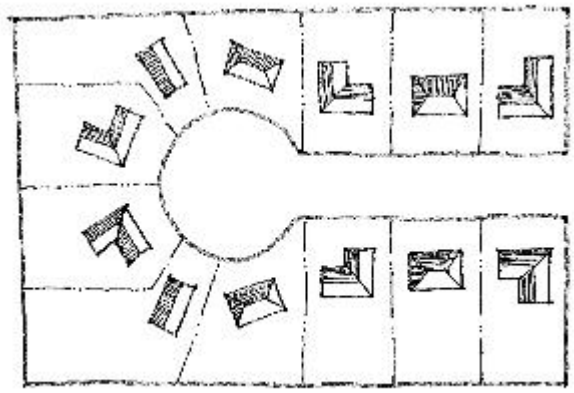
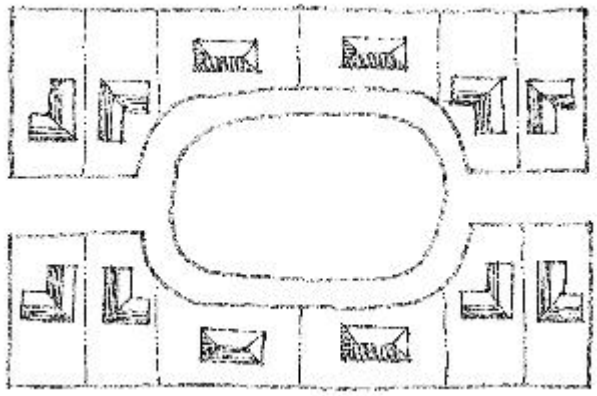
	
Site Area: 1.5 acres Typical Lot Size: 4,500 sq. ft. Total Number of Lots: 12	Site Area: 1.5 acres Typical Lot Size: 3,500 sq. ft. Total Number of Lots: 12 Open Space: 7,134 sq. ft.
Standard Subdivision	Example Planned Urban Development Approach

Figure 1. Common Open Space Example

(Ord. 5571, 11-15-2010)

b. Mixed Use – Residential Portions: Subsections E1bi to v of this Section specify common open space standards for the residential portions of mixed use developments.

i. Mixed use residential and attached housing developments of ten (10) or more dwelling units shall provide a minimum area of common space or recreation area equal to fifty (50) square feet per unit. The common space area shall be aggregated to provide usable area(s) for residents. The location, layout, and proposed type of common space or recreation area shall be subject to approval by the ~~Reviewing Official~~ Hearing Examiner. The required common open space shall be satisfied with one or more of the elements listed below. The ~~Reviewing Official~~ Hearing Examiner may require more than one of the following elements for developments having more than one hundred (100) units.

(a) Courtyards, plazas, or multipurpose open spaces;

(b) Upper level common decks, patios, terraces, or roof gardens. Such spaces above the street level must feature views or amenities that are unique to the site and provided as an asset to the development;

(c) Pedestrian corridors dedicated to passive recreation and separate from the public street system;

(d) Recreation facilities including, but not limited to: tennis/sports courts, swimming pools, exercise areas, game rooms, or other similar facilities; or

(e) Children's play spaces.

ii. Required landscaping, driveways, parking, or other vehicular use areas shall not be counted toward the common space requirement or be located in dedicated outdoor recreation or common use areas.

iii. Required yard setback areas shall not count toward outdoor recreation and common space unless such areas are developed as private or semi-private (from abutting or adjacent properties) courtyards, plazas or passive use areas containing landscaping and fencing sufficient to create a fully usable area accessible to all residents of the development.

iv. Private decks, balconies, and private ground floor open space shall not count toward the common space/recreation area requirement.

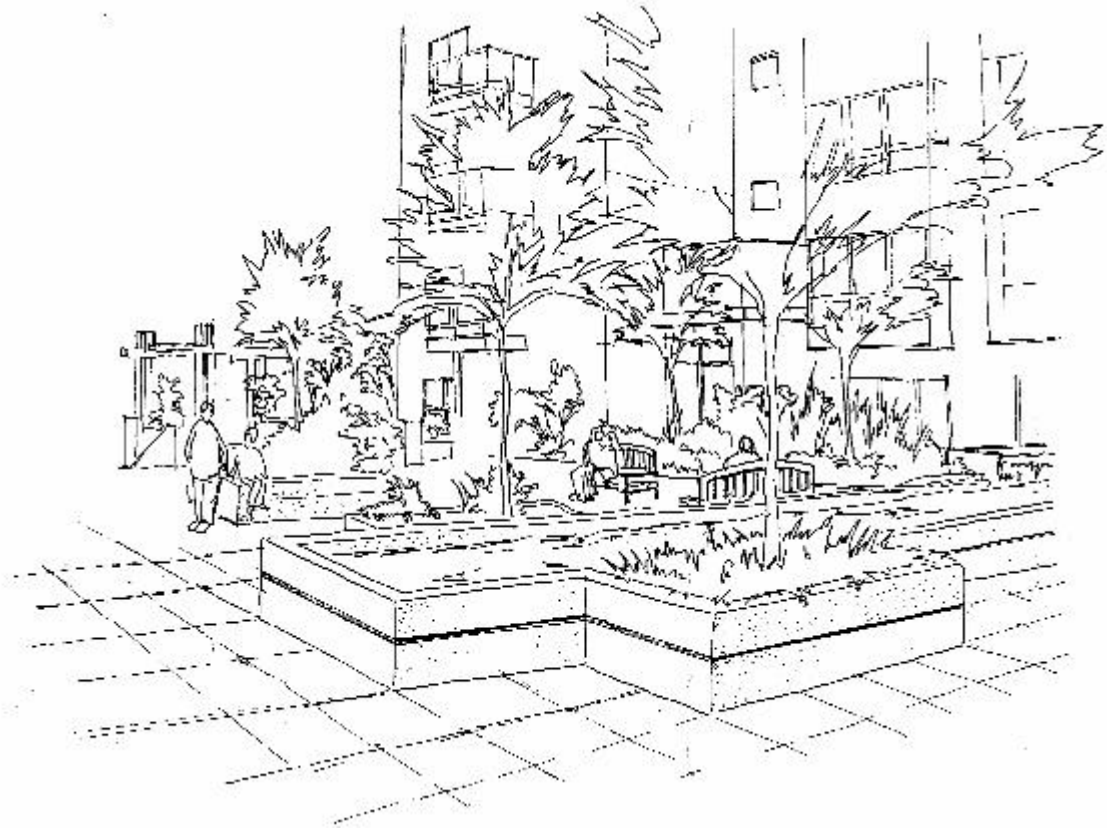


Figure 2. A visible and accessible residential common area containing landscaping and other amenities.

v. Other required landscaping, and sensitive area buffers without common access links, such as pedestrian trails, shall not be included toward the required recreation and common space requirement.

c. Mixed Use Nonresidential Portions, or Commercial, or Industrial Uses: The following subsections specify common open space requirements applicable to nonresidential portions of mixed use developments or to single use commercial or industrial developments:

i. All buildings and developments with over thirty thousand (30,000) square feet of nonresidential uses (excludes parking garage floorplate areas) shall provide pedestrian-oriented space according to the following formula:

1% of the lot area + 1% of the building area = Minimum amount of pedestrian-oriented space

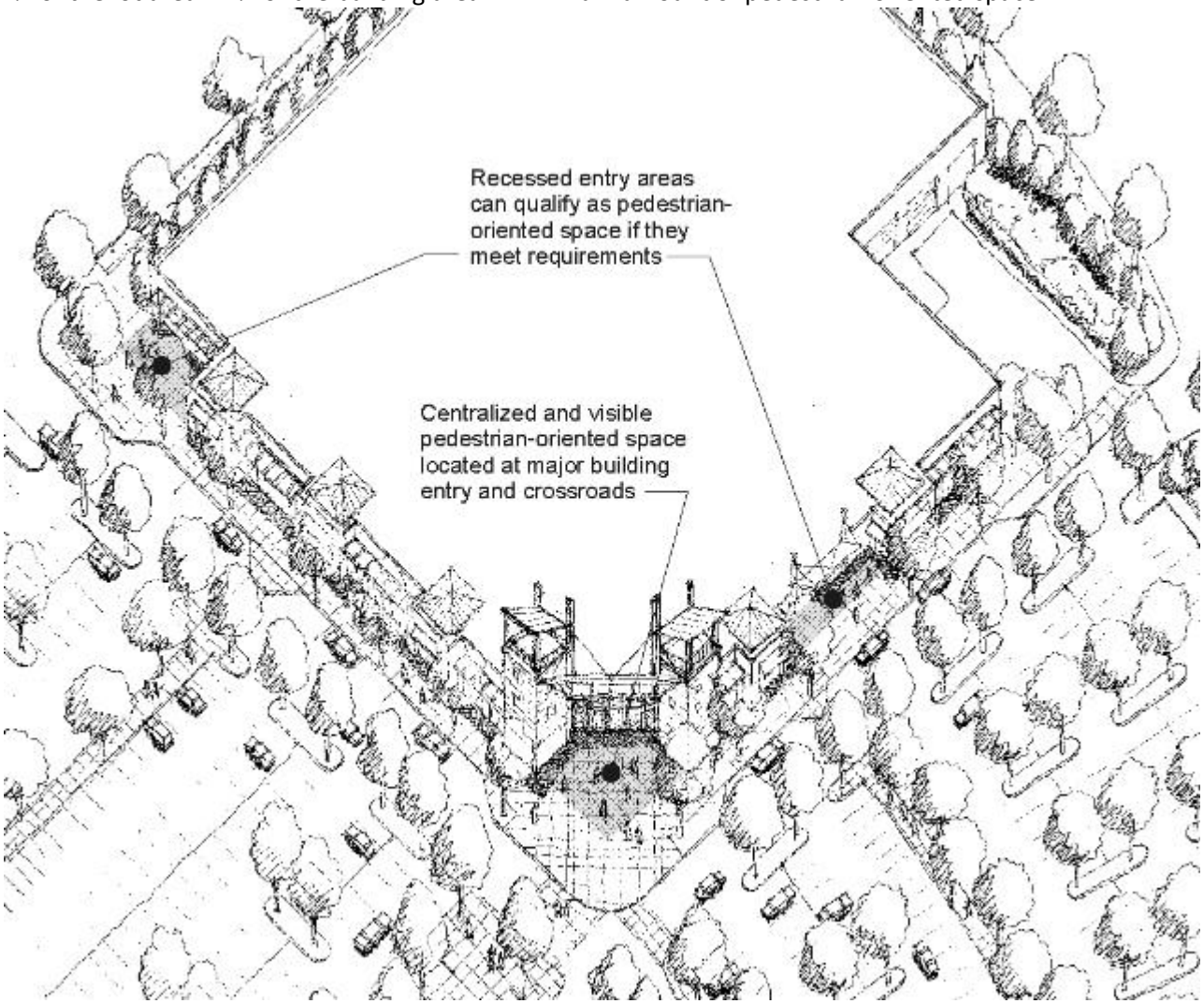


Figure 3. Examples of pedestrian-oriented space associated with a large scale retail building.

ii. To qualify as pedestrian-oriented space, the following must be included:

(a) Visual and pedestrian access (including barrier-free access) to the abutting structures from the public right-of-way or a courtyard not subject to vehicular traffic,

(b) Paved walking surfaces of either concrete or approved unit paving,

(c) On-site or building-mounted lighting providing at least four (4) foot-candles (average) on the ground, and

(d) At least three (3) feet of seating area (bench, ledge, etc.) or one individual seat per sixty (60) square feet of plaza area or open space.

iii. The following features are encouraged in pedestrian-oriented space and may be required by the ~~Reviewing Official~~ Hearing Examiner.

(a) Pedestrian-oriented uses at the building facade facing the pedestrian-oriented space.

(b) Spaces should be positioned in areas with significant pedestrian traffic to provide interest and security – such as adjacent to a building entry.

(c) Pedestrian-oriented facades on some or all buildings facing the space consistent with Figure 4.

(d) Public seating that is durable or easily replaceable, maintainable, and accessible.

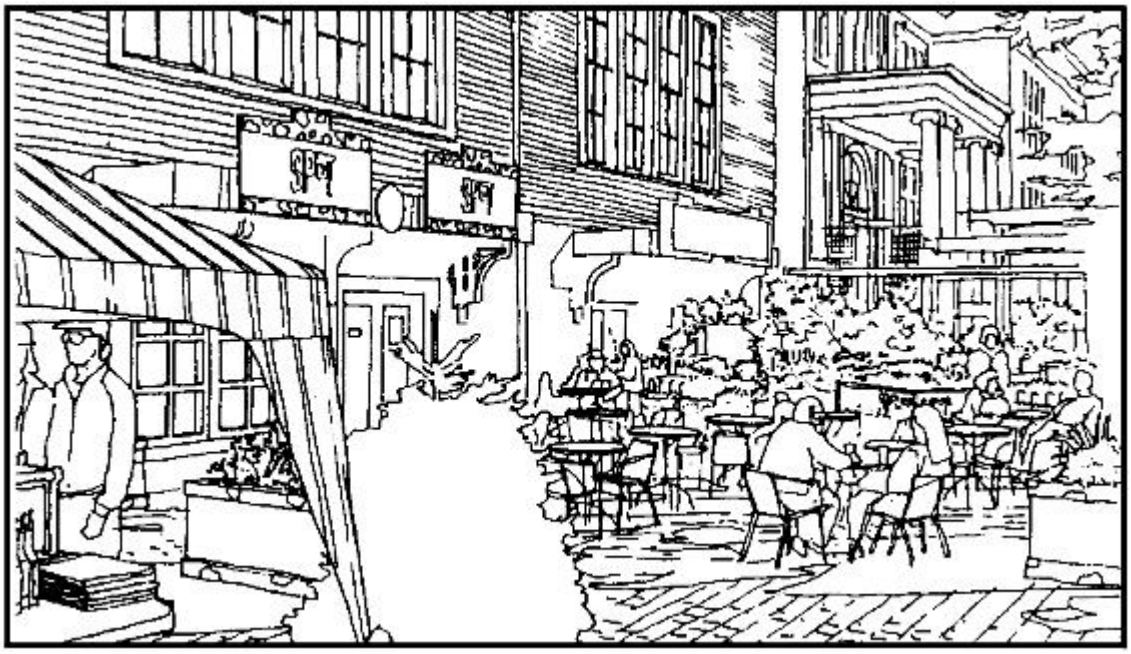


Figure 4. Pedestrian-oriented spaces, visible from the street, including ample seating areas, movable furniture, special paving, landscaping components, and adjacent pedestrian-oriented uses.

iv. The following are prohibited within pedestrian-oriented space:

(a) Adjacent unscreened parking lots,

(b) Adjacent chain link fences,

(c) Adjacent blank walls,

(d) Adjacent dumpsters or service areas, and

(e) Outdoor storage (shopping carts, potting soil bags, firewood, etc.) that do not contribute to the pedestrian environment.

d. Open Space Orientation: The location of public open space shall be considered in relation to building orientation, sun and light exposure, and local micro-climatic conditions.

e. Common Open Space Guidelines: Common space areas in mixed use residential and attached residential projects should be centrally located so they are near a majority of dwelling units, accessible and usable to residents, and visible from surrounding units.

i. Common space areas should be located to take advantage of surrounding features such as building entrances, significant landscaping, unique topography or architecture, and solar exposure.
ii. In mixed use residential and attached residential projects children's play space should be centrally located, visible from the dwellings, and away from hazardous areas like garbage dumpsters, drainage facilities, streets, and parking areas.

4. Installation and Maintenance of Common Facilities
a. Installation: Prior to the issuance of any occupancy permits, all common facilities, including but not limited to utilities, storm drainage, streets, recreation facilities, etc., shall be completed by the developer or, if deferred by the Administrator ~~Planning/Building/Public Works Administrator or his/her designee,~~ assured through a security device to the City equal to the provisions of RMC 4-9-060, except for such common facilities that are intended to serve only future phases of a planned urban development. Any common facilities that are intended to serve both the present and future phases of a planned urban development shall be installed or secured with a security instrument as specified above before occupancy of the earliest phase that will be served. At the time of such security and deferral, the City shall determine what portion of the costs of improvements is attributable to each phase of a planned urban development.

G. FINAL PLAN REVIEW PROCEDURES:
1. Time Limits:
a. **Preliminary Approval of Planned Urban Development not Associated with a Subdivision:** The developer shall, within two (2) years of the effective date of action by the Hearing Examiner to approve the preliminary plan, submit to the Department of Community and Economic Development a final development plan showing the ultimate design and specific details of the proposed planned urban development or the final phase or phases thereof. ~~; provided, however, that for a preliminary plan approved concurrent with a preliminary subdivision, the developer shall submit the final development plan within five (5) years of the effective date of action by the Hearing Examiner to approve the preliminary plan.~~ Upon application ~~by the developer~~, the Hearing Examiner may grant an extension of the approved preliminary plan for a maximum of twelve (12) months. Application for such extension shall be made at least thirty (30) days prior to the expiration date of preliminary plan approval. Only one such extension may be granted for a planned urban development. ~~If a final development plan is not filed within the identified time limits or within the extended time period, if any, the planned urban development preliminary plan shall be deemed to have expired or been abandoned. To activate an expired or abandoned planned urban development, a new application is required.~~
b. Preliminary Approval of a Planned Urban Development with Concurrent Preliminary Subdivision: The applicant shall submit the final development plan within five (5) years of the effective date of action by the Hearing Examiner to approve the preliminary plan. If approval of the preliminary subdivision is legally extended, the preliminary plan approval shall also be extended.
c. Expiration of Preliminary Approval: If a final development plan is not filed within the identified time limits or within the extended time period, if any, the planned urban development preliminary plan shall

be deemed to have expired or been abandoned. Once a planned urban development Preliminary Plat has been deemed to have expired or been abandoned, a new application is required to proceed, and the development standards existing at the time of the new application shall apply.

6. Review and Approval of Final Plan: The final plan shall be reviewed by the applicable City departments, in the manner prescribed for preliminary plans, to determine if the final plan is in substantial conformance with the approved preliminary plan and is consistent with the purposes and review criteria of this Section. The ~~Planning Director~~ Community and Economic Development Administrator shall make a decision to approve, approve with conditions or deny the final plan. The decision shall include a description of the elements of the approved planned urban development, including land uses, number of units, phasing, the effective date of approval and of expiration, time limits, required improvements and the schedule for implementation, and any conditions that may apply to the planned urban development.

8. Time Limits:
a. Expiration: The applicant shall prepare and submit building permit applications which are accepted as substantially complete to the Department of Community and Economic Development within six (6) months of the effective date of approval. The developer shall complete the approved planned urban development or any phase thereof included in the approved final plan within two (2) years from the date of the decision to approve the final plan by the ~~Planning Director~~ Community and Economic Development Administrator, unless a shorter time is designated. Failure to complete the planned urban development, or any phase thereof, within this time limit will require the submittal of a new preliminary and final plan application in order to continue construction of the planned urban development. Failure to submit a new application or to complete the planned urban development once construction has begun shall constitute abandonment of the planned urban development subject to subsection J of this Section. Expiration of any building permit issued for a planned urban development shall be governed by the provisions of the applicable Building Code. Construction of any portion of the planned urban development requires a current approved planned urban development and a current building permit.

I. APPEALS OF ~~PLANNING DIRECTOR~~COMMUNITY AND ECONOMIC DEVELOPMENT ADMINISTRATOR'S DECISION ON A FINAL PLANNED URBAN DEVELOPMENT:
The ~~Planning Director~~ Community and Economic Development Administrator's decision on a final planned urban development may be appealed to the Hearing Examiner pursuant to RMC 4-8-110. If the Hearing Examiner acts on appeal to approve a final planned urban development, the decision will include an effective date of approval consistent with subsections G and K of this Section.

4-9-160 PUBLIC ART EXEMPTION PROCEDURE:
E. EXEMPTION APPLICATION PROCEDURE:
Applicants must submit an application with the appropriate filing fees according to the City's established fee schedule to the Department of Community and Economic Development ~~Development Services~~

~~Division of the Department of Planning/Building/Public Works~~. The application shall include five (5) sets of photographs, scaled drawings, and/or three (3) dimensional depictions of the proposed objects/surfaces to be exempted, a biographical sketch of the artist, and appropriate S~~s~~ite P~~p~~lans and wall elevations depicting the location of the objects of art.

F. STAFF REVIEW OF EXEMPTION REQUESTS:

If the ~~City~~ Community and Economic Development Administrator determines that there is no issue as to the artistic merit of the proposed object, then the ~~City may issue the~~ applicant shall be issued a public art exemption certificate. Appeals from administrative decisions may be filed as referenced in RMC 4-8-110, Appeals.

G. SPECIAL ARTS COMMISSION REVIEW OF EXEMPTION REQUESTS:

If the ~~City~~ Community and Economic Development Administrator determines that there is an issue as to the artistic merit of the object, then upon receipt of a completed application the ~~Development Services Division~~ Department of Community and Economic Development shall forward the application to the Renton Municipal Arts Commission for review and recommendation and shall notify the applicant of the date the application was transferred to the Commission.

1. Commission Review and Recommendations: The Renton Municipal Arts Commission, following adopted procedures, shall review and transmit to the ~~Development Services Division~~ Department of Community and Economic Development a recommendation on the application not later than forty five (45) days from the date of acceptance of a complete application, in accordance with the following procedures.

2. Renton Municipal Arts Commission Role Regarding Public Art Exemption Certificate: The role of the Commission shall be to: (1) recommend whether proposed objects of art reasonably reflect acceptable community values; (2) recommend whether the proposed siting location, size/scale, etc., are appropriate for public display; (3) recommend whether adequate provisions have been made for public access and passive viewing of the objects of art; and (4) to determine whether the objects of art are consistent with the Commission's established guidelines and are by a recognized artist.

3. Determination of Artist Recognition: In determining that an artist is recognized, the Renton Municipal Arts Commission shall establish a panel, consisting of three (3) Renton Municipal Arts Commissioners and two (2) artists or instructors who are actively engaged in the medium used to create the proposed object of art for which exemption has been applied, which shall determine whether or not said proposed object of art meets or exceeds the standards generally accepted for that medium, and whether or not media and technique show competency and quality of workmanship.

4. Fee: A separate fee, up to a maximum of three hundred dollars ($300.00), will be charged to the applicant for the costs associated with the Renton Municipal Arts Commission's selection of the peer review panel. This fee will be determined by the Renton Municipal Arts Commission.

H. FINAL AUTHORITY:

After reviewing the recommendation of the Renton Municipal Arts Commission, ~~a City official designated by the Development Services Division~~ Community and Economic Development Administrator shall make a determination as to whether a public art exemption certificate shall be issued.

I. APPEAL:

If, after reviewing the recommendation of the Renton Municipal Arts Commission, the ~~City official~~ Community and Economic Development Administrator determines that the public art exemption is denied, the applicant may appeal that determination to the Examiner pursuant to RMC 4-8-110, Appeals.

1. Standing and Authority for Hearing Appeal: If, after reviewing the recommendation of the Renton Municipal Arts Commission, the ~~City official~~ Community and Economic Development Administrator determines that the public art exemption is denied, the applicant may appeal that determination to the Hearing Examiner. The decision from which the appeal is taken will be an administrative decision for purposes of appeal.

2. Transmittal of File and Staff Report to Examiner: On appeal, the Department of Community and Economic Development shall submit the official file, including one set of the application materials together with the recommendation of the Renton Municipal Arts Commission and a staff report, to the Hearing Examiner at least ten (10) days prior to the Hearing Examiner's scheduled public hearing on this item.

4-9-180 REZONE PROCESS

F. DECISION CRITERIA FOR CHANGE OF ZONE CLASSIFICATION

2. Criteria for Rezones Not Requiring Comprehensive Plan Amendment: The ~~Reviewing Official shall make the~~ following findings shall be made:

a. The rezone is in the public interest, and

b. The rezone tends to further the preservation and enjoyment of any substantial property rights of the petitioner, and

c. The rezone is not materially detrimental to the public welfare of the properties of other persons located in the vicinity thereof, and

d. The rezone meets the review criteria in subsection F1 of this Section.

4-9-200 SITE DEVELOPMENT PLAN REVIEW:

A. PURPOSE AND INTENT

2. Site Plan Review

4. To ensure convenience and safety of vehicular and pedestrian movement within the site and in relation to ~~adjacent~~ abutting areas, and ensure that road and pedestrian circulation systems implement land use objectives for the zone in which the project occurs;

B. APPLICABILITY AND AUTHORITY

1. Master Plan Review – Applicability:

a. UC-N1 and UC-N2 Zones: Master Plan review is required for all development within the UC-N1 and UC-N2 Zones that is not specifically exempted in subsections C1a and b of this Section. All Master Plans within these zones must be consistent with the conceptual plan required by development agreement(s) applicable to the UC-N1 and UC-N2 Zones for the specific district(s) where they are located. When existing parcels are twenty five (25) acres or smaller, a M~~m~~aster P~~p~~lan incorporating all abutting lots in

common ownership as of December 1, 2003, is required. No Site Plan Development Review within an area shall be approved until such a time as a Master Plan is approved for the same area. Master Plan and Site Plan Development Review for the same area may occur concurrently.

b. COR Zone: Master Plan review is required for all development within the COR Zone that is not specifically exempted by subsection C of this Section.

c. All Other Zones: Master Plans are optional.

2. Site Plan Review: Pursuant to this section, no building permit shall be issued for any use until the ~~Reviewing Official has approved, or approved with conditions, the~~ Site Development Plan Review application has been approved, or approved with conditions. All building permits issued shall be in compliance with the approved Site Development Plan.

a. Site Plan Development Review is required for:

i. All development in the IL, CO, CN, CD, CA, CV, COR, UC-N1, UC-N2, R-10, RMH, RM, and R-14 Zones.

ii. K-12 educational institutions.

iii. Parks.

iv. Outdoor recreation facilities.

v. Rental services with outdoor storage.

vi. Hazardous Waste Facilities: All hazardous waste treatment and storage facilities.

vii. Development within the Employment Area Valley: All development within the Employment Area Valley (EAV) land use designation. See EAV Map in RMC 4-2-080B.

b. Site Plan Development Review may also be used, as required by the Planning Division or requested by the applicant, for those developments that are exempt from Site Development Plan Review in order to propose modifications to development standards allowed in RMC Title 4, Chapter 2, Zoning Districts – Uses and Standards, using the Site Plan Development Review process.

3. AUTHORITY: The Community and Economic Development Administrator shall have the authority to approve, approve with conditions, or deny proposals based on this section when no other permit or approval requires Hearing Examiner review.

E. DECISION CRITERIA FOR SITE PLAN AND MASTER PLANS:

~~The Reviewing Official shall review and act upon plans~~ Plan shall be approved based upon a finding that the proposal meets Comprehensive Plan objectives and policies and the criteria in this subsection and in subsection F of this Section, as applicable. These criteria also provide a frame of reference for the applicant in developing a site, but are not intended to discourage creativity and innovation. Review criteria include the following:

1. General Review Criteria for Both Master Plans and Site Plan Review:

a. Conformance with the Comprehensive Plan, its elements, goals, objectives, and policies. In determining compliance with the Comprehensive Plan, conformance to the objectives and policies of the specific land use designation shall be given consideration over city-wide objectives and policies;

b. Conformance with existing land use regulations;

c. Mitigation of impacts to surrounding properties and uses;

d. Mitigation of impacts of the proposed S~~s~~ite P~~p~~lan to the site;

e. Conservation of areawide property values;
f. Safety and efficiency of vehicle and pedestrian circulation;
g. Provision of adequate light and air;
h. Mitigation of noise, odors and other harmful or unhealthy conditions;
i. Availability of public services and facilities to accommodate the proposed use; and
j. Prevention of neighborhood deterioration and blight.

2. Additional Special Review Criteria for COR, UC-N1, and UC-N2 Zones Only:

a. The plan is consistent with a Planned Action Ordinance, if applicable;
b. The plan creates a compact, urban development that includes a compatible mix of uses that meets the Comprehensive Plan vision and policy statements for the Commercial/Office/Residential or Urban Center North Comprehensive Plan designations;
c. The plan provides an overall urban design concept that is internally consistent, and provides quality development;
d. The plan incorporates public and private open spaces to provide adequate areas for passive and active recreation by the occupants/users of the site, and/or to protect existing natural systems;
e. The plan provides view corridors to the shoreline area and Mt. Rainier where applicable;
f. Public access is provided to water and/or shoreline areas;
g. The plan provides distinctive focal points such as public area plazas, prominent architectural features, or other items;
h. Public and/or private streets are arranged in a layout that provides reasonable access to property and supports the land use envisioned; and
i. The plan accommodates and promotes transit, pedestrian, and other alternative modes of transportation.

3. Additional Criteria for the UC-N1 and UC-N2 Zones Only:

a. The plan conforms to the approved conceptual plan required by development agreement for the subarea in question, if applicable.
b. The plan conforms with the intent and the mandatory elements of the design guidelines located in RMC 4-3-100. The Master Plan clearly identifies the urban design concept for each district enunciated in the Urban Center North Comprehensive Plan policies.
c. The proposed interconnected circulation network must demonstrate the function and location of required circulation elements required in RMC 4-3-100. Internal or local roads shall provide adequate edges and buffers to parking lots. A sufficient number of pedestrian-oriented streets are designated to implement the vision for each district in the Urban Center North Comprehensive Plan designation.
d. Gateways are designated consistent with the Comprehensive Plan and conceptual plans for the gateway demonstrate the design concept for gateway treatment and identify significant gateway features to be provided.
e. The Master Plan includes a sequencing element that explains what phases of the Master Plan will be built-out first, and in what order the phases will be built, and an estimated time frame.

4. Additional Criteria for the Airport Influence Area: The plan conforms to RMC 4-3-020: Airport Compatible Land Use Restrictions.

5. Waiver of Further Consideration of Site Plan Criteria: Approval of a Master Plan that was not combined with a Site Plan application may have satisfied portions of subsection F of this Section. ~~The Reviewing Official or his or her designee has discretion to waive those~~Those portions of the requirements that have been satisfied by the Master Plan approval may be waived ~~. Whenever the Zoning Administrator or his or her designee has discretion to note those portions of the requirements as having been satisfied by the Master Plan approval, such sections of the Code shall be detailed~~ and that portion of the approved Master Plan wherein the requirements were satisfied shall be cited by the ~~Reviewing Official or his or her designee~~ in the approval of subsequent phases of the Master Plan~~and further consideration of them waived~~.

F. ADDITIONAL REVIEW CRITERIA FOR SITE PLAN REVIEW

7. Review of Compliance ~~to~~ with Design Guidelines ~~for Development in CD, RM-U, RM-T, UC-N1, and UC-N2 Zones~~: Development proposed in the zones where design guidelines are in effect must show how they comply with the intent and the mandatory elements of the design guidelines located in RMC 4-3-100.

G. SITE DEVELOPMENT PLAN REVIEW PROCEDURES

11. Administrative Approval of Site Development Plan: For projects not requiring a public hearing, the Administrator ~~Reviewing Official~~ shall take action on the proposed S~~s~~ite D~~d~~evelopment P~~p~~lan. Approval of a S~~s~~ite D~~d~~evelopment P~~p~~lan shall be subject to any environmental mitigating measures that may be a part of the City's declaration of significance or nonsignificance.

M. EXCEPTION TO TIME LIMIT FOR SITE DEVELOPMENT PLAN PROJECTS THAT ARE PHASED

2. Authority for Extension of Time: ~~The Reviewing Official may grant site~~ Site D~~d~~evelopment P~~p~~lan approval may be granted for large projects planned to be developed or redeveloped in phases over a period of years exceeding the normal time limits of subsection L of this Section. Such approval shall include clearly defined phases and specific time limits for each phase.

4-9-240 TEMPORARY USE PERMITS

C. EXEMPTIONS:

1. Exemptions for Construction-Related Activities: The following uses and structures do not require a temporary use permit, provided they are associated with an approved land use application and/or an active building or construction permit and approved by the Administrator ~~or designee~~:

a. Contractor's office, storage yard, and equipment parking and servicing on or near the site or in the vicinity of an active construction project.

b. One model home located on an existing lot, and located within the subdivision or residential development to which it pertains.

c. Sales/marketing trailers used for the purpose of real estate sales and/or rental information, located within the subdivision or development to which they pertain.

2. Exemptions for City-Sponsored Events: The following uses are exempt from permit requirements: City-sponsored community fairs, festivals, or events, subject to the approval of the Mayor's office.
3. Exemptions for Special Sales and Ancillary Events Promoting and Located on the Site of an Existing Permanent Business and Not Requiring a Separate Business License: If determined by the ~~Planning Director~~ Community and Economic Development Administrator to be of limited duration with minimal impact on neighboring properties, such special sales/events shall not require issuance of a Temporary Use Permit but may require a permit from the Fire Prevention Bureau and/or King County Health Department.

D. TEMPORARY USE PERMITS ARE REQUIRED FOR OTHER TEMPORARY USES OR STRUCTURES:
The following uses or structures are separated into Tier I, Tier II, and Tier III temporary use categories. Those in the Tier I category are processed as Type I land use applications, those in the Tier II category are processed as Type II applications, and those in the Tier III category are processed as Type III applications. Projects subject to SEPA are processed differently.
1. Tier I: Examples of temporary uses in this category include activities allowed by the base zone, mobile food vendors located in the IL, IM, IH, CA, CV and CD zones, vehicle sales events held on property not currently used as an auto dealership and within the Automall Area and/or Employment Area Valley, Christmas tree lots, sales events not determined to be exempt per subsection C3 of this Section, and a temporary manufactured home for medical hardship. The Administrator ~~or designee~~ may authorize additional temporary uses not listed in this subsection when it is found that the proposed uses are in keeping with the intent and purposes of this Section.
2. Tier II: Examples of temporary uses in this category include activities limited or prohibited by the base zone, mobile food vendors not located in the IL, IM, IH, CA, CV and CD zones, and storage trailers. Other uses in this category include circuses, carnivals, fairs, or similar transient amusement or recreational activities. Also included are model homes, equaling the lesser of five (5) homes or twenty percent (20%) of the total lots, when located within the subdivision or residential development to which they pertain. The Administrator ~~or designee~~ may authorize additional temporary uses not listed in this subsection when it is found that the proposed uses are in keeping with the intent and purposes of this Section.
3. Tier III: Temporary homeless encampments is the use in this category, and shall have an application fee of one hundred dollars ($100.00).

E. CRITERIA FOR DETERMINING PERMIT TYPE:
The Administrator ~~or designee~~ shall consider the following factors in determining the tier level for each activity: consistency with the underlying zone, impact on surrounding zones, length of period of time for duration of activity, and hours of operation. Projects subject to SEPA are processed differently.

I. APPLICATION PROCESS AND REVIEW AUTHORITY:

The Community and Economic Development Administrator ~~or designee~~ shall, in consultation with appropriate City departments, review and decide upon each application for a temporary use permit. The Administrator ~~or designee~~ may approve, modify, or condition an application for a temporary use permit.

J. DECISION CRITERIA:

The ~~Community and Economic Development~~ Administrator ~~or designee~~ may approve, modify, or condition an application for a temporary use permit, based on consideration of the following factors:

1. The temporary use will not be materially detrimental to the public health, safety, or welfare, nor injurious to property or improvements in the vicinity of the temporary use; and
2. Adequate parking facilities and vehicle ingress and egress are provided to serve the temporary use and any existing uses on the site; and
3. Hours of operation of the temporary use are specified, and would not adversely impact surrounding uses; and
4. The temporary use will not cause nuisance factors such as noise, light, or glare which adversely impact surrounding uses; and
5. If applicable, the applicant has obtained the required right-of-way use permit.

K. ADDITIONAL CONDITIONS FOR VEHICLE SALES EVENTS, MOBILE FOOD VENDORS, AND TEMPORARY HOMELESS ENCAMPMENTS:

1. Vehicle Sales Events Held on Property Not Currently Used as an Auto Dealership: Only for properties in the Automall as shown in RMC 4-3-040 or the Employment Area Valley (EAV) land use designation are eligible for a temporary use permit. Additionally, no more than one vehicle sales event shall be allowed per quarter of the year (year beginning January 1st) per property or development as determined by the ~~Community and Economic Development~~ Administrator ~~or designee~~. The use must be allowed by the zone district. Further, each such event shall only be permitted for a maximum of seven (7) consecutive days per quarter. Such sales are not permissible outside of the Automall and Employment Area Valley and are not eligible for a temporary use permit.

3. Temporary Homeless Encampments

p. Review Authority, Appeals, and Permit Revocation: Decision authority is at the Hearing Examiner level with a public hearing, as designee for ~~Community and Economic Development~~ Administrator, and the Appeal Authority is with City Council. If a permit is revoked pursuant to subsection R1 of this Section, the applicant may request an appeal before the City Council.

M. CONDITIONS OF APPROVAL:

1. General: The ~~Community and Economic Development~~ Administrator ~~or designee~~ may establish conditions as may be deemed necessary to ensure land use compatibility and to minimize potential impacts on nearby uses. These include, but are not limited to, requiring that notice be given to adjacent/abutting property owners prior to approval, time and frequency of operation, temporary

arrangements for parking and traffic circulation, requirement for screening or enclosure, and guarantees for site restoration and cleanup following temporary uses.

2. Additional Requirements – for Model Homes: In addition to the requirements of subsection M1 of this Section, General, the Administrator ~~or designee~~ may require conditions of approval regarding access/roadway construction, temporary erosion control, utilities, street and lot addressing, building permits, staking of proposed lots underlying the model homes, staking of model home lot setbacks, plat approval, abatement agreements and indemnification, and security devices for removal of model homes if plat is not recorded.

O. EXPIRATION AND EXTENSION:

1. Standard Period of Validity: Except as specified in subsection O2 of this Section, a temporary use permit is valid for up to one year from the effective date of the permit, unless the ~~Community and Economic Development~~ Administrator ~~or designee~~ establishes a shorter time frame.

Q. SECURITY:

The ~~Community and Economic Development~~ Administrator ~~or designee~~ may require security in conformance with RMC 4-9-060C to assure compliance with the provisions of the temporary use permit as approved if required. The amount of the security will be determined by the ~~Community and Economic Development~~ Administrator ~~or designee~~, but in no case shall it be less than one thousand dollars ($1,000.00). The security may be used by the City to abate the use and/or facilities.

R. PERMIT REVOCATION:

1. Revocation of Temporary Use Permit: Should the C~~ommunity and Economic Development~~ Administrator ~~or designee~~ determine that information has been provided to the City which was false, incomplete, or has changed, such that the decision criteria in subsection J of this Section are incorrect, false, or have not been met, or the temporary use actually being used is different than or greater than that applied for, or if the use itself is a nuisance, unhealthy, unsafe or poses a substantial risk of harm to persons or property, then the Administrator ~~or designee~~ may revoke the temporary use permit upon ten (10) days' written notice, unless an emergency exists, in which case the Administrator ~~or designee~~ may declare such an emergency and immediately revoke the temporary use permit.

4-9-250 VARIANCES, WAIVERS, MODIFICATIONS, AND ALTERNATES

B. VARIANCE PROCEDURES

1. Authority and Applicability for Administrative Variances: The Community and Economic Development Administrator ~~and/ or designee~~ shall have the authority to grant variances from the following development standards when no other permit or approval requires Hearing Examiner Review:

5. Decision Criteria: Except for variances from critical areas regulations, ~~the Reviewing Official shall have authority to grant a variance upon making~~ a determination shall be made in writing that the conditions specified below have been found to exist:

a. That the applicant suffers undue hardship and the variance is necessary because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings of the subject property, and the strict application of the z~~Z~~oning c~~C~~ode is found to deprive subject property owner of rights and privileges enjoyed by other property owners in the vicinity and under identical zone classification;

b. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which subject property is situated;

c. That approval shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is situated;

d. That the approval ~~as determined by the Reviewing Official~~ is determined to be a minimum variance that will accomplish the desired purpose.

6. Special Review Criteria – Reasonable Use Variance – Critical Areas Regulations Only: For variance requests related to the critical areas regulations not subject to subsections B7 to B11 of this Section, ~~the Reviewing Official may grant~~ a reasonable use variance may be granted if all of the following criteria are met:

a. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which subject property is situated;

b. There is no reasonable use of the property left if the requested variance is not granted;

c. The variance granted is the minimum amount necessary to accommodate the proposal objectives;

d. The need for the variance is not the result of actions of the applicant or property owner; and

e. The proposed variance is based on consideration of the best available science as described in WAC 365-195-905; or where there is an absence of valid scientific information, the steps in RMC 4-9-250F are followed.

8. Special Review Criteria for Variances from Flood Hazard Requirements in the Critical Areas Regulations: In lieu of the variance criteria of subsection B5 of this Section, the following directives and criteria shall be utilized ~~by the Reviewing Official~~ in the review of variance applications related to the flood hazard requirements of the critical areas regulations:

a. Purpose and Intent: Variances, as interpreted in the national flood insurance program, are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

b. Review Criteria: In passing upon such an application for a variance, the ~~Reviewing Official shall consider the~~ following review criteria shall be considered:

i. Consider all technical evaluations, all relevant factors, standards specified in other sections of this section; and:

(a) The danger that materials may be swept onto other lands to the injury of others;

(b) The danger to life and property due to flooding or erosion damage;

(c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(d) The importance of the services provided by the proposed facility to the community;

(e) The necessity to the facility of a waterfront location, where applicable;

(f) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

(g) The compatibility of the proposed use with existing and anticipated development;

(h) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;

(i) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(j) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and

(k) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

ii. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided criteria in subsection B8b(i) of this Section have been fully considered. As the lot size increases the technical justification required for issuing the variance increases.

iii. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except subsections B8b(ii), (iii) or (iv) of this Section, and otherwise complies with RMC 4-3-050I2a and I2b of the general standards.

iv. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed in the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in this section.

v. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

vi. Variances shall only be issued upon:

(a) A showing of good and sufficient cause;

(b) A determination that failure to grant the variance would result in exceptional hardship to the applicant;

(c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
(d) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
c. Conditions of Approval: Upon consideration of the factors of subsection B8b of this Section, and the purposes of this Section, ~~the Reviewing Official may attach such~~ conditions may be attached to the granting of variances ~~as it deems~~ if deemed necessary to further the purposes of this Section.
d. Notice Required upon Variance Approval: Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
e. Records: The ~~Department~~ Administrator ~~or designee~~ shall maintain the records of all variance actions and report any variances to the Federal Insurance

10. Special Review Criteria – Public/Quasi-Public Utility or Agency Altering Aquifer Protection, Geologic Hazard, Habitat, Stream/Lake or Wetland Regulations:
i. The approval ~~as determined by the Reviewing Official~~ is ~~a~~ the minimum variance ~~that will~~ necessary to accomplish the desired purpose; and

14. Decision Process:
a. The ~~Community and Economic Development~~ Administrator ~~or Designee~~ Shall Announce Findings and Decisions: Not more than thirty (30) days after the termination of the proceedings of the public hearing on any variance, the ~~Community and Economic Development~~ Administrator ~~or designee~~ shall announce the Administrator's findings and decision. If a variance is granted, the record shall show such conditions and limitations in writing as the Administrator may impose.
b. Notice of Decision of the ~~Community and Economic Development~~ Administrator ~~or Designee~~: Following the rendering of a decision on a variance application, a copy of the written order by the Administrator shall be mailed to the applicant at the address shown on the application and filed with the Department of Community and Economic Development ~~Department~~ and to any other person who requests a copy thereof.
c. Reconsideration: (Reserved)
d. Record of Decision: Whenever a variance is approved by the ~~Community and Economic Development~~ Administrator ~~or designee~~ the Department shall forthwith make an appropriate record and shall inform the administrative department having jurisdiction over the matter.

15. Conditions of Approval: ~~The Reviewing Official may prescribe any c~~Conditions may be placed upon the variance if deemed to be necessary and required.

17. Expiration of Variance Approval: Any variance granted ~~by the Reviewing Official~~, unless otherwise specified in writing, shall become null and void in the event that the applicant or owner of the subject property for which a variance has been requested has failed to commence construction or otherwise implement effectively the variance granted within a period of two (2) years after such variance has been issued. For proper cause shown, an applicant may petition ~~the Reviewing Official during the variance application review process,~~ for an extension of the two (2) year period during the variance application review process, specifying the reasons ~~therefor~~ for the request. The time may be extended but shall not exceed one additional year in any event.

18. Extension of Approval: For proper cause shown, an applicant may petition ~~the Reviewing Official~~ for an extension of the approved expiration period established per subsection D16 of this Section prior to the expiration of the time period, specifying the reasons ~~therefor~~ for the request. The ~~Reviewing Official may extend the~~ time limit may be extended, but such extension shall not exceed one additional year in any event.

C. WAIVER PROCEDURES

2. Authority for Waiver of Street Improvements: The ~~Community and Economic Development~~ Administrator ~~or his/her designee~~ may grant waiver of the installation of street improvements subject to the determination that there is reasonable justification for such waiver.

F. ABSENCE OF VALID SCIENTIFIC INFORMATION:

Where there is an absence of valid scientific information or incomplete scientific information relating to a critical area leading to uncertainty about the risk to critical area function of permitting an alteration of or impact to the critical area, the ~~Responsible Official~~ decision shall be based upon the following:

1. ~~Take a~~ A "precautionary or a no-risk approach" that appropriately limits development and land use activities until the uncertainty is sufficiently resolved, or determine that protection can be ensured by using an approach different from that derived from the best available science; provided, that the applicant demonstrates on the record how the alternative approach will protect the functions and values of the critical area; and

2. Require application of an effective adaptive management program that relies on scientific methods to evaluate how well regulatory and nonregulatory actions protect the critical area. An adaptive management program is a formal and deliberate scientific approach to taking action and obtaining information in the face of uncertainty. An adaptive management program shall:

a. Address funding for the research component of the adaptive management program;

b. Change course based on the results and interpretation of new information that resolves uncertainties; and

c. Commit to the appropriate timeframe and scale necessary to reliably evaluate regulatory and nonregulatory actions affecting protection of critical areas and anadromous fisheries.

4-10-050 NONCONFORMING STRUCTURES

A. NONCONFORMING STRUCTURES – GENERAL:

4. Limits on Enlargement:

b. Nonconforming enlargements may only be allowed at the discretion of the ~~Administrator of the Department of~~ Community and Economic Development Administrator~~or designee~~ if the enlargement is shown to be moving towards conformity and is either:

i. Sited carefully to achieve compatible transition between surrounding buildings, parking areas and other land uses; or

ii. Does not significantly cause any adverse or undesirable effects on the site or neighboring properties.

4-11-010 DEFINITIONS A

~~**ADMINISTRATOR:** Unless otherwise specified, the Administrator of the Department of Public Works of the City, or any successor office with responsibility for management of the public properties within the City of Renton, or designee.~~

ANIMALS, DOMESTIC: Animals that have been bred to be tame, are dependent on human intervention for food and shelter, and are kept continually at the premises of the owner. These animals are to include: large lot domestic animals, medium lot domestic animals, small lot domestic animals, and other animals as approved by the ~~Planning Director~~ Community and Economic Development Administrator. Bees, peafowl, and roosters are excluded from this definition.

4-11-020 DEFINITIONS B

BUFFER, CRITICAL AREA: A naturally vegetated and undisturbed, enhanced, or revegetated area that surrounds and protects a critical area from adverse impacts to its functions and values, and/or which protects ~~adjacent~~ developed areas from potentially hazardous conditions.

4-11-030 DEFINITIONS C

COMMUNITY AND ECONOMIC DEVELOPMENT ADMINISTRATOR: The Administrator of the Department of Community and Economic Development or his/her designee.

CONSTRUCTION WASTE: Solid waste resulting from the building or renovation of buildings, roads and other human-made structures. Construction waste includes, but is not limited to, materials such as plasterboard, cement, dirt, wood, and brush.

4-11-040 DEFINITIONS D

DEMOLITION WASTE: Solid waste resulting from the demolition or razing of buildings, roads and other human-made structures. Demolition waste includes, but is not limited to, concrete, brick, bituminous concrete, wood and masonry, composition roofing and roofing paper, steel, and minor amounts of other metals like copper.

DEVELOPMENT SERVICES DIRECTOR: The Director of the Development Services Division of the ~~Planning/Building/Public Works~~ Department of Community and Economic Development~~the City of Renton~~ or ~~a~~ his/her designee.

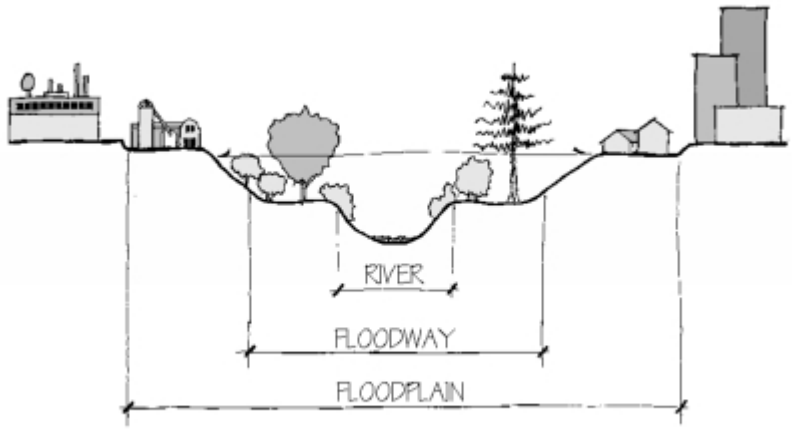
DWELLING UNIT, ATTACHED: ~~See DWELLING, MULTI FAMILY.~~ A building containing more than one dwelling unit. This definition includes attached dwellings and assisted living. This definition does not include boarding and lodging houses, accessory dwelling units, adult family homes, group home I, or group home II.

~~**DWELLING, MULTI FAMILY:** A building containing more than one dwelling unit. This definition includes attached dwellings and assisted living. This definition does not include boarding and lodging houses, accessory dwelling units, adult family homes, group home I, or group home II.~~

4-11-060 DEFINITIONS F

FIRE CHIEF: The City of Renton Fire Chief or his/her designee.

FLOODWAY: The channel of river or other watercourse and the ~~adjacent~~ abutting land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot (1').



4-11-080 DEFINITIONS H

HYPORHEIC ZONE: The saturated zone located beneath and ~~adjacent to~~ abutting streams that contains some portion of surface waters, serves as a filter for nutrients, and maintains water quality.

4-11-110 DEFINITIONS K

KENNEL: A commercial facility for the care and/or breeding of dogs and/or cats. This definition includes pet daycare facilities.

4-11-120 DEFINITIONS L

LANDSCAPE BUFFER: An on-site strip abutting a property line which provides a physical, visual, and/or noise buffer and transition between land use of varying compatibilities and/or the street. Landscape buffers consist primarily of natural landscaping and selected hard surface elements, when deemed appropriate by the ~~reviewing official~~ Community and Economic Development Administrator or Hearing Examiner.

LIGHT DEFINITIONS: The following definitions are utilized in the Exterior Onsite Lighting Regulations, RMC 4-4-075, and/or the Urban Design Guidelines, RMC 4-3-100:

D. Downlighting: A direct lighting unit that aims the light downward. Downlighting is glare-free and shielded from the sky and adjacent and abutting properties, either through exterior shields and/or through optics within the fixture.

4-11-130 DEFINITIONS M:

MANUFACTURED HOME: A residential structure, transportable in one or more sections, that is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. ~~The term "manufactured home" does not~~ This definition alsoincludes ~~a "recreational vehicle" or~~ mobile homes constructed prior to the enactment of the National Manufactured Home Construction and Safety Standards Act of 1974. If located within a Manufactured or Mobile Home Park, Recreational Vehicles shall be included in this definition if either (i) the vehicle contains at least one internal toilet and at least one internal shower, or (ii) the Manufactured or Mobile Home Park provides community showers and toilets.

~~**MANUFACTURED HOME, DESIGNATED:** A residential manufactured home that meets the following requirements:~~

~~1. It is comprised of at least two (2) fully enclosed parallel sections each not less than twelve feet (12') wide by thirty six feet (36') long,~~

~~2. It has a composition, wood shingle, coated metal or similar roof of not less than three to twelve (3:12) pitch, and~~

~~3. It has exterior siding similar in appearance to siding materials commonly used for conventional site-built single family residences.~~

MANUFACTURING AND FABRICATION, HEAVY: The transformation of materials or substances into new products including construction and assembling of component parts, and the blending of materials such as lubricating oils, plastics, resins or liquors. Heavy manufacturing and fabrication are often characterized by the need for large outdoor areas in which to conduct operations, and typically results in environmental impacts beyond their own sites. This definition includes, but is not limited to: manufacture and fabrication of automotive vehicles and their parts, cement, brick, lime, gypsum, asphalt, and other manufacturing and fabrication uses as determined by the ~~reviewing official~~ Community and Economic Development Administrator. This definition excludes slaughterhouses, manufacture of shellac, varnish or turpentine, paper, pulp, rubber from crude material, refining and/or

manufacturing of petroleum by-products except as an accessory use of less than fifty thousand (50,000) gallons.

MANUFACTURING AND FABRICATION, LIGHT: The transformation of materials or substances into new products including construction and assembling of component parts, and the blending of materials such as lubricating oils, plastics, resins or liquors. Light manufacturing and fabrication is characterized by the use being contained within buildings, and materials or equipment used in production not being stored outside. Light manufacturing and fabrication activities do not generate external emissions such as smoke, odor, noise, vibrations or other nuisances outside the building. This definition includes but is not limited to manufacture and fabrication of electronic components, office products, furniture, glass products, and other manufacturing and fabrication uses as determined by the ~~reviewing official~~ Community and Economic Development Administrator. This definition excludes slaughterhouses, manufacture of shellac, varnish or turpentine, paper, pulp, rubber from crude material, refining and/or manufacturing of petroleum by-products except as an accessory use of less than fifty thousand (50,000) gallons.

MANUFACTURING AND FABRICATION, MEDIUM: The transformation of materials or substances into new products including construction and assembling of component parts, and the blending of materials such as lubricating oils, plastics, resins or liquors. Medium manufacturing and fabrication is characterized by need for only very limited areas of outdoor storage and may create minor external environmental impacts during the conduct of operations but most impacts are contained on-site. This definition includes but is not limited to manufacture and fabrication of, alcoholic products, paints, printing ink, leather goods, and other manufacturing and fabrication uses as determined by the ~~reviewing official~~ Community and Economic Development Administrator. This definition excludes slaughterhouses, manufacture of shellac, varnish or turpentine, paper, pulp, rubber from crude material, refining and/or manufacturing of petroleum by-products except as an accessory use of less than fifty thousand (50,000) gallons.

MOBILE HOME: ~~A factory-built structure, transportable in one or more sections, built on a chassis and designed to be a dwelling without a permanent foundation, that was constructed prior to the enactment of the National Manufactured Home Construction and Safety Standards Act of 1974. This definition does not include recreational vehicles, manufactured homes, or designated manufactured homes.~~ See MANUFACTURED HOME.

4-11-160 DEFINITIONS P

PLANNING DIRECTOR: The individual under the direction of the Community and Economic Development Administrator who plans, organizes, coordinates and directs the City's Planning Division, including the development and adoption of the City's Comprehensive Plan, zoning, and development regulations, or designee. Additionally, the Planning Director is responsible for application and enforcement of the City's

zoning, shoreline management, and environmental ordinances, review and processing of all land use subdivision permit applications.

PUBLIC WORKS ADMINISTRATOR: The Administrator of the Public Works Department or designee.

4-11-180 DEFINITIONS R

RESEARCH – SCIENTIFIC (SMALL SCALE): The gathering of data, information, and facts for the advancement of knowledge. Small scale research is generally sponsored by an organization or government agency. Facilities may consist of temporary offices, sheds, or structures that have a small footprint. The uses have only limited impact on the underlying use of the site or environment as determined by the ~~Administrator of the Department of~~ Community and Economic Development Administrator ~~or designee~~. Such scientific research may be conducted in a building or in the field, may include investigation, testing or experimentation for study, research education, mitigation, and demonstration of scientific principles and may be temporary in nature.

4-11-190 DEFINITIONS S

SALMONID MIGRATION BARRIER: An in-stream blockage that consists of a natural drop (no human influence) with an uninterrupted slope greater than one hundred percent (100%) (forty five (45) degree angle) and a height in excess of eleven (11) vertical feet within anadromous salmon-bearing waters or a height in excess of three (3) vertical feet within resident trout-only bearing waters. Human-made barriers to salmonid migration (e.g., culverts, weirs, etc.) shall be considered barriers to salmonid migration by this definition, only if they were lawfully installed; permanent; present a complete barrier to salmonid passage based on hydraulic drop, water velocity, water depth, or any other feature which would prevent all salmonids from passing upstream; and in the opinion of the ~~City Reviewing Official~~ Community and Economic Development Administrator cannot be modified to provide salmonid passage without resulting in significant impacts to other environmental resources, major transportation and utility systems, or to the public, and would have significant expense. For the purposes of this definition, "significant expense" means a cost equal to or greater than fifty percent (50%) of the combined value of the proposed site buildings, structures, and/or site improvements, and existing buildings, structures, and/or site improvements to be retained.

4-11-210 DEFINITIONS U

USE:

A. Uses, Permitted: Land uses allowed outright within a zone. Uses accessory to permitted uses are treated in RMC 4-11-010 and 4-2-050.

B. Uses, Prohibited: Any such use not specifically enumerated or interpreted as allowable in that district. See RMC 4-2-050.

C. Uses, Residential: Developments where persons reside including but not limited to single family dwellings, apartments, and condominiums.

D. Uses, Unclassified: A use which does not appear in a list of permitted, conditional, or accessory uses, but which is interpreted by the ~~Responsible Official~~Community and Economic Development Administrator, as similar to a listed permitted, conditional, or accessory use and not otherwise prohibited. See RMC 4-2-050.

UTILITIES: Utility lines and facilities related to the provision, distribution, collection, transmission or disposal of water, storm and sanitary sewage, oil, gas, power, and telephone cable, and includes facilities for the generation of electricity. This definition does not include sewage wastewater treatment plants, wireless communication facilities, or solid waste disposal/recycling facilities.

A. Utilities, Large: Large scale facilities with either major above-ground visual impacts, or serving a regional need such as two hundred thirty (230) kv power transmission lines, natural gas transmission lines, and regional water storage tanks and reservoirs, regional water transmission lines or regional sewer collectors and interceptors.

B. Utilities, Medium: Moderate scale facilities serving the City, including subregional switching stations (one hundred fifteen (115) kv and smaller), and municipal sewer, water, and storm water facilities not included in a Council-adopted utility system plan.

C. Utilities, Small: Small scale facilities serving local areas within the City, including underground power lines, water, sewer, and storm water facilities included within a Council-adopted utility system plan, fiber optic cable, pump stations and hydrants, switching boxes, and other structures normally found in a street right-of-way to serve ~~adjacent~~ abutting properties.

4-11-230 DEFINITIONS W:

WETLAND BUFFERS or WETLAND BUFFER ZONES: Areas that surround and protect a wetland from adverse impacts to its functions and values. Buffers are designated areas ~~adjacent to~~ abutting a regulated wetland which protect the wetland from changes in the location of the wetland edge. Wetland buffers minimize the short and long term impacts of development on properties ~~adjacent to~~ abutting wetlands, preserve important wildlife habitat, allow for infiltration and water quality improvement, protect buildings, roads and other infrastructure as well as property owners from flood damage in years of high precipitation.