

D# 126 ADMINISTRATIVE CODE INTERPRETATIONS

General Description

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

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

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

- Background and decision: <http://rentonwa.gov/business/default.aspx?id=24686>
- Process: <http://rentonwa.gov/business/default.aspx?id=24684>

Impact Analysis

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

None

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

None

Effect on the rate of population and employment growth

None

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

Plan objectives are being met as specified and remain valid and desirable.

Effect on general land values or housing costs

None

Whether capital improvements or expenditures are being made or completed as expected
N/A

Consistency with GMA, the Plan, and Countywide Planning Policies

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

Effect on critical areas and natural resource lands

None

Effect on other considerations

None

Staff Recommendation

Staff recommends codifying all code amendments as written within Administrative Code Interpretations CI-61 through CI-78. These Code Interpretations are abbreviated below.

- **CI-61 – Title Report for Complete Submittal:** CI-61 adds a Title Report to the list of required materials for certain land use actions. Title Reports provide critical information regarding property, including property owners and any encumbrances. It is important to ensure all property owners consent to a land use application and that the proposed use or development does not conflict with any encumbrances, such as easements. Therefore, a Title Report is a necessary submittal requirement for staff to conduct a complete review of certain land use applications.
- **CI-62 – Side Yard Abutting Shared Driveways:** CI-62 clarifies that a side yard along a street setback is not necessary or appropriate for shared driveways. These setbacks are intended for corner lots and are usually equal to the front setback. Requiring a substantial setback for houses that front a public street and a shared driveway is unnecessary.
- **CI-63 – Signs within Shoreline Areas – Special Requirements:** Currently the City’s adopted sign regulations contain special requirements for signs located within shoreline areas. The language adopted within the Sign Code for signage located within shoreline areas is not consistent with the language adopted under the City’s current Shoreline Master Program, and therefore is proposed to be deleted.
- **CI-64 – Side Yard Setback Requirements adopted under Ordinance 5724:** CI-64 adjusted side yard setbacks established under interim zoning (R-8 standards were temporarily set to anticipated R-6 standards). Now that interim zoning has been repealed, this interpretation is rescinded.
- **CI-65 – Time Review Period for Minor Alterations:** CI-65 determined that applications for “minor alterations” of existing wireless communication towers, as defined in RMC 4-

4-140.E, shall be reviewed within 60-days, including review to determine whether an application is complete.

- **CI-66 – Minimum Dimensions for Wireless Landscaping/Screening:** CI-66 clarified that required landscaping to screen a telecommunications compound shall be 15 feet wide, equal to the height of the compound fence, and located along the outside perimeter of the fence.
- **CI-67 – Minimum Front Yard for Alley Accessed Garages:** CI-67 corrects the inadvertent omission of reduced front setbacks for alley-loaded garages that occurred during extensive Title IV updates in conjunction with the Comprehensive Plan update.
- **CI-68 – Fence Height for Side Yards Along a Street and Rear Yards Abutting a Street:** CI-68 clarifies that fences within a side yard along a street setback may only exceed 48 inches in height upon approval of a Special Fence Permit.
- **CI-69 – Fence Height Requiring Building Permit:** CI-69 corrects a reference to the International Building Code by noting the requirement of a building permit for fences that are seven feet tall instead of six feet.
- **CI-70 – Allowed Projections into Setbacks - Fences/Retaining Walls:** CI-70 corrects a footnote that provides misleading information about allowed height of fences and retaining walls within setbacks. The footnote was corrected to direct readers to the Fences/Retaining Wall regulations instead of attempting to summarize standards.
- **CI-71 – Underground Utilities Exemption Process:** CI-71 provides an exemption to seeking a variance for undergrounding utilities if compliance with standards can be shown.
- **CI-72 – CD Zone Landscaping and Bicycle Parking Requirements:** Specifies that parking lot landscaping applies to existing or proposed surface parking lots, and that bicycle parking is still required if off-street vehicular parking is not required.
- **CI-73 – Residential Building Height (RC thru RMF):** Corrects conflicting standards by specifying that building height is measured from average grade to the highest portion of the structure, and placing restrictions on wall plate height and the number of stories.
- **CI-74 – Amendments to Wireless Communication Facility Regulations:** CI-74 extended the definition of a Minor Alteration to existing non-tower facilities, clarified that height restrictions influenced by the airport are applicable, and created a purposeful redundancy between different RMC Titles regarding utility poles as towers.
- **CI-75 – Distinguishing Tracts from Lots During Subdivision Review:** Recent docket work resulted in requiring certain facilities and/or features to be located within tracts as opposed to easements because of the added legal protection of a distinct property.

Such facilities/features include protected trees, native growth protection, stormwater detention facilities, open space, and private access. Prior to the recent docket work these areas would have been required to be within easements, and therefore these required tracts should not count towards the lot count of proposed subdivisions.

- **CI-76 – RMF Yard Setbacks:** CI-76 clarified a setback scheme based on lot width by replacing it with prescriptive setbacks in the RMF zone (five feet side yard setback, and 20 feet side yard along a street setback).
- **CI-77 – WCF Minor Alteration Criteria:** CI-77 corrected a scrivener’s error by requiring all Minor Alteration Criteria be satisfied instead of one or more criterion.
- **CI-78 – Fee in Lieu of Street Improvements:** CI-78 specifies that the fee in-lieu option is available to developers of infill single family building permits, and reduces the fee in-lieu for sidewalk and curb to more appropriate figures.

Implementation Requirements

Staff Recommendation

Staff recommends amendments to Renton Municipal Code as proposed within the cited Administrative Code Interpretations.

Implementation Requirements

Although these interpretations are already effective, the Planning Division is bringing these decisions to the Planning Commission as part of a more extensive public process to provide greater transparency where Title IV Development Regulations have been clarified and/or amended. Codify Administrative Code Interpretations by adopting an ordinance amending the pertinent sections of RMC as prepared within each Administrative Code Interpretation will codify.