

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

**ADMINISTRATIVE
POLICY/CODE**

INTERPRETATION #: CI-101

**MUNICIPAL
CODE SECTIONS:**

RMC 4-4-070

REFERENCE:

RMC 4-9-150.E.3.a

SUBJECT:

Landscaping Sureties

BACKGROUND:

RMC 4-9-150.E.3.a gives the City of Renton a mechanism by which to enforce the installation and maintenance of landscaping in common landscaped areas of a Planned Unit Development (PUD) for a period of two (2) years. However, the City of Renton currently has no mechanism in place that allows for monetary enforcement of landscaping in commercial and multi-family developments, which are not a PUD.

JUSTIFICATION:

The City has observed various landscaping projects completed in connection to commercial and multi-family developments, it has become apparent that a number of the installed plants within many of these landscaped areas have not survived. In many cases plant mortality and the unkept nature of the landscaped area has occurred after the project has received final approval from the City of Renton due to the lack of maintenance by the property owner. Many times the dead plants are not replaced as the City does not currently require a maintenance surety requiring a property owner to maintain the new landscaping for a period of time.

The City of Renton currently utilizes surety devices to enforce landscaping requirements in Planned Unit Developments (PUD), RMC 4-9-150.E.3.a., but does not require a form of guarantee for commercial and multi-family projects, which are not a part of a PUD. The PUD standards require that landscaped areas be maintained for a period of two (2) years, however it is the City's position that a five (5) year maintenance surety would provide a more adequate timeframe for the successful establishment of landscaped areas.

DECISION: Amend RMC 4-4-070 to require landscaping maintenance and performance sureties for a period of five (5) years. Amend RMC 4-9-150.E.3.a to specify that PUDs shall also be required to provide landscaping maintenance and performance sureties for a period of five (5) years.

ADMINISTRATOR APPROVAL:

C. E. "Chip" Vincent

EFFECTIVE DATE:

APPEAL PROCESS:

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

CODE AMENDMENTS NEEDED TO IMPLEMENT DETERMINATIONS:

4-4-070 LANDSCAPING:

P. MAINTENANCE:

1. Maintenance Required: Landscaping required by this Section shall be maintained by the owner 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 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 written notice, specifying what corrections shall be made. (Ord. 5676, 12-3-2012)

3. Installation: Prior to the issuance of any occupancy permit, the developer shall furnish a security device to the City in an amount equal to the provisions of RMC 4-9-060. Landscaping shall be planted prior to the issuance of any final

occupancy, and maintained for a period of five (5) years thereafter prior to the release of the security device.

4-9-150 PLANNED URBAN DEVELOPMENT REGULATIONS:

E. DEVELOPMENT STANDARDS:

3. Installation and Maintenance of Common Open Space:

a. Installation: All common area and open space shall be landscaped in accordance with the landscaping plan submitted by the applicant and approved by the City; provided, that common open space containing natural features worthy of preservation may be left unimproved. Prior to the issuance of any occupancy permit, the developer shall furnish a security device to the City in an amount equal to the provisions of RMC 4-9-060. Landscaping shall be planted within one year of the date of final approval of the planned urban development, and maintained for a period of ~~two (2)~~ five (5) years thereafter prior to the release of the security device. ~~A security device for providing maintenance of landscaping may be waived if a landscaping maintenance contract with a reputable landscaping firm licensed to do business in the City of Renton is executed and kept active for a two (2) year period. A copy of such contract shall be kept on file with the Development Services Division.~~

STAFF CONTACT: Jill Ding, x6598