

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

**ADMINISTRATIVE
POLICY/CODE**

INTERPRETATION #: CI-83

**MUNICIPAL
CODE SECTIONS:**

RMC 4-9-240.D

REFERENCE:

N/A

SUBJECT:

Modification of Procedure to Allow for Model Homes in Subdivisions

BACKGROUND:

Temporary Use Permits (TUP) are authorized in RMC 4-9-240. Tier 1 TUP permits are for those activities allowed by the base zone, certain sales events, and mobile food vendors. Tier 2 TUP permits are for those activities that are limited or prohibited by the base zone, some mobile food vendors, carnivals/fairs, and the lesser of five (5) model homes or 20% of the total lots when located in a subdivision or residential development to which they pertain. Tier 3 TUP permits are for temporary homeless encampments. Tier 1 TUPs do not require public notice as the use is allowed in the underlying zone. Tier 2 TUPs are considered a Type 2 permit per RMC 4-8-080 and Tier 3 TUPs are a Type 3 Permit. Both Type 2 and 3 permits require public notice. Model homes are a residential use that is allowed in the underlying zoning designation. Since Tier 1 TUPs are for those activities allowed by the base zone, model homes should be permitted via a Tier 1 TUP. The same limitations on the number of model homes and all other criteria should continue to apply. Interested parties would be aware of the intent to build homes on the lots upon recording, as the land use process would have had public notice. Therefore, there is little value added by having an additional public comment period for model homes.

JUSTIFICATION:

Allowing Model Homes to be processed as a Tier 1 Temporary Use Permit would be consistent with the underlying zone and would not impact surrounding development. Processing times would be reduced, leading to more predictability for customers.

DECISION:

Allow Model Homes as a Tier 1 Temporary Use Permit, provided that they equal the lesser of five (5) homes or twenty percent (20%) of the total lots, and when located within the subdivision or residential development

to which they pertain. The applicable code sections should be amended as specified below.

**ADMINISTRATOR
APPROVAL:**

C. E. "Chip" Vincent

EFFECTIVE DATE: May 31, 2016

**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:**

RMC 4-9-240D.1 and 2

**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, Christmas tree lots, sales events not determined to be exempt per subsection C3 of this Section, and a temporary manufactured home for medical hardship. 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 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. (Ord. 5759, 6-22-2015)

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.. The Administrator 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). (Ord. 5676, 12-3-2012)

STAFF CONTACT: Jennifer Henning, x7286