



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

**ADMINISTRATIVE  
POLICY/CODE**

**INTERPRETATION #:** CI-131

**MUNICIPAL**

**CODE SECTIONS:** RMC 4-2-080A.40; 4-2-120B; and 4-2-120C

**REFERENCE:**

N/A

**SUBJECT:**

Remove Minimum Density Requirement for Assisted Living Facilities in the CO zone.

**BACKGROUND:**

Prior to the adoption ORD 5675, assisted living facilities were permitted in the CO zone with the following condition associated with the zoning use table – P39: “Requirements for uses not associated with a medical institution: Use must be located within the Commercial Corridor Comprehensive Plan land use designation bordered by S. 37<sup>th</sup> St., Talbot Rd., Carr Rd., 89<sup>th</sup> Ave. SE, and the Valley Freeway.” Important to note that 89<sup>th</sup> Ave SE is not a street within the City and street directions (i.e. S or SE) are not provided to Talbot Rd S. and SE Carr Rd. Further complicating this boundary is that SE Carr Rd. begins east of the eastern boundary of Talbot Rd S.

The adoption of ORD 5675 consolidated several of the zoning use table conditions and resulted in the removal of the above-referenced condition P39. As part of the consolidation, the assisted living facility use was assigned condition P40 which stated: “Permitted when located within the Commercial Corridor (CC) Comprehensive Plan land use designation.”

Prior to the adoption of ORD 5759, the CO zone did not contain a minimum density requirement and following its adoption, a 75 dwelling unit per net acre minimum was prescribed. This was due to the addition of attached dwelling units being permitted in the CO zone, which allows mixed use development in targeted areas with higher densities and scale typical of Transit Oriented Development. Additionally, the adoption of ORD 5759 removed the Commercial Corridor (CC) land use designation

and the CO zoned area located in the vicinity of the above-referenced geographical boundaries was designated Commercial Mixed Use (CMU).

**DECISION:** Amend RMC 4-2.080A.40 to re-apply a clarified version of the geographic boundaries associated with assisted living facilities (shown in Attachment A) that were inadvertently removed with ORD 5675. Amend 4-2-120B and C (shown in Attachment A) that removes the minimum density requirement for assisted living facilities as it applied prior to ORD 5759.

**JUSTIFICATION:** A minimum density of 75 units per net acre is not a reasonable minimum threshold for assisted living facilities in the geographic area that it would be permitted. Neighboring residential zones would prohibit the heights permitted for the CO zone and greater heights would be needed to achieve the minimum 75 units per net acre. No previous minimum density threshold was required for such facilities prior to the adoption of ORD 5759. The minimum density threshold was clearly intended to apply to mixed use developments near transit and not assisted living facilities.

**ADMINISTRATOR  
APPROVAL:**

\_\_\_\_\_  
C. E. "Chip" Vincent

**EFFECTIVE DATE:** January 5, 2018

**APPEAL  
PROCESS:**

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

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

**CODE  
AMENDMENTS  
NEEDED TO  
IMPLEMENT  
DETERMINATIONS:**

See Attachment A

**STAFF CONTACT:** Matt Herrera, Senior Planner x6593

## Attachment A

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

#### A. SUBJECT TO THE FOLLOWING CONDITIONS:

40. Specified use(s) are permitted when located within the Commercial and Mixed Use (CMU) land use designation. For assisted living facilities, the subject property shall be within the following boundaries: I-405, SR167, and SR515.

### 4-2-120B DEVELOPMENT STANDARDS FOR COMMERCIAL ZONING DESIGNATIONS (CD, CO, & COR)

	CD	CO	COR
<b>DENSITY (Dwelling Units per Net Acre)</b>			
Minimum Net Residential Density	25 dwelling units per net acre. <sup>9</sup> The minimum density requirements shall not apply to the subdivision and/or development of a legal lot 1/2 acre or less in size as of March 1, 1995.	75 dwelling units per net acre if within a mixed use building. <sup>22</sup>	Where a development involves residential, the minimum density shall be 30 dwelling units per net acre. <sup>9</sup> The same area used for commercial and office development can also be used to calculate residential density. Where commercial and/or office areas are utilized in the calculation of density, the City may require restrictive covenants to ensure the maximum density is not exceeded should the property be subdivided or in another manner made available for separate lease or conveyance.

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

22. ~~Reserved.~~ Minimum density requirements do not apply to assisted living facilities in the CO zone.