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

ADMINISTRATIVE POLICY/CODE INTERPRETATION #: CI-150

MUNICIPAL CODE SECTIONS: RMC 4-2-080 Conditions Associated with Zoning Use Table, Condition 25

REFERENCE: N/A

SUBJECT: Preschool and Daycare Permissibility

BACKGROUND: RMC 4-2-080 Zoning Use Table establishes permitted, conditional, accessory and prohibited uses, by zone, within the City of Renton. Pursuant to the table, day care centers are a permitted use with an approved hearing examiner conditional use permit subject to condition twenty-five (25) in zones Residential – 4 (R-4) through Residential – 14 (R-14), and Residential Multi Family (RMF). Condition twenty-five (25) states, “A preschool or day care center, when accessory to a public or community facility listed in RMC 4-2-060G, as it exists or may be amended, is considered a permitted use.” The wording of this condition creates ambiguity because it can be read to either forbid day care centers when not constructed as an accessory to a public or community facility, or to allow day care centers as a permitted use without the need for a hearing examiner conditional use permit if accessory to a public or community facility. The ambiguity is further compounded by the inclusion of the superfluous statement “as it exists or may be amended”.

JUSTIFICATION: RMC 4-2-080 Conditions Associated with Zoning Use Table, Condition 25 should be amended to clarify that day care centers that are built as an accessory to public or community facilities are a permitted use and do not require a hearing examiner conditional use permit. This is appropriate because public and community facilities already require a conditional use permit, making the requirement to obtain a second conditional use permit redundant. It is also appropriate to remove the statement “as it exists or may be amended” to clarify that future code amendments will not apply retroactively and to streamline the code.
DECISION: Amend RMC 4-2-080, Condition 25, as specified below.

ADMINISTRATOR APPROVAL: __________________________________________
C. E. “Chip” Vincent

EFFECTIVE DATE: February 14, 2019

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:

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

25. A preschool or day care center, when accessory to a public or community facility listed in RMC 4-2-060G, as it exists or may be amended, is considered a permitted use which does not require a hearing examiner conditional use permit.

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