

## D# 37 TEMPORARY USE PERMITS

### General Description

This docket item is to clarify Temporary Use Permit standards, primarily to more clearly define differences between uses that do and do not need the permit. Prior to developing more restrictive regulations in the Temporary Use code section for Mobile Food Vendors in 2008, the code section had not been amended since 2002. One of the main concerns from staff in regards to the pre-2008 regulations and post-2008 amendments is the expansion of regulating more temporary activities than were regulated in the past. In years prior, the City did not usually regulate uses that were already allowed outright by the underlying zone except for instances when review of parking capacity, safety, and business licenses was needed. Recent amendments to this code section (RMC 4-9-240) include:

- December 2008 - Focus on regulating Mobile Food Vendors.
- July 2009 - Creation of tiered permit process with an intent of quicker turn-around time.
- August 2009 - Code interpretation to clarify code language.

### Impact Analysis

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

Temporary uses do not have a significant impact on the effect of growth, development, and conversion of land. By nature, such uses are limited in duration and do not establish permanent structures or uses on property. This proposal only changes administrative procedures.

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

Temporary uses and structures will continue to be allowed as they have been in the past. There should be minimal if any effect on the City's capacity to provide adequate public facilities.

#### Effect on the rate of population and employment growth

Minimal if any effect envisioned. Temporary Use Permits may provide temporary employment opportunities, and such an activity may increase licensed businesses in the City.

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

"The Plan is a broad statement of community goals, objectives, and policies that directs the orderly and coordinated physical development of the City. Renton's Plan anticipates change and provides specific guidance for future legislative and administrative actions" (Introduction, I-1). "Basic to Renton's Vision is the concept that urban living provides both choice and balanced opportunities for residents; employment and housing, recreation and religion, goods and services, all available in the community" (Vision, II-3). These Comprehensive Plan statements are broad but provide the basic idea in allowing choice and balanced opportunities for many uses in the community, including temporary uses that provide goods and services.

#### Effect on general land values or housing costs

There are no expected impacts to general land values or housing costs.

Whether capital improvements or expenditures are being made or completed as expected  
There are no capital improvements or expenditures associated with this proposal.

Consistency with GMA, the Plan, and Countywide Planning Policies

This proposal is consistent with the state GMA and Comprehensive Plan which call for sound planning including effective administration of current and future uses in Urban Growth Areas.

Effect on critical areas and natural resource lands

The effect of a temporary use or temporary structure on critical areas or natural resource lands would be considered as part of the decision to issue a permit when an application is reviewed.

Effect on other considerations

None at this time.

**Staff Recommendation**

Staff recommends clarifying uses that need a Temporary Use Permit and those uses that do not need the permit. Staff currently interprets the code as requiring a permit for any temporary activity on a site, even when associated with a business on-site. This is due to code language added in 2009 that states, "Examples of temporary uses... include activities allowed by the base zone" (RMC 4-9-240B3a). Pre-2008, activities considered temporary and already allowed by the base zone and were associated with a primary use under the same business license, would not require an extra permit. After the addition of regulating Mobile Food Vendors in 2008, (even in zones where it was previously allowed outright by zone), regulating other temporary uses permitted outright allowed became less clear.

The most recent code interpretation from August 2009 clarifies unclear code text. This staff proposal is to clarify intent. Staff recommends not requiring a temporary use permit for activities considered temporary that are consistent with the zone and current uses, and are associated with a business license of one of the permanent businesses on-site. This would allow anniversary events, weekend special events, and other types of temporary activities at an already established business without a permit - given there are no health, safety, or parking issues. However, if a use such as a temporary windshield repair station (on-site service) is to use part of a parking lot and is a different business than a business on-site, that activity would need to apply for a Temporary Use Permit.

For background information about the Temporary Use Permit August 2009 code interpretation (CI-04), visit <http://rentonwa.gov/business/default.aspx?id=24686>.

**Implementation Requirements**

- Discuss item with staff that may be involved with a Temporary Use Permit in the future.
- Amend Title IV with the code interpretation language from August 2009 with the addition of language that allows a permanent business on a site to hold temporary activities without a temporary use permit given there are no health, safety, or significant parking issues.