

D# 38 PLANNED URBAN DEVELOPMENT (PUD) REGULATIONS

General Description

This docket amendment was requested by Robert McCormick of Selah, Washington. Mr. McCormick has requested changes to RMC 4-9-150.E.1.a. *Residential* and 4-9-150.G.1. *Time Limits* as shown in Attachment A. The requested changes would eliminate the requirement for open space within the Residential PUD development standards and extend the time line for PUD's which are approved concurrently with a preliminary plat from two years to five years. Staff's review of the proposed text amendment included analysis of other jurisdictions' PUD ordinances as well as the 2004 Jones and Stokes "Planned Unit Development Regulations" review and amendments as shown in Attachment B. Based on this review, staff has proposed a modification to Mr. McCormick's requested docket amendment. This modification would change the open space requirements for residential PUD's but would not eliminate the requirement for open space entirely. Staff has proposed the following open space requirements for residential PUD's:

- 10 percent of the gross land area must be open space, which can include critical area buffers where an opportunity for passive recreation is provided via a low impact trail, a road edge, or similar proposal, and
- 50 square feet of concentrated recreation area or common space per unit within the proposal.

Furthermore, the Planning Division has expanded this request to include additional analysis of the City's PUD ordinance. Based on the City's additional analysis, staff has proposed housekeeping changes to the PUD ordinance, the addition of Sustainable Development Techniques as a public benefit option, the elimination of the prescriptive standards for public benefit for "Overall Design", and modification to the private open space standards for mix use PUD developments as shown in Attachment C.

Impact Analysis

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

The proposed changes to the PUD ordinance would not have an effect on rate of growth, development, and conversion of land as envision in the Plan.

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

The proposal is not anticipated to have an effect on the City's capacity to provide adequate public facilities.

Effect on the rate of population and employment growth

The proposal is not anticipated to have an effect on the rate of population and employment growth.

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

The PUD process is a unique development option designed specifically to allow for flexibility from the prescriptive development standards of a particular zone, allowing for better use of the land in exchange for an identified public benefit. The purpose statement of the PUD ordinance indicates two guiding principals: *to preserve and protect natural features of the land and encourage innovation and creativity in the development of residential, business, manufacturing, or mixed use development by permitting a variety of the type, design, and arrangement of the structures and improvements.* To accomplish this, the PUD ordinance allows for wide discretionary authority in judging and approving or disapproving the innovations that may be incorporated into planned urban development proposals. The established review process for a PUD is consistent with other discretionary permits, requiring a public hearing and comment period. As such, the proposed amendment would be consistent with the Goals established within “The Planning Process” section of the Comprehensive Plan. These goals encourage public participation to all citizens and land use decisions made in the interest of the entire community.

Effect on general land values or housing costs

The proposed amendment is not anticipated to have an effect on general land values or housing costs.

Whether capital improvements or expenditures are being made or completed as expected

No specific capital improvements or expenditures are associated with this proposal.

Consistency with GMA, the Plan, and Countywide Planning Policies

GMA and Statewide planning goals include provisions that discourage urban sprawl, support affordable housing, protect the environment, and support provision of adequate urban services. The proposed changes to the City’s PUD ordinance would maintain consistency with these identified goals and policies within GMA, the County, and the Plan. Each proposed PUD would be reviewed at a project level to ensure consistency with these policies. Furthermore, the existing policies would guide the Reviewing Official in making a decision on any proposed PUD.

Effect on critical areas and natural resource lands

This amendment would allow developers who choose to utilize the City’s PUD ordinance to count critical area buffers into the open space requirement. As such, developers may choose to use PUD standards if their development site has a number of critical areas. The impacts of the proposed PUD on critical areas and natural resource lands would be evaluated at the project proposal level. However, under the proposed PUD amendments critical area open space could only be counted towards the open space requirement if preserved. Theoretically, the requirement for open space may result in an increase of critical area preservation then under zoning specific review.

Effect on other considerations

Under the current PUD ordinance, a PUD subdivision located in a residential zone would be required to provide open space equal to the amount of lot size reduction. In addition, currently critical areas do not count towards the open space requirement. Based on these restrictions a residential PUD development would have the same need for land area as a development created under the standard development regulations of the underlying zone. As such, there is little incentive for a developer to explore their option to utilize the PUD standards. The proposed changes may help to incentivize developers to utilize the PUD as an alternative to traditional development patterns and in return the City would see a substantial public benefit from these projects.

Staff Recommendation

Staff recommends amending the PUD regulations as follows:

- Residential Open Space requirement would be amended as follows:
 - 10 percent of the gross land area must be open space, which can include critical area buffers where an opportunity for passive recreation is provided via a low impact trail, a road edge, or similar proposal, and
 - 50 square feet of concentrated recreation area or common space per unit is provided within the proposal,
- Adding “sustainable development techniques” as a public benefit option,
- Changes to the “overall design” public benefit option that reduces the prescriptive standards,
- Modify private open space standards for ground floor units in mixed use developments to require a fixed private open space that has no dimension less than 15-feet,
- An extension of the approval time line for PUD’s that are approved concurrently with preliminary plats, resulting in the same expiration date of both the PUD and the preliminary plat,
- Minor housekeeping changes.

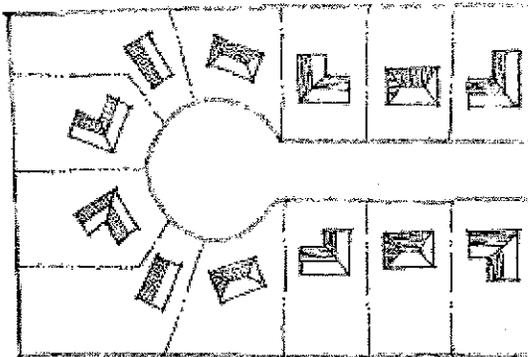
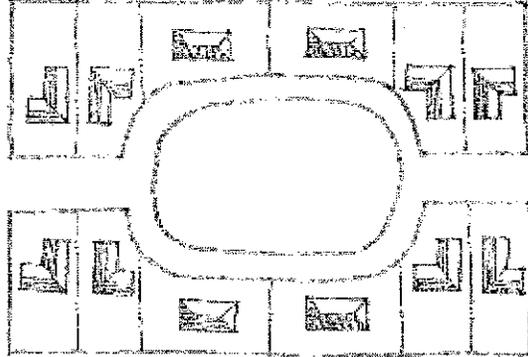
All proposed changes are shown in Attachment C.

Implementation Requirements

Changes would be required within RMC 4-9-150 *Planned Urban Development Regulations*.

The applicant proposes the following text amendments to RMC 4-9-150 (shown in redline/strikeout format):

1. Revisions to RMC 4-9-150.E.1.a.

<p>E. DEVELOPMENT STANDARDS:</p> <p>1. Common Open Space Standard: Open space shall be concentrated in large usable areas and may be designed to provide either active or passive recreation. Requirements for residential, mixed use, commercial, and industrial developments are described below.</p> <p>a. Residential: For residential developments, open space must be equal to or greater in size than the total square footage of the lot area reductions requested by the planned urban development, as illustrated in Figure 1. The open space shall not include a critical area and shall be concentrated in large usable areas. Stormwater facilities may be incorporated with the open space on a case-by-case basis if the Reviewing Official finds:</p> <ul style="list-style-type: none"> i. The stormwater facility utilizes the techniques and landscape requirements set forth in The Integrated Pond, King County Water and Land Resources Division, or an equivalent manual, or ii. The surface water feature serves areas outside of the planned urban development and is appropriate in size and creates a benefit. 	
	
<p>Site Area: 1.5 acres Typical Lot Size: 4,500 sq. ft. Total Number of Lots: 12</p>	<p>Site Area: 1.5 acres Typical Lot Size: 3,500 sq. ft. Total Number of Lots: 12 Open Space: 4,500 s.f. minus 3,500 s.f. = 1,000 s.f. x 12 lots = 12,000 sq. ft.</p>
<p>Standard Subdivision</p>	<p>Example Planned Urban Development Approach</p>
<p>Figure 1. Common Open Space Example</p>	

2. Revisions to RMC 4-9-150.G.1.

G. FINAL PLAN REVIEW PROCEDURES:

1. Time Limits: The developer shall, within two (2) years of the effective date of action by the City Council to approve the preliminary plan, submit to the Development Services Division a final development plan showing the ultimate design and specific details of the proposed planned urban development or the final phase or phases thereof; provided, however, that for a preliminary plan approved concurrent with a preliminary subdivision, the developer shall submit the final development plan within five (5) years of the effective date of action by the City Council to approve the preliminary plan.

Upon application by the developer, the Hearing Examiner may grant an extension of the approved preliminary plan for a maximum of twelve (12) months. Application for such extension shall be made at least thirty (30) days prior to the expiration date of preliminary plan approval. Only one such extension may be granted for a planned urban development. If a final development plan is not filed within such two (2) years or within the extended time period, if any, the planned urban development preliminary plan shall be deemed to have expired or been abandoned. To activate an expired or abandoned planned urban development a new application is required.

Attachment B

TITLE 4, CHAPTER 9: PLANNED UNIT DEVELOPMENT AMENDMENTS

Purpose

This issue paper reviews amendments to RMC 4-9-150, Planned Unit Development Regulations¹, a long outdated section of Renton's Municipal Code. These regulations allow modification of standard development regulations in exchange for open space or innovative designs not otherwise allowed by the basic regulations applicable to a site. For example, cluster developments, low impact developments, zero lot line developments, or other approaches may be allowed with the process.

Background

Renton has a Planned Unit Development code but it has not been updated since before the GMA zoning was applied in 1993. It makes reference to old residential zone classes. It allows variation of zoning, parking, and subdivision standards in exchange for public benefits, e.g. protection of environmentally sensitive areas, open space, public facilities, etc. Some of the key sections include provision of common and private open space, density bonus allowances, public dedication of all streets, and others.

The Planned Unit Development regulations have been part of Renton staff's list of code docket items, but is made more of a priority in relation to review of the City's Binding Site Plan Regulations. One of the options reviewed in the Binding Site Plan issue paper is:

- **Revise the Planned Unit Development (PUD) Regulations (RMC 4-9-150) to allow for commercial/industrial PUDs.** This approach, similar to the City of Bothell, would allow binding site plan applications to deviate from the requirements of the underlying zone provided that acceptable alternative development standards are proposed to meet the intent of the code. In such a case, a binding site plan would be required to be processed concurrent with a Planned Unit Development, and would require Hearing Examiner approval. The City would need to develop a new PUD ordinance as the current one is out of date and has not been used recently.

Local Case Studies

Three local planned unit development type ordinances were reviewed in addition to Renton's Planned Unit Development regulations as described in the following table:

Regulation	bellevue	bothell	redmond	Renton (Current Ord.)
Applicability	<ul style="list-style-type: none">• Residential or mixed use (residential and commercial) projects.	<ul style="list-style-type: none">• Single family PUDs• Non-single family PUDs including multifamily, retail, office, service, industrial, or any combination.	<ul style="list-style-type: none">• Planned Residential: Residential Zones• Planned Commercial Development: Commercial and Industrial Zones	<ul style="list-style-type: none">• Residential zones

¹ If approved as applying to both residential and commercial/industrial zones, it is proposed that the title be Planned "Urban" Development since dwellings may not be involved necessarily.

<p>Regulations allowed to be Varied</p>	<ul style="list-style-type: none"> • Density (110%; 120% for senior citizen development) • Height • Any other except permitted uses, shoreline regulations, and procedural regulations. 	<ul style="list-style-type: none"> • Generally zoning and subdivision regulations may be varied. • There are percent limits to reductions in single-family lot sizes and front yard setback. • Cannot change density or side or rear yards. • Cannot increase density or intensity beyond what would normally be allowed. 	<ul style="list-style-type: none"> • Density (110%) (Residential) • Lot size and dimensions (residential; business and industrial tracts) • Site Requirements • Building Setbacks • Building Separation • Lot Coverage and Impervious Surface • Structure Height and Floor Area Ratio • Street and Utility Standards • Other site requirements unless specifically prohibited. • Other, except sensitive area or procedural requirements, subject to City Council approval. 	<ul style="list-style-type: none"> • Zoning (including density), parking, subdivision, except procedural, environmental, and land use.
<p>Key Requirements/ Criteria</p>	<ul style="list-style-type: none"> • Design – interior and perimeter • Public Facilities and streets are adequate. • Open space must be equal to 40% and 10% recreation (may be part of 40% when meeting certain requirements). 	<ul style="list-style-type: none"> • Coordinated planning internally and externally. • Adequate public services and streets. • Area reduced by lot sizes must be in common open space or used to protect significant trees or noncritical areas to meet Comprehensive Plan goals (residential). 	<ul style="list-style-type: none"> • Design – interior and perimeter. • Public Facilities and streets are adequate. • Open space must be equal to or greater in size than the gross area reduction below the lot size requirement for all lots proposed (residential). 	<ul style="list-style-type: none"> • Demonstrate compliance with code intent and superior outcome that could not otherwise be required. • Demonstration of public benefit (protection of critical area, site/vegetation, provision of public facilities, or design that could not otherwise be required) • Provide at least 35% of the total site area for common open space, contiguous and usable. • Provide private open space for individual units.

Issues and Options

As part of this review, the following questions have been considered:

- **To which zones should the regulations apply?** Currently the City's Planned Unit Development regulations only apply to residential zones. However, given the City's changing

market conditions for residential, commercial, and manufacturing activities, Planned Unit Development regulations may be an appropriate tool to respond to changing conditions while ensuring there is quality development and a public benefit. The code allows Planned Unit Development regulations to be applied in residential zones and commercial, mixed use and industrial zones. Options include allowing PUDs with any City zone, or any City zone except R-1 and R-4 zones, which have their own cluster regulations, or the COR zone since it is like a "master plan" zone now with few numeric standards.

- **What regulations should be allowed to be varied?**
 - Continued allowances:
 - The current code allows variations to zoning, subdivision, and parking standards. This would be continued in the attached proposal.
 - There is a continuing prohibition on modifying critical area regulations and land use regulations.
 - New allowances:
 - Reference is made to allow modification of RMC 4-4, which addresses Property Development Standards, including signage, parking, and landscaping. This would be more permissive than the current standards but may address site development issues of interest to applicants. A public benefit would need to be demonstrated in any case. There would be exceptions to the allowance to vary RMC 4-4 requirements. It is proposed that tree cutting/land clearing regulations not be varied beyond current code allowances since it addresses tree retention, clearing limits, and indirectly affects water quality. Also modification of grading regulations would not be allowed either, except by the standard grading review process.
 - Reference is made to disallow variations to utility standards in RMC 4-6 (e.g. water, wastewater, storm water), or building/fire codes in RMC 4-5. Any modifications would be those specifically allowed by the code subject to other specific review criteria.
 - A new section is added, similar to Redmond's, which allows an applicant to request modification of other standards, provided there is agency approval. This would reduce the need for future demonstration ordinances.
 - Public or private streets may be proposed rather than solely public streets. Alternative street standards may be requested. However, adequate emergency access and circulation would need to be provided.
- **Are review criteria and development standards appropriate?**
 - Generally Renton's review criteria are comparable to and in some cases more strict than other example codes. Criteria that are stricter include requiring a public benefit and requiring a certain dimension private open space for residential units.
 - Common open space standards are currently required to be 35% of the site and appears to include critical areas. Since the presence of critical areas may vary from site to site, an alternative would be to place emphasis on common usable open space. Critical areas would need to be protected with or without a Planned Unit Development.
- **Is the review process of hearing examiner recommendation and City Council approval still appropriate?** The attached proposal continues the current Planned Unit Development review process. This may be too rigorous for smaller proposals or for existing developments using the process for binding site plans. Alternatively, Hearing Examiner review and approval would be required for existing nonresidential developments proposing to use the binding site plan process. The decision would be appealable to the City Council.

4-9-150 PLANNED URBAN DEVELOPMENT REGULATIONS:**A. PURPOSES:**

There are two (2) principal purposes of the planned urban development regulations. First, it is the purpose of these regulations to preserve and protect natural features of the land. Second, it is also the purpose of these regulations to encourage innovation and creativity in the development of residential, business, manufacturing, or mixed use developments by permitting a variety in the type, design, and arrangement of structures and improvements.

In order to accomplish these purposes, this Section is established to permit development which is not limited by the strict application of the City's zoning, parking, street, and subdivision regulations when it is demonstrated that such new development will be superior to traditional development under standard regulations. In consideration of the latitude given and the absence of conventional restrictions, the reviewing agencies, Hearing Examiner, and City Council shall have wide discretionary authority in judging and approving or disapproving the innovations which may be incorporated into planned urban developments proposed under this Section.

B. APPLICABILITY:

Any applicant seeking to permit development which is not limited by the strict application of the City's zoning, parking, street, and subdivision regulations in a comprehensive manner shall be subject to this Section. Any amendment to existing planned urban developments shall be subject to this Chapter.

1. Zones: Planned urban developments may be permitted in the following zoning districts, when processed and approved as provided in this Section:

a. All zones, except R-1, R-4 and COR.

2. Code Provisions That May Be Modified:

a. In approving a planned urban development, the City may modify any of the standards of chapters 4-2, 4-4, and 4-7 RMC and RMC 4-6-060, except as listed in subsection B3 of this Section. All modifications shall be considered simultaneously as part of the planned urban development.

b. An applicant may request additional modifications from the requirements of RMC Title 4, except those listed in subsection B3 of this Section. Approval for modifications other than those specifically described subsection B2a of this Section shall be approved ~~by the City Council~~ prior to submittal of a preliminary planned urban development plan.

3. Code Provisions Restricted from Modification:

a. Permitted Uses: A planned urban development may not authorize uses that are inconsistent with those uses allowed by the underlying zone, or overlay district, or other location restriction in RMC Title 4, including, but not limited to: RMC 4-2-010 to 4-2-080, 4-3-010 to 4-3-040, 4-3-090, 4-3-095, and 4-4-010.

b. Density/Permitted Number of Dwelling Units: The number of dwellings units shall not exceed the density allowances of the applicable base or overlay zone or bonus criteria in chapter 4-2 or 4-9 RMC;

c. Planned Urban Development Regulations: The City may not modify any of the provisions of this Section, Planned Urban Development Regulations;

d. Procedures: The City may not modify any of the procedural provisions of RMC Title 4, including, but not limited to, fees, submittal requirements, and other similar provisions found in chapters 4-1, 4-7, 4-8 and 4-9 RMC; and

e. Specific Limitations: The City may not modify any provision of RMC 4-3-050, Critical Areas Regulations, 4-3-090, Shoreline Master Program Regulations, 4-4-130, Tree Cutting and Land Clearing, 4-4-060, Grading, Excavation and Mining Regulations, chapter 4-5 RMC, or RMC 4-6-010 to 4-6-050 and 4-6-070 through 4-6-110 related to utilities and concurrency, except that provisions may be altered for these codes by alternates, modification, conditional use, or variance as specifically allowed in the referenced Chapter or Section. Such alternates, modification, conditional use, or variance applications may be merged with the consideration of a planned urban development per RMC 4-9-150H.

C. ROLES AND RESPONSIBILITY:

1. The Department of Community and Economic Development (CED): CED shall be responsible for the general administration and coordination of this Section. However, all proposed Code modifications shall be reviewed at the same time by the Hearing Examiner.

2. City Departments: Applicable City departments shall review each proposed planned urban development in accordance with procedures in chapter 4-8 RMC and this Chapter as appropriate.

3. Hearing Examiner: The Hearing Examiner shall be the official City designee for the public hearings, or review of requested Code modifications, as well as the overall proposal itself.

D. DECISION CRITERIA:

The City may approve a planned urban development only if it finds that the following requirements are met.

1. Demonstration of Compliance and Superiority Required: Applicants must demonstrate that a proposed development is in compliance with the purposes of this Section and with the Comprehensive Plan, that the proposed development will be superior to that which would result without a planned urban development, and that the development will not be unduly detrimental to surrounding properties.

2. Public Benefit Required: In addition, applicants shall demonstrate that a proposed development will provide specifically identified benefits that clearly outweigh any adverse impacts or undesirable effects of the proposed planned urban development, particularly those adverse and undesirable impacts to surrounding properties, and that the proposed development will provide one or more of the following benefits than would result from the development of the subject site without the proposed planned urban development:

a. Critical Areas: Protects critical areas that would not be protected otherwise to the same degree as without a planned urban development; or

b. Natural Features: Preserves, enhances, or rehabilitates natural features of the subject property, such as significant woodlands, native vegetation, topography, or noncritical area wildlife habitats, not otherwise required by other City regulations; or

c. Public Facilities: Provides public facilities that could not be required by the City for development of the subject property without a planned urban development; or

d. Use of Sustainable Development Techniques: Design which results in a sustainable development; such as LEED certification, energy efficiency, use of alternative energy resources, low impact development techniques, etc.; or

de. Overall Design: Provides a planned urban development design that is superior ~~in one or more of the following ways~~ to the design that would result from development of the subject property without a planned urban development. A superior design may include the following:

i. Open Space/Recreation:

(a) Provides increased open space or recreational facilities beyond standard code requirements and considered equivalent to features that would offset park mitigation fees in Resolution 3082; and

(b) Provides a quality environment through either passive or active recreation facilities and attractive common areas, including accessibility to buildings from parking areas and public walkways; or

ii. Circulation/Screening: Provides superior circulation patterns or location or screening of parking facilities; or

iii. Landscaping/Screening: Provides superior landscaping, buffering, or screening in or around the proposed planned urban development; or

iv. Site and Building Design: Provides superior architectural design, placement, relationship or orientation of structures, or use of solar energy; or

v. Alleys: Provides alleys ~~to at least fifty percent (50%) of for~~ any proposed detached or attached units with individual, private ground related entries.

3. Additional Review Criteria: A proposed planned urban development shall also be reviewed for consistency with all of the following criteria:

a. Building and Site Design:

i. Perimeter: Size, scale, mass, character and architectural design along the planned urban development perimeter provide a suitable transition to adjacent or abutting lower density/intensity zones. Materials shall reduce the potential for light and glare.

ii. Interior Design: Promotes a coordinated site and building design. Buildings in groups should be related by coordinated materials and roof styles, but contrast should be provided throughout a site by the use of varied materials, architectural detailing, building orientation or housing type; e.g., single family, townhouses, flats, etc.

b. Circulation:

i. Provides sufficient streets and pedestrian facilities. The planned urban development shall have sufficient pedestrian and vehicle access commensurate with the location, size and density of the proposed development. All public and private streets shall accommodate emergency vehicle access and the traffic demand created by the development as documented in a traffic and circulation report approved by the City. Vehicle access shall not be unduly detrimental to adjacent areas.

ii. Promotes safety through sufficient sight distance, separation of vehicles from pedestrians, limited driveways on busy streets, avoidance of difficult turning patterns, and minimization of steep gradients.

iii. Provision of a system of walkways which tie residential areas to recreational areas, transit, public walkways, schools, and commercial activities.

iv. Provides safe, efficient access for emergency vehicles.

c. Infrastructure and Services: Provides utility services, emergency services, and other improvements, existing and proposed, which are sufficient to serve the development.

d. Clusters or Building Groups and Open Space: An appearance of openness created by clustering, separation of building groups, and through the use of well-designed open space and landscaping, or a reduction in amount of impervious surfaces not otherwise required.

e. Privacy and Building Separation: Provides internal privacy between dwelling units, and external privacy for adjacent dwelling units. Each residential or mixed use development shall provide visual and acoustical privacy for dwelling units and surrounding properties. Fences, insulation, walls, barriers, and landscaping are used, as appropriate, for the protection and aesthetic enhancement of the property, the privacy of site occupants and surrounding properties, and for screening of storage, mechanical or other appropriate areas, and for the reduction of noise. Windows are placed at such a height or location or screened to provide sufficient privacy. Sufficient light and air are provided to each dwelling unit.

f. Building Orientation: Provides buildings oriented to enhance views from within the site by taking advantage of topography, building location and style.

g. Parking Area Design: Provides parking areas that are complemented by landscaping and not designed in long rows. The size of parking areas is minimized in comparison to typical designs, and each area related to the group of buildings served. The design provides for efficient use of parking, and shared parking facilities where appropriate.

~~i. Design: Provides parking areas that are complemented by landscaping and not designed in long rows. The size of parking areas is minimized in comparison to typical designs, and each area related to the group of buildings served. The design provides for efficient use of parking, and shared parking facilities where appropriate.~~

~~ii. Adequacy: Provides sufficient on-site vehicular parking areas consistent with the parking demand created by the development as documented in a parking analysis approved by the City. Parking management plans shall ensure sufficient resident, employee, or visitor parking standards, and there shall be no reliance on adjacent or abutting properties unless a shared parking arrangement consistent with RMC 4-4-080 is approved.~~

h. Phasing: Each phase of the proposed development contains the required parking spaces, open space, recreation spaces, landscaping and utilities necessary for creating and sustaining a desirable and stable environment, so that each phase, together with previous phases, can stand alone.

4. Compliance with Development Standards: Each planned urban development shall demonstrate compliance with the development standards contained in subsection E of this Section, the underlying zone, and any overlay districts; unless a modification for a specific development standard has been requested pursuant to RMC 4-9-150B.2.

E. DEVELOPMENT STANDARDS:

1. Common Open Space Standard: Open space shall be concentrated in large usable areas and may be designed to provide either active or passive recreation. Requirements for residential, mixed use, commercial, and industrial developments are described below.

a. Residential: For residential developments open space must equal at least 10 percent (10%) of the gross land area, which includes any critical area buffers where an opportunity for passive recreation is provided via a low impact trail or is protected by a road edge, or similar proposal. In addition, a minimum area of common space or recreation area equal to fifty (50) square feet per unit shall be provided in a concentrated space as illustrated in Figure 1.~~For residential developments, open space must be equal to or greater in size than the total square footage of the lot area reductions requested by the planned urban development, as illustrated in Figure 1. The open space shall not include a critical area and shall be concentrated in large usable areas.~~ Stormwater facilities may be incorporated with the open space, common space or recreation area on a case-by-case basis if the Reviewing Official finds:

- i. The stormwater facility utilizes the techniques and landscape requirements set forth in The Integrated Pond, King County Water and Land Resources Division, or an equivalent manual, or
- ii. The surface water feature serves areas outside of the planned urban development and is appropriate in size and creates a benefit.

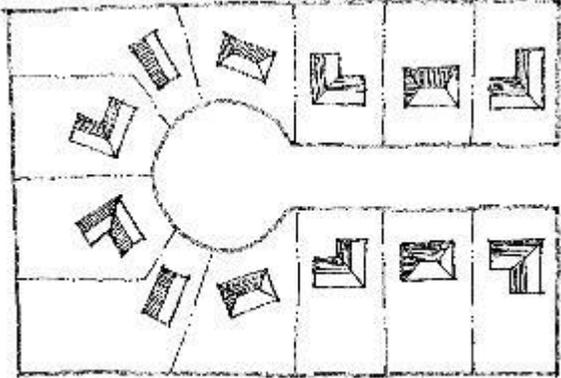
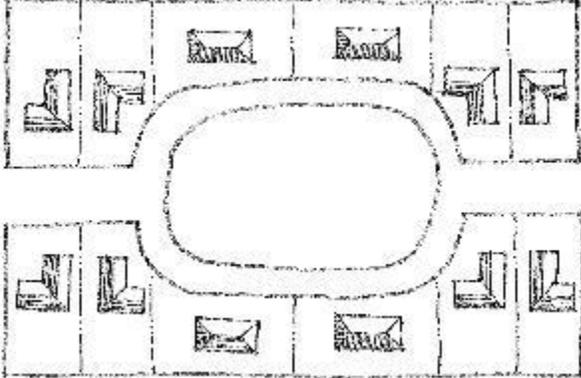
	
<p>Site Area: 1.5 acres Typical Lot Size: 4,500 sq. ft. Total Number of Lots: 12</p>	<p>Site Area: 1.5 acres Typical Lot Size: 3,500 sq. ft. Total Number of Lots: 12 Open Space: 4,500 s.f. minus 3,500 s.f. = 1,000 s.f. x 12 lots = 12,000 <u>7,134</u> sq. ft.</p>
<p>Standard Subdivision</p>	<p>Example Planned Urban Development Approach</p>

Figure 1. Common Open Space Example

b. Mixed Use – Residential Portions: Subsections E1bi to v of this Section specify common open space standards for the residential portions of mixed use developments.

i. Mixed use residential and attached housing developments of ten (10) or more dwelling units shall provide a minimum area of common space or recreation area equal to fifty (50) square feet per unit. The common space area shall be aggregated to provide usable area(s) for residents. The location, layout, and proposed type of common space or recreation area shall be subject to approval by the Reviewing Official. The required common open space shall be satisfied with one or more of the elements listed below. The Reviewing Official may require more than one of the following elements for developments having more than one hundred (100) units.

(a) Courtyards, plazas, or multipurpose open spaces;

(b) Upper level common decks, patios, terraces, or roof gardens. Such spaces above the street level must feature views or amenities that are unique to the site and provided as an asset to the development;

(c) Pedestrian corridors dedicated to passive recreation and separate from the public street system;

(d) Recreation facilities including, but not limited to: tennis/sports courts, swimming pools, exercise areas, game rooms, or other similar facilities; or

(e) Children's play spaces.

ii. Required landscaping, driveways, parking, or other vehicular use areas shall not be counted toward the common space requirement or be located in dedicated outdoor recreation or common use areas.

iii. Required yard setback areas shall not count toward outdoor recreation and common space unless such areas are developed as private or semi-private (from abutting or adjacent properties) courtyards, plazas or passive use areas containing landscaping and fencing sufficient to create a fully usable area accessible to all residents of the development.

iv. Private decks, balconies, and private ground floor open space shall not count toward the common space/recreation area requirement.

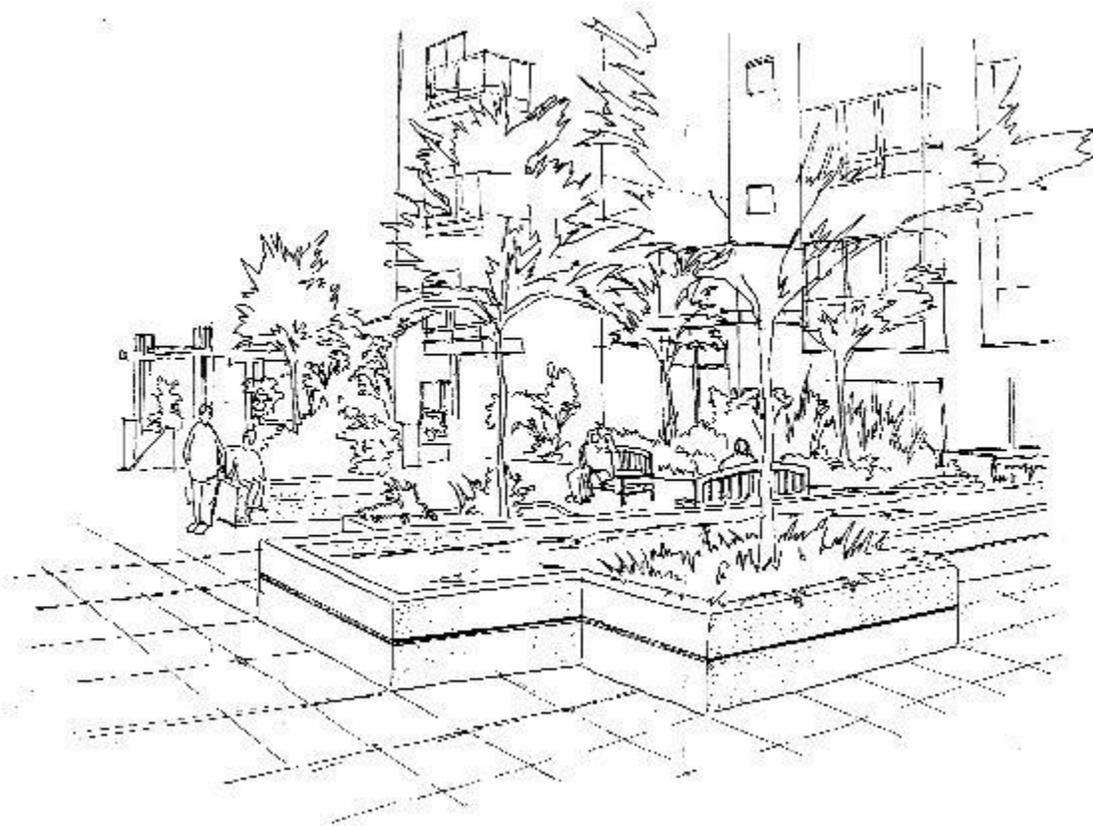


Figure 2. A visible and accessible residential common area containing landscaping and other amenities.

v. Other required landscaping, and sensitive area buffers without common access links, such as pedestrian trails, shall not be included toward the required recreation and common space requirement.

c. Mixed Use Nonresidential Portions, or Commercial, or Industrial Uses: The following subsections specify common open space requirements applicable to nonresidential portions of mixed use developments or to single use commercial or industrial developments:

i. All buildings and developments with over thirty thousand (30,000) square feet of nonresidential uses (excludes parking garage floorplate areas) shall provide pedestrian-oriented space according to the following formula:

1% of the lot area + 1% of the building area = Minimum amount of pedestrian-oriented space

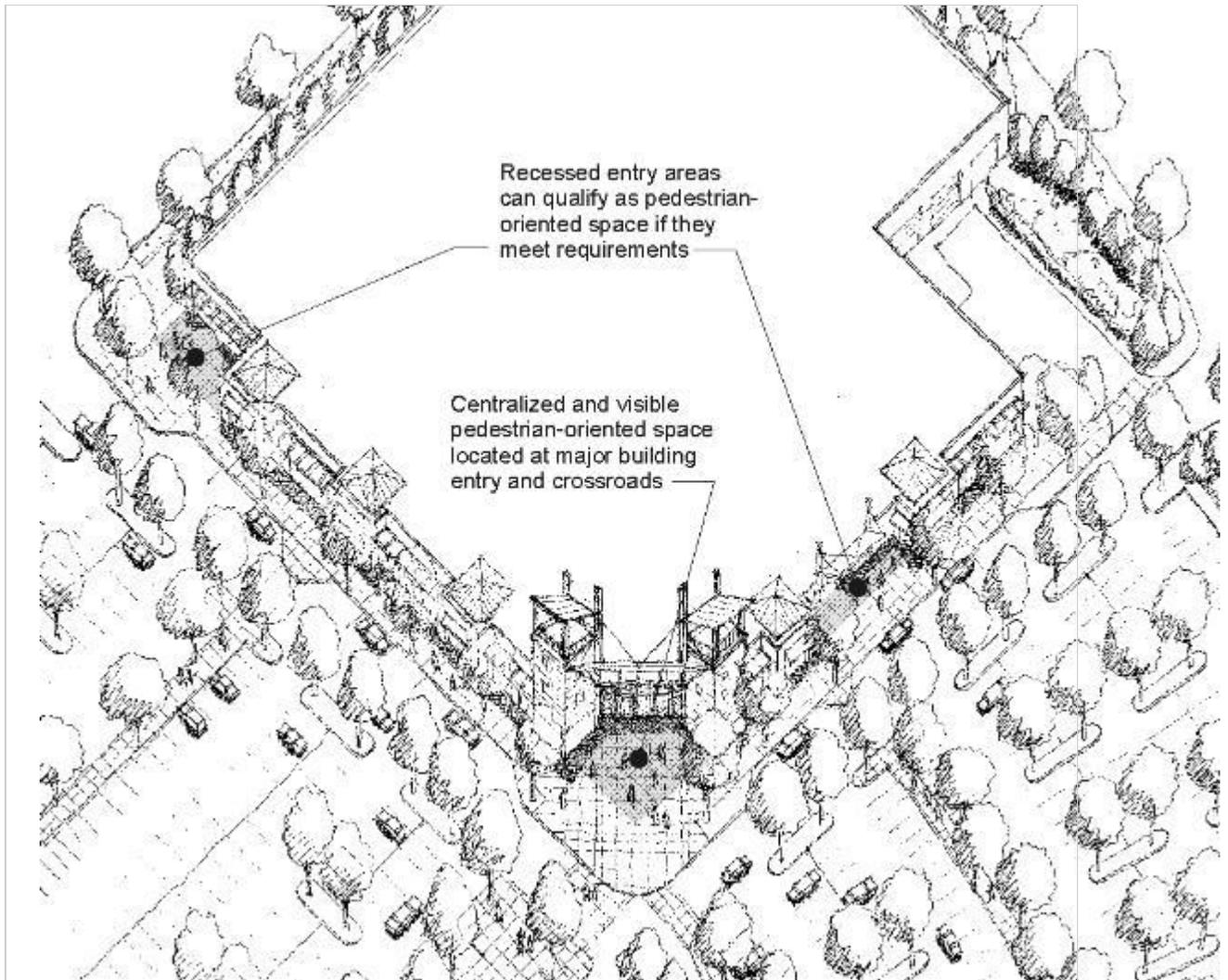


Figure 3. Examples of pedestrian-oriented space associated with a large scale retail building.

ii. To qualify as pedestrian-oriented space, the following must be included:

(a) Visual and pedestrian access (including barrier-free access) to the abutting structures from the public right-of-way or a courtyard not subject to vehicular traffic,

(b) Paved walking surfaces of either concrete or approved unit paving,

(c) On-site or building-mounted lighting providing at least four (4) foot-candles (average) on the ground, and

(d) At least three (3) feet of seating area (bench, ledge, etc.) or one individual seat per sixty (60) square feet of plaza area or open space.

iii. The following features are encouraged in pedestrian-oriented space and may be required by the Reviewing Official.

(a) Pedestrian-oriented uses at the building facade facing the pedestrian-oriented space.

(b) Spaces should be positioned in areas with significant pedestrian traffic to provide interest and security – such as adjacent to a building entry.

(c) Pedestrian-oriented facades on some or all buildings facing the space consistent with Figure 4.

(d) Public seating that is durable or easily replaceable, maintainable, and accessible.

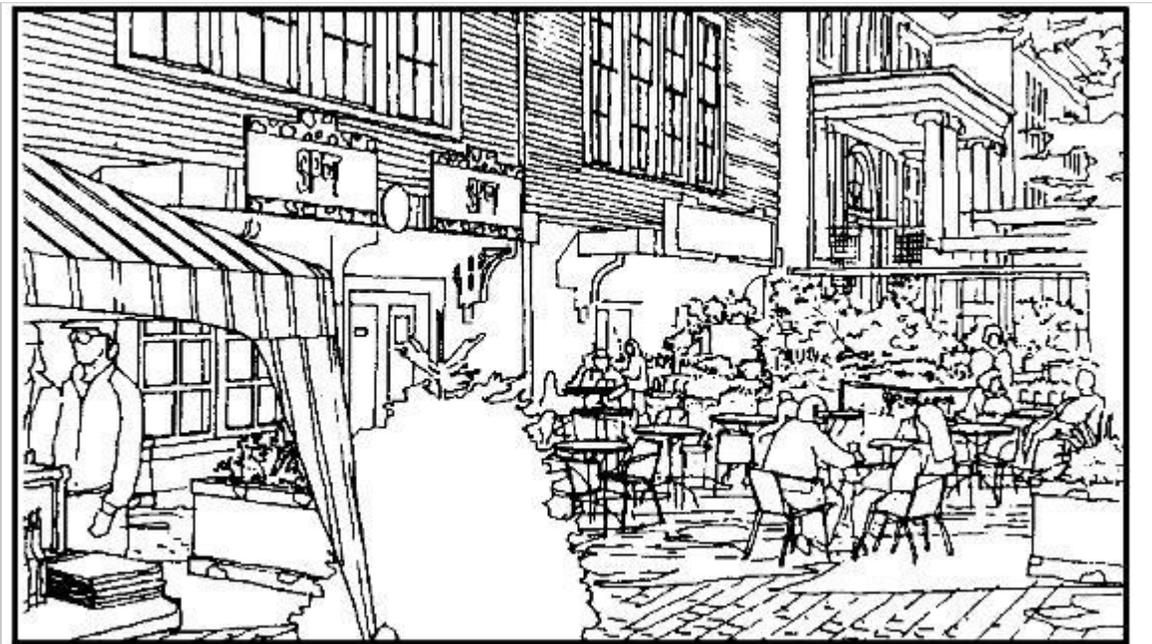


Figure 4. Pedestrian-oriented spaces, visible from the street, including ample seating areas, movable furniture, special paving, landscaping components, and adjacent pedestrian-oriented uses.

iv. The following are prohibited within pedestrian-oriented space:

(a) Adjacent unscreened parking lots,

(b) Adjacent chain link fences,

(c) Adjacent blank walls,

(d) Adjacent dumpsters or service areas, and

(e) Outdoor storage (shopping carts, potting soil bags, firewood, etc.) that do not contribute to the pedestrian environment.

d. Open Space Orientation: The location of public open space shall be considered in relation to building orientation, sun and light exposure, and local micro-climatic conditions.

e. Common Open Space Guidelines: Common space areas in mixed use residential and attached residential projects should be centrally located so they are near a majority of dwelling units, accessible and usable to residents, and visible from surrounding units.

i. Common space areas should be located to take advantage of surrounding features such as building entrances, significant landscaping, unique topography or architecture, and solar exposure.

ii. In mixed use residential and attached residential projects children's play space should be centrally located, visible from the dwellings, and away from hazardous areas like garbage dumpsters, drainage facilities, streets, and parking areas.

2. Private Open Space: Each residential unit in a planned urban development shall have usable private open space (in addition to parking, storage space, lobbies, and corridors) for the exclusive use of the occupants of that unit. Each ground floor unit, whether attached or detached, shall have private open space which is contiguous to the unit, ~~and shall be an area of at least twenty percent (20%) of the gross square footage of the dwelling units.~~ The private open space shall be well demarcated and at least ten feet (10') in every dimension. Decks on upper floors can substitute for some of the required private open space for upper floor units. For dwelling units which are exclusively upper story units, there shall be deck areas totaling at least sixty (60) square feet in size with no dimension less than five feet (5').

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) 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.

b. Maintenance: Landscaping shall be maintained pursuant to requirements of RMC 4-4-070.

4. Installation and Maintenance of Common Facilities:

a. Installation: Prior to the issuance of any occupancy permits, all common facilities, including but not limited to utilities, storm drainage, streets, recreation facilities, etc., shall be completed by the developer or, if deferred by the Planning/Building/Public Works Administrator or his/her designee, assured through a security device to the City equal to the provisions of RMC 4-9-060, except for such common facilities that are intended to serve only future phases of a planned urban development. Any common facilities that are intended to serve both the present and future phases of a planned urban development shall be installed or secured with a security instrument as specified above before occupancy of the earliest phase that will be served. At the time of such security and deferral, the City shall determine what portion of the costs of improvements is attributable to each phase of a planned urban development.

b. Maintenance: All common facilities not dedicated to the City shall be permanently maintained by the planned urban development owner, if there is only one owner, or by the property owners' association, or the agent(s) thereof. In the event that such facilities are not maintained in a responsible manner, as determined by the City, the City shall have the right to provide for the maintenance thereof and bill the owner or property owners' association accordingly. Such bill, if unpaid, shall become a lien against each individual property.

G. FINAL PLAN REVIEW PROCEDURES:

1. Time Limits: The developer shall, within two (2) years of the effective date of action by the Hearing Examiner to approve the preliminary plan, submit to the Department of Community and Economic Development a final development plan showing the ultimate design and specific details of the proposed planned urban development or the final phase or phases thereof; provided, however, that for a preliminary plan approved concurrent with a preliminary subdivision, the developer shall submit the final development plan within five (5) years of the effective date of action by the Hearing Examiner to approve the preliminary plan-

Upon application by the developer, the Hearing Examiner may grant an extension of the approved preliminary plan for a maximum of twelve (12) months. Application for such extension shall be made at least thirty (30) days prior to the expiration date of preliminary plan approval. Only one such extension may be granted for a planned urban development. If a final development plan is not filed within the identified time limits such two (2) years or within the extended time period, if any, the planned urban development preliminary plan shall be deemed to have expired or been abandoned. To

activate an expired or abandoned planned urban development, a new application is required.