

## **D# 59 INACTIVE LAND USE APPLICATIONS**

### **General Description**

This docket request was made by the City of Renton Planning Division and proposes to add new provisions to Title IV that would allow for inactive land use applications (“on hold” applications) to expire or become null and void after official notice has been provided to the project applicant and ample time has been provided to reactivate such project. Land use applications consist of any Type 1 through Type V application identified in RMC 4-8-080, which includes but is not limited to preliminary plats and short plats, site plan reviews, conditional use permits, and variance applications. Over the past few years, many land use applications have been submitted to the City and City staff has determined these applications to be “complete”. However, many of these land use applications have not completed the land use permitting process for a number of reasons. Any project that has not received a decision (approval or denial) but has been determined to be “complete” becomes vested to the development standards in place at the time of “complete” application. The result is a large number of “complete” applications that have been placed “on hold” for numerous reasons, including the applicant’s request or additional information was needed to complete the land use review process. Many of these projects have been “on hold” for three years or more. The majority of these projects are from 2008 relating to the national economic downturn and the crash of the residential housing market. Today, Title IV does not permit a complete application to expire unless a decision has been made. As such, these projects can be vested to the development standards in place at the time of complete application in perpetuity.

Since 2008, there have been many changes made to the City’s development standards including such items as complete streets, residential design standards, and new landscaping standards. Based on today’s regulations, any of these vested projects could be taken “off hold” and processed to early development standards ignoring any changes that have been made to Title IV. The goal of the proposed docket amendment would be to allow a non-active project to expire with appropriate notice and ample time for the applicant to reactivate the project. In many cases, the original project applicant is no longer the property owner and the bank now owns the property.

### **Impact Analysis**

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

The proposal is not anticipated to have an effect on rate of growth, development, and conversion of land as envisioned 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

Goal #1 of the Land Use Element of the Comprehensive Plan states *“Plan for future growth of the Urban Area based on regionally developed growth forecasts, adopted growth targets, and land capacity as determined through implementation of the Growth Management Act”*. This goal identifies the main challenge behind inactive “on hold” land use projects. The City’s Comprehensive Plan forecasts growth targets and determines through policy language the “Plan” for the City. As this document changes over time based on changes in demographics, policy direction by electives, and a growing City, the inactive land use applications maintain vesting to old City policies and regulations. The development regulations included in Title IV are designed to reflect and implement goals, objectives, and policies included within the Comprehensive Plan. Allowing inactive “on hold” land use applications to expire, would support the continued validity of the City’s Comprehensive Plan and implementing documents, including development regulations. The addition of this provision to Title IV would provide the opportunity for inactive project to expire, limiting vesting opportunities in perpetuity.

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. However, a particular vested land use project may have a value assessed to the application itself. This value in turn may have a direct relationship to the value of the land on which the application was submitted. However, the “unfinished” application does not contain any entitlements that run with the land until a decision has been made.

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

Allowing for the expiration of inactive “on hold” land use applications would maintain relevance to the most recent Planning Policies, by providing the opportunity to close old land use files. The proposed changes are consistent with the Growth Management Act (GMA), the Comprehensive Plan, and Countywide Planning Policies.

Effect on critical areas and natural resource lands

Adding expiration provisions to Title IV would have a positive impact on critical areas and natural resource lands. Without providing the opportunity for “on hold” projects to expire, these projects could be picked up where they were left off, with vesting to old regulations, at any time. The development of new projects that are not required to meet the most recent regulations for critical areas and natural resources could result in an increase in impacts on these resource lands. For example, the City is in the process of updating the Shoreline Master Program (SMP). All “on hold” projects are vested to the old SMP, and would not be required to meet the standards of the new SMP when developed.

Effect on other considerations

Not applicable

**Staff Recommendation**

It is recommended that Title IV be amended to provide expiration regulations for land use applications that have been placed “on hold” for an extended period of time, after official notice has been provided to the project applicant.

**Implementation Requirements**

Add expiration provisions to Title IV.