

1 Introduced by: BERNICE STERN

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3 BILL REAMS

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8 ORDINANCE NO. 2745

9 AN ORDINANCE relating to planned unit developments;
10 permitting flexibility of street design and building spacing;
11 providing enforcement procedures; permitting the construc-
12 tion of model units prior to final approval under certain
13 circumstances; correcting departmental and divisional titles;
14 clarifying net development area and its use in determining
15 allowable development density and required open space;
16 providing a bonus development density system to compensate
17 developers for adding certain amenities; and providing common
18 open space requirements, approval standards, and open space
19 conveyance and maintenance requirements; repealing Resolution
20 No. 25789, (Sections 2703 and 2708), Resolution 33880 (part), and
21 KCC 21.56.040, 21.56.090; amending Resolution 25789 (Sections 2700,
22 2701, 2702, 2705, 2706, 2707, 2709, 2710), Resolution 33880 (part),
23 Ordinance 2392 (Section 10), Resolution 3445 (part) and K.C.C.
24 21.56.010, 21.56.020, 21.56.030, 21.56.040, 21.56.050, 21.56.060,
25 21.56.070, 21.56.080, 21.56.100, and 21.56.110; and adding new
26 sections thereto.

27 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

28 SECTION 1. Resolution 25789, Section 2700, and K.C.C. 21.56.010 each
29 are amended hereby to read as follows:

30 Purpose of planned unit development. Wherein the zoning map establishes
31 only zone boundaries and the text of this title establishes the permitted use
of land in the various zones and the conditions applicable to such use, and
wherein all of the provisions, conditions and requirements set forth in this
title are in general, designed to apply to individual lots and minimum area
parcels, a planned unit development, as the term is employed in this title has
the following purposes:

(1) To produce a development which would be as good or better than ((that
resulting from the)) traditional lot by lot development, ((by applying to large-
areas, whether consisting of)) on either consolidated lots or unsubdivided

1 property; ~~((the same principles and purposes inherent in the required~~
 2 ~~provisions applying to individual lots or minimum area parcels.))~~

3 (2) To correlate comprehensively the provisions of this title and other
 4 resolutions and codes of the county, to permit developments which will provide
 5 a desirable and stable environment in harmony with that of the surrounding area;

6 (3) To permit flexibility that will encourage a more creative approach in
 7 the development of land, and will result in a more efficient, aesthetic and
 8 desirable use of open space, while at the same time, ~~((maintaining substantially~~
 9 ~~the same population density and area coverage permitted in the zone in which~~
 10 ~~the project is located))~~ harmonizing with adjoining development and maintaining
 11 population and area coverage which are consistent with the transportation
 12 facilities and utilities available, and with the public health and safety
 13 standards of the County, and which do not adversely impact neighboring
 14 development;

15 (4) To permit flexibility in design, placement of buildings, use of open
 16 spaces, bicycle and pedestrian circulation facilities, off-street parking areas,
 17 and street alignment; and to best utilize the potentials of sites characterized
 18 by special features of geography, topography, size, or shape;

19 (5) To change areas indicated on the zoning map as potentially classified
 20 into actual classifications as set forth in K.C.C. 21.46.

21 SECTION 2. Resolution 25789, Section 2701, and K.C.C. 21.56.020, each
 22 are amended to read as follows:

23 Initiation of planned unit development projects. (1) Planned Unit
 24 Development projects may be initiated by:

25 (a) ~~((1))~~ The owner of all the property involved, if under one
 26 ownership, or;

27 (b) ~~((2))~~ An application filed jointly by all owners having title
 28 to all of the property in the area proposed for the planned unit development
 29 project, if there be more than one owner ~~((3--or))~~ .

30 ~~((3)--A governmental agency--))~~

1 (2) Planned unit developments may be required as a condition to reclass-
2 ification only in the RS, SR, RD, and RM zones.

3 Section 3. Resolution 33880 (part), Resolution 25789, Section 2702, and
4 K.C.C. 21.56.030, each are amended hereby to read as follows:

5 Procedure for approval of planned unit development projects. The approval
6 of a planned unit development in the following steps shall be by the Council
7 upon recommendation of the examiner subject to the provisions of Chapters 21.60
8 and 21.62.

9 (1) A preliminary development plan first shall be submitted to the
10 Division of Building and Land Development ((examiner for approval)). The
11 Division shall submit that plan, together with its report and recommendations,
12 to the examiner, consistent with K.C.C. 21.60.070. Before approval, the
13 examiner shall determine that the plans comply with the development policies
14 of the comprehensive plan, community plan policies, area zoning guidelines,
15 the shoreline management master program when applicable, the purpose of this
16 title, and provisions of this chapter. The applicant shall be responsible for
17 demonstrating consistency with these requirements at the time of application
18 and at public hearings. Upon concurrence by the council, ((preliminary))
19 approval of a preliminary development plan or subsequent revisions shall be
20 binding as to the general intent and apportionment of land for buildings, stipulated
21 use and circulation pattern, but shall not be construed to render inflexible the
22 ultimate design, specific uses or final plat of the project.

23 (2) The petitioner shall within one year of the date of the preliminary
24 development plan approval submit a final development plan of the proposed
25 development to the ((department)) Building and Land Development Division
26 for approval by the council; provided, that upon application of the petitioner,
27 the ((department)) division may grant an extension for a maximum of twelve
28 additional months. If the final development plan is not filed within one year or
29 within the extended time period, if any, the planned unit development shall be-
30 come void.

31 (3) Preliminary development plans may program two or more divisions

1 to be developed successively, provided that:

2 (a) Each division shall meet the design requirements of a
 3 planned unit development if considered individually, and,

4 (b) The initial division shall contain at least 25 units; and,

5 (c) Each succeeding division may be subject to then current
 6 County standards.

7 (4) In planned unit developments having more than one division
 8 authorized pursuant to paragraph (3) of this section, the second division
 9 shall be granted two years to satisfy final development plan requirements,
 10 following the completion of final development plan requirements of the first
 11 division. This procedure may be repeated for as many two year periods
 12 as there are divisions authorized by the approved preliminary development
 13 plan. If the final development plan for any succeeding division is not filed
 14 within the authorized two year period, preliminary development plan approval
 15 for that division and for all succeeding divisions shall become void.

16 (5) From the date of filing of a final development plan or revised
 17 final development plan, the Division of Building and Land Development or
 18 the Department of Public Works, shall, within thirty days, notify the de-
 19 veloper of any inadequacies which require correction or revision. Within sixty
 20 days of that notification the developer shall fully correct those inadequacies.
 21 This period may be extended sixty days upon the developer's request.

22 (6) A construction schedule may be required as a part of the final de-
 23 velopment plan. This schedule, when required, shall coordinate the develop-
 24 ment of common open space and common open space improvements, and other
 25 project improvements and development, with the development of residential
 26 dwellings.

27 (7) The planned unit development final plan approval resulting from the
 28 application of the provisions of this section shall be made a part of the zoning
 29 map, identified thereon by appropriate reference to the detailed planned unit
 30 development map and explanatory text ((if any))) either by number or by symbol ,
 31 and shall thereby constitute ((s)) a limitation on the use and design of the site.

1 (8) The Division of Building and Land Development may issue building
2 permits for units having common walls when a plat is required, or for ten or
3 fewer model units, when the following conditions have been satisfied:

4 (a) The Department of Public Works has determined that:

5 1. The road and parking area plan and profiles are
6 approved or ready to approve.

7 2. A bond has been received to assure the roads and
8 drainage will be constructed, as well as other required bonds and fees.

9 3. The street, drainage systems and lot configuration
10 will not change.

11 (b) The Department of Public Health has approved the site plan,
12 if such approval has been required as a condition for final development plan
13 approval.

14 (c) The Division of Building and Land Development has deter-
15 mined that all other customary requirements for issuing permits have been
16 fulfilled.

17 (9) Buildings constructed pursuant to paragraph (7) of this section shall
18 not be occupied, nor shall any additional permits be issued, until the planned
19 unit development has received final development plan approval by County
20 ordinance and any plat which may be required has been recorded.

21 NEW SECTION. SECTION 4. Consolidation of planned unit development and
22 other procedures.

23 (1) When an applicant applies for a planned unit development, the
24 preliminary plan may be considered simultaneously with an application for any
25 one or more of the following: a preliminary plat, reclassification, road
26 establishment or vacation. In such case, the public hearing on the preliminary
27 development plan shall serve as the hearing required for the preliminary plat,
28 reclassification, road establishment and vacation and the Council shall make a
29 single decision on the preliminary development plan and preliminary plat, re-
30 classification, road establishment and vacation.

31 (2) The application for the consolidated planned unit development, plat,
32 reclass-

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1 ification, road establishment and vacation proposal, the form and contents to be pre-
 2 scribed by the Division of Building and Land Development, shall contain all of the in-
 3 formation required if each application were considered separately.

4 (3) A single consolidated notice of the consolidated public hearing shall
 5 state clearly that such hearing will consider the proposed preliminary develop-
 6 ment plan of the planned unit development, preliminary plat, reclassification,
 7 road establishment and road vacation. Notice of the time, place and subject of
 8 such hearing shall satisfy the requirements for each of the approvals in K.C.C.
 9 21.62.080 and .090, K.C.C. 19.36.040, and RCW 36.87.050, RCW 58.17.090 and
 10 shall be in a form prescribed by the Division of Building and Land Development.

11 SECTION 5. Resolution 25789, Section 2703, and K.C.C. 21.56.040 are
 12 each hereby repealed and the following is substituted: Expiration. If the
 13 planned unit development project has not been completed within three years
 14 from the date of final development plan approval, the developer may apply for a
 15 two year extension of the final development plan approval, subject to then
 16 current County standards. or the planned unit development authorization shall
 17 expire.

18 SECTION 6. Resolution 33880 (part), Resolution 25789, Section 2704,
 19 and K.C.C. 21.56.050, each are amended hereby to read as follows: Form of
 20 and contents of applications and types of information required.

21 (1) The ~~((planning agency))~~ Division of Building and Land Develop-
 22 ment shall prescribe the form on which applications are made for planned unit
 23 development projects ~~((It may prepare and provide blanks for such purpose))~~
 24 and prescribe the type of information to be provided ~~((in the application))~~ by
 25 the applicant. No application shall be accepted unless it complies with such
 26 requirements and is verified as to the correctness of information given by the
 27 signature of the applicant attesting thereto.

28 (2) There shall be included as a part of the application an accurate map
 29 drawn to a scale of not less than one hundred feet to the inch, showing the
 30 boundaries of the site, names and dimensions of all streets bounding or touching
 31 the site, the proposed location ~~((and horizontal and vertical dimensions))~~ and

1 height of all buildings and structures proposed to be located on the site; proposed
 2 location and dimensions of "common open space", if any, within the site; proposed
 3 public dedications, if any, within the site; location, ~~((dimensions))~~ and design
 4 of off-street parking facilities showing points of ingress to and egress from the
 5 site; the location, direction and bearing of any major physiographic features
 6 such as railroads, drainage canals and shorelines; and existing topographic
 7 contours at intervals of not more than five feet together with proposed grading,
 8 drainage and landscaping.

9 (3) ~~((The))~~ Explanatory text on the face of the plan or attached
 10 thereto shall contain a written statement of the general purposes of the project
 11 and an explanation of all features pertaining to uses and other pertinent matters
 12 not readily identifiable in map form. ~~((The adoption of the text specifying the -~~
 13 ~~particular nonresidential))~~ Such explanatory text may specify uses permitted
 14 on the site, if any, or other necessary restrictions. Such text, as approved by
 15 the Council, shall constitute a contractual limitation to those specific uses and
 16 development requirements.

17 (4) If the planned unit development contains any area that may require ac-
 18 quisition for public purposes such as opening and widening of streets and alleys,
 19 such features ~~((in addition to being))~~ shall be indicated on the planned unit develop-
 20 ment map ~~((;))~~ ~~((shall also be shown in exact detail on a separate map to be pro--~~
 21 ~~cessed and adopted in the manner prescribed for adoption of official controls;--Such~~
 22 ~~official control shall be identified in the official controls related to such elements of~~
 23 ~~the comprehensive plan as involve the identification and preservation of future rights~~
 24 ~~of way for public thoroughfares or areas for other public uses;--provided,--however;~~
 25 ~~in lieu thereof or in combination with such official controls a plat may be filed and~~
 26 ~~processed as required by the subdivision regulations;--Hearings on the planned~~
 27 ~~unit development, the official control, plat and reclassification, if involved, shall~~
 28 ~~be separately noted in the public notice of hearing;--such features in addition~~
 29 ~~to being indicated on the planned unit development map, shall be identified in the~~
 30 ~~official controls related to such elements of the comprehensive plan as involve the~~
 31 ~~identification and preservation of future rights of way for public thoroughfares~~

1 or areas for other public uses, provided, however, in lieu thereof or in com-
 2 bination with such official controls a plat may be filed and processed as required
 3 by the subdivision regulations. Hearings on the planned unit development, the
 4 official control, plat and reclassification, if involved, shall be separately noted
 5 in the public notice of hearing, but may be held concurrently, and action on each
 6 shall be taken separately.)

7 (5) Planned unit development preliminary development plans and final
 8 development plans shall be prepared under the direction of, and signed by,
 9 a State of Washington registered or licensed landscape architect, architect, civil
 10 engineer, or land surveyor.

11 (6) Performance bonds may be required as necessary to assure com-
 12 pliance with bonus and required design features.

13 SECTION 7. Resolution 33880 (part), Resolution 25789, Section 2705, and
 14 K.C.C. 21.56.060 each are amended hereby to read as follows:

15 Permitted location of planned unit development projects.

16 (1) Residential planned unit development projects may locate only in FR,
 17 RS, RD, RM, SE and SR zones when processed and authorized as provided herein.

18 (2) Planned unit developments for other than residential uses may locate
 19 only in zones first permitting the heaviest use locating on the premises.

20 ~~((3) The major internal street serving the planned unit development project~~
 21 ~~in an "RD" or more intensive zone shall be functionally connected to at least one~~
 22 ~~major or secondary trafficway as defined by the comprehensive plan.))~~

23 SECTION 8. Resolution 30152 (part); Resolution 25789, Section 2706; and
 24 K.C.C. 21.56.070, each are hereby amended to read as follows:

25 Required minimum site area. A planned unit development shall contain an
 26 area of not less than ~~((five))~~ one acre ~~((s))~~; provided, that the minimum site
 27 area requirement shall not apply when the planned unit development is used
 28 as a means to convert a potential classification to an actual classification.

29 SECTION 9. Ordinance 2392, Section 10; Resolution 34445 (part); Resolution
 30 25789, Section 2707; and K.C.C. 21.56.080; each are amended to read as follows
 31 Uses permitted. In a residential planned unit development only the following

1 uses are permitted:

2 ~~((1)-In-a-residential-planned-unit-development;)~~

3 (1) ~~((a))~~ Dwellings, one-family, two-family or multiple family;

4 (2) ~~((b))~~ Accessory incidental retail and other nonresidential uses,

5 which are integrated into the project by design, may be specifically and select-

6 ively authorized ~~((as-to-exact-type-and-size-to-be-integrated-into-the-project-by~~

7 ~~design;))~~ . Permitted accessory retail uses shall be designed and scaled

8 to serve only as a convenience to the inhabitants of the project ~~((;))~~ . Retail uses

9 may be permitted only when the project qualifies for at least 2.0 bonus units

10 per acre, without multiplier, as provided in New Section 17 of this ordinance.

11 (3) ~~((e))~~ Recreational facilities including but not limited to, tennis courts,
12 swimming pools and playgrounds;

13 (4) ~~((d))~~ Schools, libraries and community halls;

14 (5) ~~((e))~~ Mobile home park provided;

15 (a) ~~((1))~~ Mobile homes shall not be occupied until permit has been
16 issued as required in Section 18.04.050;

17 (b) ~~((2))~~ A permit to operate a mobile home park is obtained as re-
18 quired in Chapter 18.12;

19 (c) ~~((3))~~ The number of mobile homes permitted shall be deter-
20 mined in the same manner as provided for dwelling units under New Section
21 ~~((21-56-100(5);))~~ 15. of this ordinance; provided that these requirements
22 shall not apply to mobile homes in non-PUD mobile home parks.

23 SECTION 10. Resolution 33880 (part); Resolution 25789, Section 2708;
24 and K.C.C. 21.56.090, each are hereby repealed.

25 SECTION 11. Resolution 33880 (part); Resolution 25789, Section 2709; and
26 K.C.C. 21.56.100, each are amended to read as follows:

27 Permissive variations in requirements. ~~((In-considering-a-proposed))~~ planned
28 unit development preliminary plan and final plan ~~((project-the))~~ approval s
29 ~~((thereof))~~ may ~~((involve-modifications-in))~~ modify the regulations, requirements
30 and standards of the zone in which the project is located . ~~((so-as-to-appropriately~~
31 ~~apply-such-regulations,-requirements-and-standards-to-the-larger-site))~~ . In modifying

1 such regulations, requirements and standards, (as they may apply to a planned-unit
2 development project;) the following limitations shall apply:

3 ~~((1) Placement of Buildings.--The yards and open spaces required and the
4 height of the buildings involved shall dictate the location of buildings and structures
5 on the site;--~~

6 ~~(2) Yards.--The requirements for front yards for the zone in which the planned-
7 unit development is located shall apply to all exterior boundary lines of the site;~~

8 ~~(3) Open Spaces.--The distance between buildings containing dwelling-
9 units, which buildings do not exceed a height greater than thirty-five feet,
10 shall be not less than that required for the zone in which the property is located.~~

11 ~~Where buildings containing dwelling units exceed a height greater than thirty-five
12 feet, each such building such maintain a distance the equivalent of the required side-
13 yard plus one foot for each one foot such building exceeds thirty-five feet in
14 height from any other building on the site containing a dwelling unit.-- Any--
15 accessory building no more than thirty-five feet in height shall observe a distance--
16 from a building containing a dwelling unit as set forth in the zone in which the
17 project is located.-- Any accessory building exceeding a height of thirty-five feet
18 shall observe a distance from a building containing a dwelling unit or units as
19 set forth herein for residential dwellings;~~

20 ~~(4) Height of Buildings.--For buildings and structures exceeding thirty
21 five feet in height there shall be maintained a distance from side and rear
22 boundaries equal to the required yard plus one foot for each one foot such
23 buildings exceeds a height of thirty-five feet;--~~

24 ~~(5) Number of Dwellings Units.--The number of dwelling units permitted
25 in any "R" or "S" zone shall be determined by dividing the net development area
26 by the minimum lot area per dwelling unit required by the zone in which the--
27 area is located.--Net development area shall be determined by subtracting the
28 area set aside for churches, schools or commercial use from the total development
29 area;))~~

30 (1) ~~((6))~~ Permitted Site Coverage. The permitted percentage of coverage
31 by buildings and structures for the net development factor area as determined

1 in ~~((subsection-(5)))~~ New Section 14 of this ordinance ~~((above))~~ shall not
 2 exceed the percentage of coverage permitted in the zone in which the project
 3 is located;

4 (2) ~~((7))~~ Permitted Floor Area. The maximum permitted floor area for
 5 all buildings shall not exceed the floor area permitted in the zone first per-
 6 mitting the use authorized;

7 (3) ~~((8))~~ Off-Street Parking. The total off-street parking facilities shall
 8 not be less than the sum of the required parking facilities for the various uses
 9 computed separately. All provisions of Chapter 21.50 of this title and Chapter
 10 16.74 of this code shall be adhered to.

11 ~~((9)-Common Walls;-In-planned-unit development; projects receiving-~~
 12 ~~final-approval where units will have common walls; the Building Division-~~
 13 ~~may issue building permits for construction of those units prior to approval~~
 14 ~~of final plat;-))~~

15 SECTION 12. Resolution 25789, Section 2710; and K.C.C. 21.56.110,
 16 each are amended to read as follows:

17 Minor adjustments in planned unit development. In issuing building
 18 permits in connection with the construction of a planned unit development,
 19 the ~~((Building))~~ Division of Building and Land Development may make minor
 20 adjustments involving the location or dimensions of buildings, provided such
 21 adjustments shall not increase the total amount of floor space authorized in the
 22 planned unit development, or the number of dwelling units, nor decrease the
 23 amount of parking or loading facilities, nor permit buildings to locate closer
 24 to any boundary line, nor change any points of ingress and egress to the site.

25 NEW SECTION. SECTION 13. Spacing of Buildings. The requirements
 26 for spacing of setbacks and the buildings in a planned unit development, and the
 27 basis for permissive variations in those requirements shall be as set forth in
 28 this section.

29 (1) Perimeter setback requirements. Except when increased or de-
 30 creased pursuant to paragraph (3) of this section, the following perimeter
 31 setbacks shall apply:

1 (a) Structures less than thirty-five feet above average finished
2 grade level shall be set back from the project perimeter consistent with the
3 front yard requirements of the zone.

4 (b) Structures more than thirty-five feet above average finished
5 grade level shall maintain a minimum distance from the project perimeter of forty
6 feet.

7 (2) Interior project building spacing. Except when increased or decreased
8 pursuant to the paragraph (3) of this section, the following interior building
9 spacing shall be required:

10 (a) Planned unit development structures less than thirty-
11 five feet above average finished grade level, shall be spaced a minimum thirty
12 feet from other structures within the project.

13 (b) Planned unit development structures more than thirty-
14 five feet above average finished grade shall be spaced a minimum forty feet
15 from other buildings within the project.

16 (3) Permissive variations in perimeter setback and building spacing require-
17 ments. Planned unit development preliminary plan approval and final plat approval
18 may increase or decrease the requirements set forth in paragraphs (1) and (2)
19 of this section. In modifying these requirements, the following principles shall apply:

20 (a) Privacy: Each development shall provide reasonable visual
21 and acoustical privacy for dwelling units and surrounding properties. Fences,
22 insulation, walls, barriers, and landscaping shall be used, as appropriate,
23 for the protection and aesthetic enhancement of the property and the privacy of
24 its occupants and surrounding properties, screening of objectionable view or uses,
25 and reduction of noise. Where windows are placed in only one of two facing walls
26 or there are not windows, or where the builder provides adequate screening
27 for windows, or where the windows are at such a height or location to pro-
28 vide adequate privacy, the building spacing or setback requirements may
29 be reduced. Where the developer provides privacy by reducing traffic
30 flow through street layout such as short cul-de-sacs, or by screening or
31 planting, or by facing the structure toward open space or a pedestrian way,

1 or through the room layout, setback and building spacing requirements may
2 be reduced.

3 (b) Light and air: Building spacing may be reduced where there
4 are no windows or very small window areas and where rooms have adequate
5 provisions for light and air. Building spacing or setback requirements may be
6 increased when light to neighboring structures or properties would otherwise
7 be substantially reduced.

8 (c) Use: Where areas between buildings are used as service
9 yards, for storage of trash, clotheslines, or other utilitarian purposes,
10 and where this use is similar for both structures, a reduction of building
11 spacing which permits effective design of a utility space shall be permitted.
12 Kitchens and garages are suitable uses for rooms abutting such utility yards.

13 (d) Building Configuration: Where building configuration
14 is irregular so that the needs expressed in (a), (b) and (c), above, are met
15 by the building configuration, reduced minimum building spacing or setback
16 requirement is permissible.

17 (e) Fire Safety Limitations: In no instance shall spacing of
18 buildings or permitted setback reductions violate fire lane requirements
19 established by the County Fire Marshall pursuant to K.C.C. 17.04.090 and
20 in no instance shall spacing of buildings violate the firewall, occupancy and
21 area requirements of the International Conference of Building Officials
22 Uniform Building Code, Chapter 5, as adopted by King County.

23 (f) Increased requirements: In those instances where the
24 principles of light and air, use, and privacy set forth in this paragraph
25 would be contradicted by a proposed planned unit design, the minimum
26 setback and building spacing requirements may be increased.

27 NEW SECTION. SECTION 14. Net development factor.

28 (1) The net development factor is an arithmetic value determined for
29 the purpose of calculating allowable number of dwelling units, the required
30 common open space area, and permissible lot coverage.

31 (2) The net development factor shall be determined by subtracting from the

1 total planned unit development area the area set aside for:

2 (a) churches;

3 (b) schools;

4 (c) commercial uses;

5 (d) single family residential platted areas, if determining net develop-
6 ment factor for the multiple family portion of a mixed single family-multiple family
7 development.

8 (e) Natural water bodies including lakes, streams, swamps, marshes
9 and bogs which are not incorporated in the common open space plan of the planned
10 unit development;

11 (f) Seventy five percent of areas having slopes which exceed
12 forty percent.

13 (3) The required subtraction of natural water bodies set forth in paragraph
14 (2) (e) of this section may be waived when the shorelines are incorporated in the
15 common open space plan of the planned unit development area; PROVIDED,
16 that in no instance shall submerged land constitute more than twenty five percent
17 of the total planned unit development area.

18 NEW SECTION. SECTION 15. Permitted number of dwelling units.

19 The number of dwelling units permitted in any R or S zone shall be determined
20 by multiplying the net development factor as determined in accordance with New
21 Section 14, by the combined number of base units per acre and bonus units
22 per acre, as determined in accordance with New Section 16 and New Section 17.

23 NEW SECTION. SECTION 16. Base units per acre.

24 (1) Unless combined with earned bonus units per acre, as provided in New
25 Section 17, residential planned unit developments shall be limited to the base
26 unit per acre net density permitted by this section. The base unit per acre
27 net densities are as follows:

28 (a) SE and FR: One (1.0), units per acre;

29 (b) RS 15000: Two and eight-tenths (2.8) units per acre;

30 (c) RS 9600: Three and eight-tenths (3.8) units per acre;

31 (d) RS 7200: Four and four tenths (4.4) units per acre;

1 (e) SR: Same as equivalent zone consistent with minimum
2 lot area determination requirements provided in K.C.C. 21.20.030.

3 (f) RD 3600: Eight (8.0) units per acre;

4 (g) RM 2400: Twelve (12.0) units per acre;

5 (h) RM 1800: Sixteen (16.0) units per acre;

6 (i) RM 900: Sixteen (16.) units per acre;

7 (2) The base units per acre within shoreline management shorelines and wet-
8 lands designated by Chapter 173-22, Washington Administrative Code, shall be deter-
9 mined by the Shoreline Management Master Program.

10 NEW SECTION. SECTION 17. Bonus units per acre.

11 (1) Bonus multipliers. Bonus units per acre earned pursuant to this section
12 shall be multiplied by the following numbers:

13 (a) SE and FR: 0.1

14 (b) RS 15000: 0.2

15 (e) RS 9600: 0.3

16 (d) RS 7200: 1.0

17 (e) SR: Same as equivalent zone.

18 (f) RD 3600: 2.5

19 (g) RM 2400: 4.0

20 (h) RM 1800: 5.0

21 (i) RM 900: 8.0

22 (2) The following units per acre may be accumulatively earned as density
23 permitted in addition to the base unit density of the zone:

24 (a) Common Open Space.

25 1. Three-tenths (0.30) unit per acre bonus if at least ten
26 percent of the dry common open space has a slope of ten percent or less.

27 2. Three-tenths (0.30) unit per acre bonus if significant
28 recreation areas are developed and equipped with such features as, but not limited
29 to, trails, landscaped passive or open areas, pools, tennis courts, children's
30 play areas, etc.

31 3. Fifteen one-hundredths (0.15) unit per acre bonus in land-

1 landscaped decks and roof tops are features of the design.

2 (b) Environmental Concern.

3 1. Two-tenths (0.20) unit per acre bonus if the project plan
4 provides for and assures a substantial retention of native ground cover, bushes
5 or trees.

6 2. Fifteen one-hundredths (0.15) unit per acre if onsite drainage
7 control is accomplished using natural on-site drainage and drainage retention
8 features or drainage and drainage retention facilities which are landscaped
9 to resemble natural features.

10 3. If significant general public access is provided to lake or river,
11 two-tenths (0.20) unit per acre bonus; to trails, one-tenth (0.10) unit per
12 acre bonus; to scenic viewpoint, one-tenth (0.10) unit per acre bonus.

13 4. Fifteen one-hundredths (0.15) unit per acre bonus if the
14 project plan provides substantial and exceptional landscape treatment either
15 as an adjunct to or in lieu of, native landscaping.

16 (c) Internal circulation and parking

17 1. One-tenth (0.10) unit per acre bonus if the off-street
18 parking is 50' or less from the entrance to the building served; or if one can
19 walk under cover, the parking may be up to 150' away and still receive the
20 bonus.

21 2. For parking accessory to multiple-unit structures, two-
22 tenths (0.20) unit per acre bonus if one-half the required parking is covered,
23 three-tenths (0.30) unit per acre bonus if all the required parking is covered.

24 3. Fifteen one-hundredths (0.15) unit per acre bonus if parking
25 areas are kept small (10-20 spaces in a group) and interspersed with landscaping,
26 or provided under buildings.

27 4. Fifteen one-hundredths (0.15) unit per acre bonus if provision
28 is made for an internal bike and pedestrian system obviously separated from heavy
29 auto traffic facilities. Such separated nonvehicular circulation systems shall be
30 subject to the conveyance requirements of New Section 18. (3), of this ordinance.

31 (d) Public service and facility availability.

1 1. Fifteen one-hundredth (0.15) unit per acre bonus if public
2 transit is available within walking distance (approximately one-half mile) and the
3 service is provided twice hourly during morning and evening peak hours.

4 2. Fifteen one-hundredths (0.15) unit per acre bonus if off-site
5 convenience shopping facilities are functionally accessible within reasonable walking
6 distance (approximately one-half mile).

7 3. One-tenth (0.10) unit per acre bonus if sewer and water lines
8 lie within or adjacent to the site at the time of application and the sewer district and
9 water district indicate that their systems will not be stressed by the added development.

10 4. Fifteen-one hundredths (0.15) unit per acre bonus if the
11 circulation plan is such that the traffic generated by the project will put no substantial
12 additional load on the surrounding local access street system.

13 5. One-tenth (0.10) unit per acre bonus if the project is located
14 within a fire district which has a district-wide Washington Surveying and Rating
15 Bureau protection rating of class 5 or better, or is located within an area which
16 already meets Washington Surveying and Rating Bureau "Zone 2" criteria in a class
17 5, or better, fire district in which the rating is not district wide.

18 6. One-tenth (0.10) unit per acre bonus if the development provides
19 a crime prevention plan, incorporating locks, dwelling unit lighting, street light-
20 ing, doors, windows, and alarms, approved by the King County Department of
21 Public Safety.

22 (e) Other.

23 1. Two-tenths (0.20) per unit bonus if the sponsor uses a design/
24 development team, consisting of an architect, engineer, landscape architect, and
25 builder, through the design and construction phases of the project.

26 2. Fifteen one-hundredths (0.15) per acre bonus if the develop-
27 ment features a mix of housing types. Single residences, attached single units
28 from duplexes to townhouses and apartments are examples of housing types.
29 The mix need not include some of every type.

30 3. Fifteen one-hundredths (0.15) unit per acre bonus if the
31 project features functionally distinct day care facilities sufficient to serve the

1 probable demand for such services generated by the project.

2 4. Twenty-five hundredths (0.25) units per acre bonus if the
3 development features a broad range of unit rentals, including at least ten per-
4 cent at or below ninety percent of the "Fair Market Rent Levels for New Con-
5 struction or Substantial Rehabilitation" for the Seattle Standard Metropolitan
6 Statistical Area, as determined by the United States Department of Housing and
7 Urban Development, Region 10, pursuant to Section 8., Title II, Housing and
8 Community Development Act of 1974.

9 The rental rate for a unit to be sold shall be considered to be one-
10 hundred-twenty percent of the monthly amount necessary to amortize a full
11 twenty-year mortgage on the unit at current market mortgage interest rates in
12 King County.

13 This subsection shall not be construed as intended to control rents.

14 5. Fifteen hundredths (0.15) unit per acre bonus if the land
15 parcel exceeds twenty acres or was the result of assembling at least three
16 separate lots with a minimum combined area of five acres.

17 NEW SECTION. SECTION 18. Common open space.

18 (1) Area required. In residential planned unit developments there shall
19 be a minimum of twenty-five percent of the net development factor area of the
20 planned unit development, as determined pursuant to New Section 14 of this
21 ordinance, which shall be dedicated or reserved as common open space land.

22 (2) Approval standards. No open area may be accepted as common open space
23 under the provisions of this ordinance unless it meets the following standards:

24 (a) The location, shape, size, and character of the common open space
25 must be suitable for the planned development.

26 (b) Common open space must be used for amenity or recreational
27 purposes. The uses authorized for the common open space must be appropriate to
28 the scale and character of the planned development, considering its size,
29 density, expected population, topography, and the number and type of dwellings
30 to be provided.

31 (c) Common open space must be suitably improved for its intended use,
32 but common open space containing natural features worthy of preservation may be
33 left unimproved. The buildings, structures and improvements which

1 are permitted in the common open space must be appropriate to the uses
2 which are authorized for the common open space and must conserve and
3 enhance the amenities of the common open space having regard to its topography
4 and unimproved condition.

5 (d) No more than one half of the common open space area re-
6 quirement may be fulfilled with land having slopes exceeding forty percent
7 or with submerged, marshy or boggy land.

8 (e) If the final development plan provides for buildings, landscaping,
9 structures, or other improvements in the common open space, the developer must
10 provide a bond or other adequate assurance that such improvements will be completed.
11 The Division of Building and Land Development shall release the bond or other
12 assurance when the buildings, structures or improvements have been completed
13 according to the development plan.

14 (3) Conveyance and maintenance of common open space.

15 (a) All land shown on the final development plan as common
16 open space must be conveyed under one of the following options:

17 1. It may be conveyed to a public agency that will agree to main-
18 tain the common open space and any buildings, structures, or improvements
19 which have been placed on it.

20 2. When no maintenance of the common open space is required, it
21 may be conveyed to all new owners in undivided joint ownership.

22 3. When maintenance of the common open space is required, it
23 shall be conveyed to trustees provided in an indenture establishing an association
24 or similar organization for the maintenance of the planned development. Member-
25 ship in the association or organization, and dues or other assessment for mainten-
26 ance purposes, shall be mandatory.

27 4. When common open space is associated with condominium owner-
28 ship, it shall be conveyed consistent with RCW 64.32.

29 (b) The common open space must be subject to covenants to be
30 approved by the County which restricts the common open space to the uses specified
31 on the final development plan, and which provide for the maintenance of the common

1 open space in a manner which assures its continuing use for its intended purpose.

2 (c) Common open space may not be put to any use not specified in the
3 final development plan unless the final development plan has been amended by King
4 County to permit that use. However, no change of use so authorized may be considered
5 as a waiver of any of the covenants limiting the use of common open space areas, and
6 all rights to enforce these covenants against any unpermitted use are expressly
7 reserved by the County.

8 (d) If the common open space is not conveyed to a public agency, the
9 covenants governing the use, improvement, and maintenance of the common open space
10 may authorize King County to enforce their provisions.

11 (e) King County shall not accept the dedication of any common open space
12 unless it is provided for general public use and is consistent with adopted County open
13 space acquisition policy, or is otherwise specifically authorized by the County Council.

14 NEW SECTION. SECTION 19. Street design flexibility.

15 (1) Street widths. Within planned unit development projects private
16 street pavement widths may be reduced to sixteen feet for one-way traffic
17 or twenty-two feet for two-way traffic, provided all the following conditions
18 are fulfilled:

19 (a) On site parking shall be provided which is functionally
20 convenient to planned dwelling units, and which is at least equal to the zone
21 requirement plus one-half (0.5) stall per unit for guest parking;

22 (b) One-way streets loop streets shall serve no more than thirty units,
23 and be no more than fifteen hundred feet long;

24 (c) On-street parking shall be prohibited. Privately owned and main-
25 tained "no parking" or "fire lane" signs may be required.

26 (d) Turning radii shall be consistent with current published
27 American Association of State Highway Official's standards;

28 (e) There shall be provided, through covenants or other
29 legal means, assurance of permanent maintenance of private streets and parking
30 areas;

31 (2) Roadside drainage ditches. Within planned unit development projects

1 roadside ditches, constructed consistent with Department of Public Works
2 criteria, may be permitted, provided that:

3 (a) Such ditches shall be separated from the street paved
4 surface edge by a curb or by at least a four foot shoulder, or by other
5 reasonable means as may be approved by the Department of Public Works.

6 (b) Such ditches shall be designed to satisfy roadway drainage
7 requirements, consistent with Department of Public Works criteria.

8 (c) Pedestrian circulation shall be provided consistent with
9 paragraph (3) of this section;

10 (d) Pedestrian and vehicular accessibility to commercial,
11 recreational or utility areas, or to dwelling units, shall not be hindered.

12 (3) Pedestrian circulation facilities. Within planned unit development
13 projects pedestrian circulation facilities shall be provided and shall be:

14 (a) Durable and serviceable;

15 (b) Functionally and safely convenient to dwelling units served;

16 (c) Functionally and safely convenient to schools and to commercial,
17 recreational and utility areas within or adjacent to the project, or functionally con-
18 venient to a larger pedestrian circulation system which serves that same purpose;

19 (d) Sufficiently wide to accommodate potential use;

20 (e) Separated from traffic lanes by curb, extruded section,
21 ditch, landscaped divider, natural vegetation, or other reasonable means
22 as may be approved by the Department of Public Works.

23 NEW SECTION SECTION 20. Severability. If any provision of this ordinance
24 or its application to any person or circumstance is held invalid, the remainder

of this Ordinance or the application of the provision to other persons or circumstances shall not be affected.

INTRODUCED AND READ for the first time this 17th day of May, 1976.

PASSED this 7th day of June, 1976.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

[Signature]
Chairman

ATTEST:

[Signature]
Clerk of the Council

APPROVED this 14th day of June, 1976.

[Signature]
King County Executive

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