

6/25/80

Introduced by GARY GRANT

Proposed No. 80-381

ORDINANCE NO. 5137

AN ORDINANCE relating to zoning; creating a new zone classification known as BR-C (Mixed Business-Residential Use, Community Scale); adding Community Scale Mixed Business-Residential uses as a conditional use in the Community Business (B-C) classification, and amending Resolution No. 25789, Sections 1400, 1401; Resolution No. 30152 (part); Ordinance No. 2986, Section 3; and Ordinance 2821, Section 3; and KCC 21.28.010, 21.28.020.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Classification created. There is hereby created the BR-C (Mixed Business-Residential Use, Community Scale) zone classification.

NEW SECTION. SECTION 2. Purpose of classification. The purpose of this classification and its application is to provide for the location of mixed commercial (i.e., retail and office) and residential use projects, for increased diversity in opportunities for desirable housing, and increased vitality of community business areas. Further, it is the purpose of this title to implement Comprehensive Plan policies and community plans which encourage and allow the development of such mixed use projects at the community scale.

NEW SECTION. SECTION 3. Permitted Uses - Primary and Accessory Residential. The following residential uses only are permitted in the BR-C zone, subject to the off-street parking and landscaping requirements and other general provisions and exceptions as set forth in this title beginning with Chapter 21.46; except where modified by this Chapter.

(1) Multiple dwelling units;

(2) Accessory residential uses, excluding beehives, as provided in Section 21.08.025;

(3) Retirement homes, as provided in Section 21.16.020;

(4) Day nurseries, as provided in Section 21,08.040(3).

NEW SECTION. SECTION 4. Permitted Uses - Commercial and Non-Residential.

The following commercial and non-residential uses are permitted in the BR-C zone, subject to the off-street parking and landscaping requirements

1 and other general provisions and exceptions as set forth in this title
2 beginning with Chapter 21.46, except where modified by this Chapter.

3 (1) Any use permitted in the BR-N zone;

4 (2) Enterprises providing entertainment and recreation, excluding
5 gambling and adult theaters;

6 (3) Sale of alcohol for on-premises consumption;

7 (4) Public office buildings, art galleries, museums and libraries;

8 (5) Auction houses, excluding vehicles and livestock.

9 NEW SECTION. SECTION 5. Limitation on uses. Every use locating
10 in the BR-C zone shall be subject to the following further conditions and
11 limitations.

12 (1) Every commercial or non-residential use except public utilities
13 must be combined with residential uses in the same structure or on the
14 same site.

15 (2) Commercial and non-residential uses shall occupy the floors below
16 the residential portion of mixed use developments in order to preserve
17 quiet and privacy for the residents above when both residential and
18 non-residential uses occupy the same structure.

19 (3) Residential uses in community mixed use developments may
20 occupy the ground floor of buildings which front on R zoned property or
21 are separated by at least ten feet from the surrounding business area by
22 the other structures or landscaping within the same projects.

23 (4) Commercial or non-residential activities shall never exceed one
24 third of the total gross floor area of the structure or project.

25 (5) In order to provide direct pedestrian access, all commercial uses
26 must front directly on an adjacent sidewalk, or on a front or side yard
27 from which motor vehicles are excluded.

28 (6) Any commercial use in a community mixed use development must
29 have characteristics and impacts similar to those listed in Section 4 of this
30 Ordinance, in order to be compatible with a desirable residential living
31 environment. It is not possible to enumerate all permissible potential
32 commercial uses currently in existence or that might evolve through
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1 technological or economic change; therefore, proposed commercial uses not
2 explicitly listed in this Chapter will be judged by King County by their
3 similarity to listed uses and their consistency with the intent of the
4 Comprehensive Plan and this Chapter.

5 (7) Storage shall be limited to accessory storage of commodities sold
6 at retail on the premises.

7 (8) All uses shall be conducted wholly indoors except:

8 (a) growing stock in connection with horticultural nurseries,
9 whether the stock is in open ground, pots or containers;

10 (b) required accessory parking and loading areas;

11 (c) moorage for private pleasure boats;

12 (d) public utility installations;

13 (e) seasonal outdoor seating for restaurants.

14 (9) Signs shall be subject to the limitations of the BR-N
15 classification.

16 NEW SECTION. SECTION 6. Lot area per dwelling unit. In a BR-C
17 zone, the lot area shall be not less than nine hundred feet per dwelling,
18 except that mixed use developments which meet all of the following
19 conditions may reduce lot area per dwelling to four hundred and fifty
20 square feet:

21 (1) All required parking must be enclosed or underground;

22 (2) Thirty percent of the total site area must be permanent usable
23 public space, at least half of which must be at ground level. Ground level
24 public space may be outdoors or enclosed as an interior mall. All such
25 spaces must be open to the general public during business hours of the
26 commercial activities in the project.

27 (3) The site meets all Comprehensive Plan policies and criteria for
28 location of the highest densities of multi-family dwellings.

29 NEW SECTION. SECTION 7. Permissible floor area. The maximum
30 permitted floor area to be contained within all buildings on a lot or site
31 shall not exceed two times the square foot area of the buildable portion of
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1 the lot, except that projects which totally enclose all required parking may
2 be permitted to build six times the square foot area of the buildable por-
3 tion of the lot.

4 NEW SECTION. SECTION 8. Off-street parking.

5 (1) One and one-half off-street parking spaces shall be provided for
6 each residential unit, of which one per unit is reserved exclusively for
7 residents, except that this requirement may be reduced to one exclusive
8 space per residential unit plus one additional space per three residential
9 units provided that all exclusively residential parking is enclosed or
10 underground, that the additional parking is shared with the
11 non-residential uses, and that the site is within one thousand feet of a
12 public transit route. Recreational vehicle storage shall not be permitted in
13 mixed use projects.

14 (2) One off-street parking space for every three-hundred square
15 feet of commercial or non-residential floor area shall be provided, except
16 that this requirement may be reduced to one space per six-hundred square
17 feet of floor area for retail or office uses, excluding restaurants, taverns,
18 bars, recreation and entertainment, if the site is within one thousand feet
19 of a public parking area available for use by the general public (as
20 opposed to being accessory to an adjacent on-site use) and within one
21 thousand feet of a public transit route.

22 NEW SECTION. SECTION 9. Lot width. The minimum lot width in a
23 BR-C zone shall be sixty feet.

24 NEW SECTION. SECTION 10. Height, yards and open spaces.

25 (1) No height limits or setbacks are imposed outright in the BR-C
26 zone; however, the general provisions in Chapter 21. . . on landscaping
27 will result in setbacks to accommodate required landscaping;

28 (2) Additional specific requirements for yards and open spaces or
29 height restrictions may be imposed when the BR-C classification is applied
30 to properties through the site plan approval process set forth beginning
31 with Section 21.46.150, in order to accomplish the purposes of this Chap-
32 ter, to ensure safe and convenient pedestrian and vehicular circulation,
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1 view protection, proper drainage control, protection of environmentally
2 sensitive areas, and implementation of all other applicable adopted
3 Comprehensive Plan policies and community plans.

4 SECTION 11. Resolution 25789, Section 1400 and KCC 21.26.010 are
5 each hereby amended as follows:

6 PURPOSE OF B-C CLASSIFICATION. The purpose of this classifica-
7 tion and its application is to provide for the location of and grouping of
8 uses which are considered compatible uses having common or similar per-
9 formance standards in that they represent types of enterprises involving
10 the rendering of services, both professional or to the person, or on-
11 premise retail businesses involving only incidental and limited fabrication
12 or assembly of commodities, or establishments providing recreation, enter-
13 tainment and business activities in general. It is the further objective, by
14 establishing a maximum permissible floor space and not limiting the height
15 of buildings, and by excluding uses relying on outdoor sales, displays or
16 storage, to intentionally concentrate a maximum variety of facilities within
17 the areas to which this classification is applied as a contribution to the
18 convenience of shoppers and patrons on a community-wide basis as dis-
19 tinguished from neighborhood areas. (~~It is recognized that the charac-~~
20 ~~teristics of the uses permitted in this classification produce an environment~~
21 ~~undesirable for residential purposes while, in the opposite direction,~~
22 ~~residential uses in a business area tend to decrease the capacity of busi-~~
23 ~~ness enterprises to render maximum services and decreases public con-~~
24 ~~venience for utilizing the services rendered. -- For this reason residential~~
25 ~~uses are excluded from this classification.--~~) Public utility installations,
26 being governed by circumstances related to geographical areas to be
27 served are permitted in areas to which this classification applies. A fur-
28 ther purpose of this classification and its application is to provide for the
29 location of mixed commercial (i.e. retail and office) and residential use pro-
30 jects, for increased diversity in opportunities for desirable housing, and
31 increased vitality of community business areas. Further, it is the purpose
32 of this Chapter to implement Comprehensive Plan policies and community
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1 plans which encourage and allow the development of such mixed use pro-
2 jects at the community scale.

3 SECTION 12. Resolution No. 25789 Section 1401, Resolution No. 30152
4 (part), Ordinance No. 2986 Section 3, Ordinance 2821 Section 3, and
5 K.C.C. 21.28.020 are each hereby amended as follows:

6 PERMITTED USES. Any of the following types of uses which can
7 meet the following standards are permitted and allowed by this classifica-
8 tion subject to the limitations set forth herein:

9 (1) Any on-premises retail enterprise dispensing food or commodities
10 (but not including automobiles, trailers, boats and heavy-duty equipment)
11 and which may involve only incidental and limited fabrication or assembly
12 of commodities;

13 (2) Business offices and any type of use rendering professional
14 services or personal services to the individual.

15 (3) Hospitals, except mental and alcoholic hospitals;

16 (4) Hotels and motels; (~~except apartment hotels~~)

17 (5) Enterprise providing entertainment and recreation; provided
18 however, that the operation of an adult theater shall be prohibited within
19 five hundred feet of any R or S zone and, provided further, that adult
20 theaters shall not be operated concurrently within five hundred feet of,
21 nor within the same structure as, the operation of any theater;

22 (6) Lodges, private clubs and fraternal societies;

23 (7) Moorages for private pleasure craft;

24 (8) Mortuaries;

25 (9) Any public utility installation relating directly to the distribution
26 of services including switching and transmission stations, but not including
27 warehouses, service yards or the like unless otherwise permitted by this
28 title;

29 (10) Public off-street parking facilities, whether publicly or privately
30 owned and operated, provided any area so used shall not be used for a
31 vehicle, trailer or boat sales area or for the accessory storage of such
32 vehicles;

1 (11) Automobile rental;

2 (12) Churches;

3 (13) Public office buildings, art galleries, museums, libraries, police
4 and fire stations;

5 (14) Signs without limitation as to size and the number, and outdoor
6 advertising structures;


7 ~~((15) - Planned unit developments as provided in Chapter 21.56;))~~

8 (15) Community scale mixed use business-residential developments
9 subject to a conditional use permit, and subject to the provisions and con-
10 ditions governing mixed use developments in the BR-C zone.

11 INTRODUCED AND READ for the first time this 28th day of
12 April, 1980.

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14 PASSED this 6th day of October, 1980.

15 KING COUNTY COUNCIL
16 KING COUNTY, WASHINGTON

17 
18 Chairman

19 ATTEST:

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21  DEPUTY
22 Clerk of the Council

23 APPROVED this 14th day of October 1980

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25 King County Executive
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