

July 6, 1994
MIN-DEN.ORD (VN:ac)

Introduced By: Bruce Laing
Cynthia Sullivan
Chris Vance
Proposed No.: 94-392

ORDINANCE NO. **11555**

AN ORDINANCE relating to zoning; amending rules related to minimum and maximum density for residential uses, adding new sections, amending Ordinance No. 10780, Section 346 and K.C.C. 21A.12.080 and Section 341 and K.C.C. 21A.12.030A, and Section 344 and K.C.C. 21A.12.060.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION. SECTION 1. There is added to K.C.C.

21A.06 a new section to read as follows:

A. Site Area. Site Area shall be to the total horizontal area of a project site, less the following:

1. Areas below the ordinary high water mark;
2. Areas which are required to be dedicated on the perimeter of a project site for public rights-of-way.

NEW SECTION. SECTION 2. There is added to K.C.C.

21A.06 a new section to read as follows:

A. Net Buildable Area. "Net Buildable Area" shall be the "Site Area" less the following areas:

1. Areas within a project site which are required to be dedicated for public rights-of-way in excess of sixty feet (60') in width;
2. Sensitive areas and sensitive area buffers;
3. Areas required for storm water control facilities other than facilities which are completely underground, including but not limited to, retention/detention ponds, drainage swales and setbacks from such ponds and swales;

1 4. Areas required to be dedicated or reserved as open
2 space or active or passive recreation areas.

3 SECTION 3. Ordinance No. 10870, Section 346 and K.C.C.
4 21A.12.080 are each hereby amended as follows:

5 Calculations - Site area used for base density and maximum
6 density and floor area calculations.

7 A. All site areas (~~of a site~~) may be used in the
8 calculation of base and maximum allowed residential density or
9 project floor area except as outlined under the provisions of
10 subsection B. and C.

11 B. Submerged lands shall not be credited toward base and
12 maximum density or floor area calculations.

13 C. Sites containing sensitive areas shall be further
14 subject to the following provisions when calculating base and
15 maximum density or floor area:

16 1. (~~Full credit shall be given to areas~~) Portions of a
17 site in the following hazard areas shall be included in the
18 site area:

- 19 a. coal mine,
20 b. erosion,
21 c. seismic,
22 d. volcanic, and
23 e. flood.

24 2. (~~No credit shall be given to areas of the site~~
25 ~~actually contained in~~) Portions of a site in the following
26 sensitive areas shall be excluded from the site area:

- 27 a. streams, and
28 b. wetlands.

29 3. Partial credit pursuant to K.C.C. 21A.12.080 C.4.
30 shall be given to areas of the site in:

1 a. any sensitive area buffers required pursuant to
 2 K.C.C. 21A.24,

3 b. steep slope hazard areas, and

4 c. landslide hazard areas.

5 4. The areas outlined in K.C.C. 21A.12.080 C.3 shall be
 6 given partial credit as follows:

<u>Percentage of site in ((any area)) steep slopes or landslide area or any sensitive area buffers</u>	<u>Amount of Density credit</u>
0-10%	100%
For sites containing between 11 and 100% sensitive areas and/or buffers:	1% reduction of density credit for every percentage of area within a sensitive area and buffer over the initial 10% applied to the area within a sensitive area and buffer.

7 Example: For a site containing 15% of its area in sensitive
 8 areas and buffers, a 5% reduction shall be applied to the base
 9 and maximum density for the area within sensitive areas and/or
 10 buffers (95% density applied to the area within sensitive
 11 areas and/or buffers).

12 5. For the purpose of determining maximum densities,
 13 where a portion of a site is classified as sensitive for more
 14 than one reason, credit pursuant to K.C.C. 21A.12.080.C shall
 15 be given based upon the classification which would create the
 16 higher maximum permitted residential density.

17 NEW SECTION. SECTION 4. There is added to K.C.C.
 18 21A.12 a new section to read as follows:

19 Calculations - site area used for minimum density and
 20 floor area calculations. Minimum density shall be determined
 21 by multiplying the Base Density (Dwelling Units/Acre) as set
 22 in K.C.C. 21A.12.030.A by the Net Buildable Area of the
 23 project site.

1 SECTION 5. Ordinance No. 10870, Section 341 and K.C.C.
2 21A.12.030A are each hereby amended as shown in Attachment A.

3 SECTION 6. Ordinance No. 10870, Section 344 and K.C.C.
4 21A.12.060 area each hereby amended as follows:

5 Minimum Urban Residential Density. Minimum density for
6 residential development in the urban areas designated by the
7 comprehensive plan shall be based on the tables in K.C.C.
8 21A.12.030, adjusted as provided for in K.C.C. 21A.12.070-
9 .080.

10 A. A proposal may be phased when compliance with the
11 minimum density requirement results in noncompliance with the
12 standards of K.C.C. 21A.28, provided the overall density of
13 the proposal is consistent with this section.

14 B. Minimum density requirements may be waived by King
15 County if the applicant demonstrates one or more of the
16 following:

17 1. The proposed layout of the lots in a subdivision or
18 the buildings in a multiple dwelling development will not
19 preclude future residential development consistent with the
20 minimum density of the zone.

21 2. The non-sensitive area of the parcel is of a size
22 or configuration that results in lots which cannot meet the
23 minimum dimensional requirements of the zone.

24 3. In the R-12 through R-48 zones, the area of the
25 parcel required to accommodate storm water facilities exceeds
26 10 percent of the site.

27 4. The site contains a national, state, or county
28 historic landmark.

29 C. A proposal to locate a single residential unit on a
30 lot shall be exempt from the minimum density requirement.

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provided the applicant either pre-plans the site by
demonstrating that the proposed single residence would be
located in a manner compatible with future division of the
site in a manner which would meet the minimum density
requirements, or locates the dwelling within fifteen feet of
one or more of the site's interior lot lines.

INTRODUCED AND READ for the first time this 27th
day of June, 1994.

PASSED this 24th day of October, 1994.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Passed by a vote of 10-1.

Kent Pullen
Chair

ATTEST:

Gerald A. Peterson
Clerk of the Council

APPROVED this 2nd day of November, 1994.

Doug Fisher
King County Executive

Attachments: A

11555

STANDARDS	RESIDENTIAL												
	RURAL			URBAN RESERVE	URBAN RESIDENTIAL								
	RA-2.5	RA-5	RA-10	UR	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	
Base Density: Dwelling Unit/Acre(15)	0.4 du/ac	0.2 du/ac	0.1 du/ac	0.2 du/ac	1 du/ac	4 du/ac (6)	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac	
Maximum Density: Dwelling Unit/Acre (1)						6 du/ac	9 du/ac	12 du/ac	18 du/ac	27 du/ac	36 du/ac	72 du/ac	
Minimum Density: ((% of Base Density (2)))	See	K.C.	C.21	A.12.	085		85%	85%	85%	80%	75%	70%	85%
Minimum Lot Width: (3)	135 ft	135 ft	135 ft	35 ft (7)	35 ft (7)	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Minimum Street Setback (3)	30 ft	30 ft	30 ft	30 ft (7)	30 ft (7)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 FT (8)	10 FT (8)	10 FT (8)
Minimum Interior Setback (3)	35 ft (9)	35 ft (9)	35 ft (9)	10 ft (7)	10 ft (7)	5 ft	5 ft	5 ft	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)
Base Height (4)	40 ft	40 ft	40 ft	35 ft	35 ft	35 ft	35 ft	35 ft	60 ft	60 ft	60 ft	60 ft	80 ft (14)
Maximum Building Coverage: Percentage (5)	4% (11) 12% (12)	2% (11) 12% (12)	1% (11) 12% (12)	10 % (11) 12% (12)	15% (11) 12% (12)	35%	50%	55%	60%	60%	70%	70%	70%
Maximum Impervious Surface: Percentage (5)	15% (13)	10% (13)	15% (13)	20% (13)	20%	45%	70%	75%	85%	85%	85%	85%	90%

21A.12.030 B. Development conditions.

1. The maximum density may be achieved only through the application of residential density incentives or transfers of density credits pursuant to Chapters 21A.34 or 21A.36. Maximum density may only be exceeded pursuant to Section 21A.34.040.F.1.f.

2. Also see Section 21A.12.060.

3. These standards may be modified under the provisions for zero-lot-line and townhouse developments.

4. Height limits may be increased when portions of the structure which exceed the base height limit provide one additional foot of street and interior setback for each foot above the base height limit, provided that the maximum height may not exceed 75 feet.

5. Applies to each individual lot. Building coverage and impervious surface area standards for:

a. regional uses shall be established at the time of permit review; or

b. nonresidential uses in residential zones shall comply with K.C.C. 21A.12.120 and .220.

c. individual lots in the R-4 through R-8 zones which are less than 6500 square feet in area shall be subject to the applicable provisions of the R-8 zone.

6. Mobile home parks shall be allowed a base density of six dwelling units per acre.

7. The standards of the R-4 zone shall apply if a lot is less than 15,000 square feet in area.

8. At least 20 linear feet of driveway shall be provided between any garage, carport, or other fenced parking area and the street property line. The linear distance shall be measured along the centerline of the driveway from the access point to such garage, carport or fenced area to the street property line.

9. Residences shall have a setback of at least 100 feet from any property line adjoining A, M or F zones or existing extractive operations.

10. For townhouse and apartment development, the setback shall be 20 feet along any property line abutting R-1 through R-8, RA and UR zones.

11. On any lot over 1 acre in area, an additional 5 percent may be used for buildings related to agricultural or forestry practices.

12. The maximum building coverage shall be 10 percent where the lot is between 1.0 and 1.25 acres in area. The maximum building coverage shall be 15 percent where the lot is less than 1 acre in area.

13. The impervious surface area shall be twenty percent when the lot is between 1.0 and 1.25 acres, and thirty-five percent when the lot is less than 1 acre in area.

14. The base height for projects using residential density incentives and transfer of density credits pursuant to this title is 80 feet. In all other cases, the base height is 60 feet.

15. Density applies only to dwelling units and not to sleeping units. (Ord. 11157 § 15, 1993; Ord. 10870 § 340, 1993).

METROPOLITAN KING COUNTY COUNCIL
 REGULATORY NOTE
 CHECKLIST OF CRITERIA (Motion 9319)

11555

Proposed No. 94-392

Prepared By: Vaughan Norris

Date: October 14, 1994

This checklist should accompany all regulatory ordinances which meet the definition contained in Motion 9319 and Motion _____. The main purpose of the regulatory note is to help ensure that the questions contained in the checklist are considered when a regulatory ordinance is being developed. The questions in the regulatory note may be answered with a "Yes", "No" or "not applicable", along with one or two brief explanatory sentences.

YES	NO	N/A
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X		
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1. **NEED:** Does the proposed regulation respond to a specific, identifiable need?
Implementation of Minimum urban residential density, K.C.C 21A.12.060.

X		
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If so, is county government the most appropriate organization to address this need?

County government is responsible for developing and implementing land use regulations.

X		
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2. **ECONOMY AND JOB GROWTH:** Has the economic impact of the proposed regulation been reviewed to ensure it will not have along-term adverse impact on the economy and job growth in King County?

One of the tasks of the Minimum Density Task Force was to analyze the economic impact the Minimum urban residential density, K.C.C. 21A. 12.060 would have on the economy.

X		
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3. **PURPOSE:** Is the purpose of the proposed ordinance clear?
 The purpose of the proposed ordinance is to assure the efficient use of urban land.

X		
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Are the steps for implementation clear?

		X
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4. **EVALUATION:** Does the proposed ordinance identify specific measurable outcomes that the proposed regulation should achieve?

YES NO N/A

X

Is an evaluation process identified?

The proposed ordinance does not identify an evaluation process, however as part of the county review of development activity(Annual Growth Report), King County will be able to evaluate whether the proposal is meeting King County Urban residential density goal.

X

5. INTERESTED PARTIES: Has adequate collaboration occurred with all those affected by the proposed regulation (including the public, the regulated and the regulators)?

X

6. COSTS AND BENEFITS: Will the proposed regulation achieve the goal with the minimum cost and burden?

X

Has the cost of not adopting the proposed regulation been considered?

The cost of not adopting the proposed regulation would be inefficient use of unconstrained residential urban land.

X

Do the benefits of the proposed regulations outweigh the costs?

X

7. VOLUNTARY COMPLIANCE: Does the proposed ordinance inspire voluntary compliance?

X

8. CLARITY: Is the proposed ordinance written clearly and concisely, without ambiguities?

X

9. CONSISTENCY: Is the proposed regulation consistent with existing federal, state and local statutes?

Consistent with Countywide Planning policy LU-29