

March 22, 1995
95-158or. RC:ac

Introduced By:

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Proposed No.:

95-158

ORDINANCE NO. **11802**

AN ORDINANCE relating to zoning; amending the maximum building coverage and impervious surface standards for smaller lots, excluding certain driveway areas from impervious surface standards, amending the minimum street setback and minimum lot width requirements for rural lots, and amending the base density, building coverage and impervious surface standards in the RA-2.5 zone; amending Ordinance 10870, Sections 165 and 340, as amended; and K.C.C 21A.06.625, 21A.12.030.

STATEMENT OF FACTS:

1. The new zoning code, King County Code Title 21A, has significantly reduced the amount of lot area that can be covered by impervious surface and has, in addition, imposed significantly more restrictive building coverage limits than had previously been in effect, particularly in Rural zones.
2. One result of these changes is that many property owners are no longer able to build the homes for which they had purchased or subdivided the property, and many property owners are now unable to build homes similar in scale to existing neighboring homes.
3. This situation threatens to significantly curtail construction activity in King County and may result in significant economic difficulties for the construction industry and King County as a whole.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 10870, Section 66 and K.C.C. 21A.06.130 are each hereby repealed.

SECTION 2. Ordinance 10870, Section 165 and K.C.C. 21A.06.625 are each hereby amended to read as follows:

Impervious Surface. Impervious surface: For purposes of this title, impervious surface shall mean any non-vertical surface artificially covered or hardened so as to prevent or impede the percolation of water into the soil mantle including, but not limited to, roof tops, swimming pools, paved or graveled roads and walkways or parking areas and excluding landscaping ((and)), surface water retention/detention facilities, access easements serving neighboring property, and driveways to the extent that they extend

beyond the street setback due to location within an access panhandle or due to the application of King County Code requirements to site features over which the applicant has no control.

SECTION 3. Ordinance 10870, Section 340, as amended, and K.C.C. 21A.12.030 are each hereby amended to read as follows:

A. Densities and dimensions - residential zones

STANDARDS	RESIDENTIAL												
	RURAL				URBAN RESERVE	URBAN RESIDENTIAL							
	RA-2.5	RA-5	RA-10	RA-20	UR	R-1 ((17))	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Base Density: Dwelling Unit/Acre(15)	((0.4)) 0.2 du/ac	0.2 du/ac	0.1 du/ac	0.05 du/ac	0.2 du/ac	1 du/ac	4 du/ac	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:						(18)	85% (18)	85% (18)	85% (18)	80% (18)	75% (18)	70% (18)	65% (18)
Minimum Lot Width: (3)	135 ft (9)	135 ft (9)	135 ft (9)	135 ft (9)	35 ft (7)	35 ft (7)	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Minimum Street Setback (3)	30 ft (9)	30 ft (9)	30 ft (9)	30 ft (9)	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)
Minimum Interior Setback (3) (16)	((35)) 5 ft (9)	((35)) 10 ft (9)	((35)) 10 ft (9)	((35)) 10 ft (9)	((40)) 5 ft (7)	((40)) 5 ft (7)	5 ft	5 ft	5 ft	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)
Base Height (4)	40 ft	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))2% (11) (12)	2% (11) (12)	4% (11) (12)	0.5% (11) (12)	40% (11) (12)	45% (11) (12)	35%	50%	55%	60%	60%	70%	70%
Maximum Impervious Surface: Percentage (5)	((15%)) 25% (13) 11	((10%)) 20% (13) 11	((5%)) 15% (13) 11	((2.5%)) 12.5% (13) 11	((20%)) 30% (13) 11	((20%)) 30% (13) 11	((45%)) 55%	70%	75%	85%	85%	85%	90%

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 i))Impervious surface area standards for:

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

1 b. nonresidential uses in residential zones shall comply with K.C.C. 21A.12.120
2 and .220((-));

3 c. individual lots in the R-4 through ((R-8)) R-6 zones which are less than
4 ((6500)) 9,076 square feet in area shall be subject to the applicable provisions of the
5 nearest comparable R-6 or R-8 zone((-));

6 d. any lot may be increased beyond the total amount permitted in this chapter
7 subject to approval of a conditional use permit.

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

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

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

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

18 b. For lots between 1 acre and 2.5 acres in size, the ((setback)) requirements of
19 the R-1 zone shall apply. For lots under 1 acre, the ((setback)) requirements of the R-4
20 zone shall apply.

21 10.a. For developments consisting of three or more single-detached dwellings
22 located on a single parcel, the setback shall be 10 feet along any property line abutting R-1
23 through R-8, RA and UR zones.

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

26 11. Lots smaller than .5 acre in area shall comply with standards of the nearest
27 comparable R-4 through R-8 zone. For lots that are .5 acre in area or larger, the maximum
28 impervious surface area allowed shall be at least 10,000 square feet. On any lot over 1 acre
29 in area, an additional 5 percent of the lot area may be used for buildings related to
30 agricultural or forestry practices.

31 12. ~~((The maximum building coverage on lots smaller than 15,000 square feet,~~
32 ~~shall comply with the standards of the nearest comparable R-4 through R-8 zone. In the~~
33 ~~RA zone, the maximum building coverage allowed shall be at least 2,500 square feet.))~~
34 Reserved.

35 13. ~~((The maximum impervious surface area allowed shall be at least 10,000~~
36 ~~square feet when the lot is greater than 1 acre, and be twenty percent when the lot is less~~
37 ~~than 1 acre. Lots smaller than .5 acre in area shall comply with standards of the nearest~~
38 ~~comparable R-4 through R-8 zone.))~~ Reserved.

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

4 15. Density applies only to dwelling units and not to sleeping units.

5 16. Vehicle access points from garages, carports or fenced parking areas shall be
 6 set back from the property line upon which a joint use driveway is located to provide a
 7 straight line length of at least 26 feet from the access point to the opposite side of the joint
 8 use driveway.

9 17. All subdivisions and short subdivisions in the R-1 zone shall be required to
 10 be clustered away from sensitive areas to the extent possible and a permanent open space
 11 tract that includes at least 50 percent of the site shall be created.

12 18. See K.C.C. 21A.12.085.

13 **SECTION 4.** Ordinance 10870, Section 341, as amended, and K.C.C. 21A.12.040
 14 are each hereby amended to read as follows:

15 **A. Densities and Dimensions - Resource and Commercial/Industrial Zones**

STANDARDS	RESOURCE				COMMERCIAL/INDUSTRIAL				
	AGRICULTURE		FOREST	MINERAL	NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	REGIONAL BUSINESS	OFFICE	INDUSTRIAL
	A-10	A-35	F	M	NB	CB	RB	O	I
Base Density: Dwelling Unit/Acre	0.1 du/ac	.0286 du/ac	.0125 du/ac		8 du/ac (2)	18 du/ac (2)	36 du/ac (2)	36 du/ac (2)	
Maximum Density: Dwelling Unit/Acre					12 du/ac (3)	24 du/ac (3)	48 du/ac (3)	48 du/ac (3)	
Minimum Lot Area	10 acres	35 acres	80 acres	10 acres					
Minimum Depth/Width (1)	4 to 1	4 to 1							
Minimum Street Setback	30 ft	30 ft	100 ft (4)	(12)	10 ft (5)	10 ft (5)	10 ft (5)	10 ft	25 ft
Minimum Interior Setback	10 ft	10 ft	100 ft (4)	(12)	20 ft (7)	20 ft (7)	20 ft (7)	20 ft (7)	20 ft (7) 50 ft (8)
Base Height (10)	35 ft	35 Ft			35 ft 45 ft (6)	35 ft 60 ft (6)	35 ft 65 ft (6)	45 ft 60 ft (6)	45 ft
Maximum Building Coverage: Percentage	5% 15%(14)	5% 15%(14)	5% 15%(14)						
Maximum Floor/Lot Ratio: Square Feet					1/1 (9)	1.5/1 (9)	2.5/1 (9)	2.5/1 (9)	2.5/1
Maximum Impervious Surface: Percentage (13)	15% 35%(11)	10% 35%(11)	10% 35%(11)		85%	85%	90%	75%	90%

16 **B. Development Conditions.**

17 1. Reserved.

18 2. These densities are allowed only through the application of mixed use
 19 development standards.

20 3. These densities may only be achieved through the application of residential
 21 density incentives or transfer of density credits in mixed use developments, see K.C.C.
 22 21A.34 and 21A.36.

1 4.a. In the F zone, scaling stations may be located 35 feet from property lines.
 2 Residences shall have a setback of at least 30 from all property lines.

3 b. For lots between one acre and 2.5 acres in size, the setback requirements of the
 4 R-1 zone shall apply. For lots under one acre, the setback requirements of the R-4 zone
 5 shall apply.

6 c. For development consisting of three or more single-detached dwellings located
 7 on a single parcel, the setback shall be 10 feet along any property line abutting R-1 through
 8 R-8, RA and UR zones.

9 5. Gas station pump islands shall be placed no closer than 25 feet to street front
 10 lines.

11 6. This base height allowed only for mixed use developments.

12 7. Required on property lines adjoining residential zones.

13 8. Required on property lines adjoining residential zones for industrial uses
 14 established by conditional use permits.

15 9. The floor/lot ratio for mixed use developments shall conform to K.C.C. 21A.14.

16 10. Height limits may be increased when portions of the structure building which
 17 exceed the base height limit provide one additional foot of street and interior setback for
 18 each foot above the base height limit, provided the maximum height may exceed 75 feet
 19 only in mixed use developments.

20 11. Applicable only to lots containing less than one acre of lot area. Development
 21 on lots containing less than 15,000 square feet of lot area shall be governed by ((the lot
 22 coverage and)) impervious surface standards of the nearest comparable R-4 through R-8
 23 zone.

24 12. See Section 21A.22.060 for setback requirements in the mineral zone.

25 13. The impervious surface area for any lot may be increased beyond the total
 26 amount permitted in this chapter subject to approval of a conditional use permit.

27 **SECTION 5.** Ordinance 10870, Section 359, as amended, and K.C.C. 21A.12.220
 28 are each hereby amended to read as follows:

29 **Nonresidential land uses in residential zones.** Except for utility facilities, uses
 30 listed in K.C.C. 21A.08.100, and nonresidential uses regulated by 21A.12.230, all
 31 nonresidential uses located in the RA, UR, or R zones shall be subject to the following
 32 requirements:

33 ~~((A. Building coverage shall not exceed:~~

34 ~~1. Twenty percent of the site in the RA zone.~~

35 ~~2. Forty percent of the site in the UR and the R-1 through R-8 zones.~~

36 ~~3. Sixty percent of the site in the R-12 through R-48 zones.))~~

37 ~~((B.))~~ A. Impervious surface coverage shall not exceed:

38 1. Forty percent of the site in the RA zone.

39 2. Seventy percent of the site in the UR and the R-1 through R-8 zones.

40 3. Eighty percent of the site in the R-12 through R-48 zones.

1 ~~((C.))~~ B. Buildings and structures, except fences and wire or mesh backstops, shall
2 not be closer than 30 feet to any property line, except as provided in subsection ~~((D.))~~ C.

3 ~~((D.))~~ C. Single detached dwelling allowed as accessory to a church or school shall
4 conform to the setback requirements of the zone.

5 ~~((E.))~~ D. Parking areas are permitted within the required setback area from
6 property lines, provided such parking areas are located outside of the required landscape
7 area.

8 ~~((F.))~~ E. Sites shall abut or be accessible from at least one public street functioning
9 at a level consistent with King County Road Design Standards. New high school sites
10 shall abut or be accessible from a public street functioning as an arterial per the King
11 County Design Standards.

12 ~~((G.))~~ F. The base height shall conform to the zone in which the use is located.

13 ~~((H.))~~ G. Building illumination and lighted signs shall be designed so that no direct
14 rays of light are projected into neighboring residences or onto any street right-of-way.

15 **SECTION 6.** Ordinance 10870, Section 376 and K.C.C. 21A.14.160 are each
16 hereby amended to read as follows:

17 **Mobile home parks - Standards for new parks.** New mobile home parks shall be
18 developed subject to the following standards:

19 A. A mobile home park shall be at least three acres in area;

20 B. Residential densities in a mobile home park shall be as follows:

21 1. Six dwellings per acre in R-4 zone;

22 2. The base density of the zone in which the park is located in all R-6 through R-
23 48 zones; and

24 3. Mobile home parks shall be eligible to achieve the maximum density permitted
25 in the zone by providing the affordable housing benefit for mobile home parks set forth in
26 K.C.C. 21A.34;

27 C. Both insignia and non-insignia mobile homes may be installed in mobile home
28 parks, provided that non-insignia mobile homes shall meet the minimum livability and
29 safety requirements set forth in K.C.C. Title 16, Building Code;

30 D. A mobile home park shall be exempt from ~~((the building coverage and))~~
31 impervious surface limits set forth in K.C.C. 21A.12;

32 E. At least one of the off-street parking spaces required for each mobile home shall
33 be located on or adjacent to each mobile home pad;

34 F. Internal roads and sidewalks shall provide access to each mobile home space
35 and shall be constructed in accordance with the adopted King County road standards for
36 residential minor access streets;

37 G. There shall be a minimum of ten feet of separation maintained between all
38 mobile homes on the site, unless the flexible setback option set forth in K.C.C. 21A.14.170
39 is used. Accessory structures shall be located no closer than:

1 1. Ten feet to mobile homes on adjacent spaces, unless constructed of
2 noncombustible materials, in which case the minimum setback shall be five feet;

3 2. Five feet to accessory structures of mobile homes on adjacent spaces; and

4 3. Five feet to the mobile home or other accessory structures on the same space,
5 except a carport or garage may be attached to the mobile home, and the separation may be
6 waived when such structures are constructed of noncombustible materials;

7 H. All mobile homes and RVs supported by piers shall be fully skirted; and

8 I. A mobile home park may include a storage area for RVs owned by residents of
9 the park, provided the storage area contains no utility hook-ups and no RV within the
10 storage area shall be used as living quarters.

11 **SECTION 7.** Ordinance 10870, Section 554 and K.C.C. 21A.32.170 are hereby
12 amended to read as follows:

13 **Temporary mobile home for medical hardship.**

14 A. A mobile home may be permitted as a temporary dwelling on the same lot as a
15 permanent dwelling, provided:

16 1. The applicant demonstrates the temporary dwelling is necessary to provide
17 daily care to an individual certified by a physician as needing such care;

18 2. The primary provider of daily care shall reside on-site; and

19 3. The mobile home together with the permanent residence shall meet the setback,
20 height, (~~building footprint,~~) and lot coverage provisions of the applicable zone.

21 B. Temporary mobile home permits for medical hardships shall be effective for 12
22 months. Extensions of the temporary mobile home permit may be approved in 12 month
23 increments subject to demonstration of continuing medical hardship.

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C. The mobile home shall be removed within 90 days of:

- 1. The expiration of the temporary mobile home permit; or
- 2. The cessation of provision of daily care.

INTRODUCED AND READ for the first time this 6th day of

March, 1995.

PASSED by a vote of 13 to 0 this 30th day of May, 1995.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Kent Pullen
Chair

ATTEST:

Gerald A. Peterson
Clerk of the Council

APPROVED this 7th day of June, 1995.

Doug Linder
King County Executive

Attachments: None