

September 25, 1996

INTRODUCED BY: Ron Sims

townhs.kn

PROPOSED NO.: 96-582

ORDINANCE NO. **12522**

AN ORDINANCE relating to permitting Townhouse developments in Neighborhood Business zones on property designated Commercial Outside of Center in the urban area; amending Ordinance 10870, Section 30, as amended; and K.C.C. 21A.04.090, as amended; amending Ordinance 10870, Section 330, as amended; and K.C.C. 21A.08.030; amending Ordinance 10870, Section 341, as amended, and K.C.C. 21A.12.040; amending Ordinance 10870, Sections 363, 366 and 378, as amended; and K.C.C. 21A.14.030, 21A.14.060 and 21A.14.180, as amended.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The Metropolitan King County Council finds that pursuant to Ordinance 12196, the requirements for environmental analysis, protections and mitigation measures in this code chapter, as amended by this ordinance, provide adequate analysis of and mitigation for the specific adverse environmental impacts to which the requirements apply.

SECTION 2. Ordinance 10870, Section 30 as amended and K.C.C. 21A.04.090 are each hereby amended to read as follows:

Neighborhood business zone. A. The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and personal services for a limited service area and to minimize impacts of commercial activities on nearby properties and in urban areas on properties with the land use designation of Commerical Outside of Center, to provide for limited residential development. These purposes are accomplished by:

1. Limiting nonresidential uses to those retail or personal services which can serve the everyday needs of a surrounding urban or rural residential area;
 2. Allowing for mixed use (housing and retail/service) developments and for townhouse developments as a sole use on properties in the urban area with the land use designation of Commercial Outside of Center; and
 3. Excluding industrial and community/regional business-scaled uses.
- B. Use of this zone is appropriate in urban neighborhood business centers, rural towns, or rural neighborhood centers designated by the comprehensive plan, on sites which are served at the time of

1 development by adequate public sewers when located in urban areas or adequate on-site sewage
2 disposal when located in rural areas, water supply, roads and other needed public facilities and services.

3 SECTION 3. Ordinance 10870, Section 330 as amended and K.C.C. 21A.08.030 are each
4 hereby amended to read as follows:

1 A. Permitted uses - Residential land uses.

KEY	
P	Permitted Use
C	Conditional Use
S	Special Use

SIC#	SPECIFIC LAND USE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	DWELLING UNITS, TYPES:												
*	Single detached	P C13	P2 C13		P C13	P C13	P C13	P C13					
*	Townhouse						P 12 C	P	P 3	P 3	P 3	P 3	
*	Apartment				C4	C4	P5 C4	P	P 3	P 3	P 3	P 3	
*	Mobile home park				S14		C8	P					
	GROUP RESIDENCES:												
*	Community residential facility-I				C	C	C	P	P 3	P 3	P 3	P 3	
*	Community residential facility-II							P	P 3	P 3	P 3	P 3	
*	Dormitory				C6	C6	C6	P					
*	Senior citizen assisted housing						P4	P4	P	P 3	P 3	P 3	P 3
	ACCESSORY USES:												
*	Residential accessory uses	P7	P7		P7	P7	P7	P7	P7	P7	P7	P7	P7
*	Home occupation	P	P		P	P	P	P	P	P	P	P	P
*	Home industry	C			C	C	C						
	TEMPORARY LODGING:												
7011	Hotel/Motel (1)									P	P	P	
*	Bed and breakfast guesthouse	P9 C10			P10	P10	P10	P10	P10	P11	P11		
7041	Organization Hotel/Lodging houses											P	

GENERAL CROSS REFERENCES: Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070
 Development Standards, see K.C.C. 21A.12 through 21A.30
 General Provisions, see K.C.C. 21A.32 through 21A.3
 Application and Review Procedures, see K.C.C. 21A.40 through 21A.44
 (*)Definition of this specific Land Use, see K.C.C. 21A.06

2 B. Development Conditions.

- 3 1. Except bed and breakfast guesthouses.
- 4 2. For properties in the F zone, a fire protection plan for the subject property shall be
- 5 reviewed and approved by the Washington Department of Natural Resources with the concurrence of
- 6 the fire marshal for each residential use. This plan shall be developed in such a manner as to protect
- 7 the adjoining forestry uses from a fire which may originate from the residential use. This plan shall
- 8 provide for setbacks from existing forestry uses and maintenance of approved fire trails or other
- 9 effective fire line buffers on perimeters with forest land.
- 10 3. Only as part of a mixed use development subject to the conditions of K.C.C.
- 11 21A.14, except that in the NB zone on properties with a land use designation of Commercial Outside
- 12 of Center (CO) in the urban areas, stand-alone townhouse developments are permitted subject to the
- 13 provisions of K.C.C. 21A.12.040, K.C.C. 21A.14.030, K.C.C. 21A.14.060 and K.C.C. 21A.14.180.

- 1 4. Only in a building listed on the National Register as an historic site or designated as
2 a King County landmark subject to the provisions of K.C.C. 21A.32.
- 3 5. Only subject to the residential density incentive provisions of K.C.C. 21A.34.
- 4 6. Only as an accessory to a school, college/university or church.
- 5 7. a. Accessory dwelling units:
 - 6 (1) Only one accessory dwelling per lot;
 - 7 (2) Only in the same building as the principal residence when the lot is less than
8 10,000 square feet in area;
 - 9 (3) The primary residence or the accessory dwelling unit shall be owner occupied;
 - 10 (4) The accessory dwelling unit shall not be larger than 50% of the living area of
11 the primary residence;
 - 12 (5) One additional off-street parking space is provided; and
 - 13 (6) The accessory dwelling unit shall be converted to another permitted use or
14 shall be removed if one of the dwelling units ceases to be owner occupied.
- 15 b. One single or twin engine, noncommercial aircraft shall be permitted only on lots
16 which abut, or have a legal access which is not a county right-of-way, to a waterbody or landing field,
17 provided:
 - 18 (1) No aircraft sales, service, repair, charter or rental; and
 - 19 (2) No storage of aviation fuel except that contained in the tank or tanks of the
20 aircraft.
- 21 8. Mobile home parks shall not be permitted in the R-1 zones.
- 22 9. Only as an accessory to the permanent residence of the operator, provided:
 - 23 a. Serving meals to paying guests shall be limited to breakfast; and
 - 24 b. No more than 5 guests per night.
- 25 10. Only as an accessory to the permanent residence of the operator, provided:
 - 26 a. Serving meals to paying guests shall be limited to breakfast; and
 - 27 b. The number of persons accommodated per night shall not exceed five, except that
28 a structure which satisfies the standards of the Uniform Building Code as adopted by King County for
29 R-1 occupancies may accommodate up to ten persons per night.
- 30 11. Only when part of a mixed use development, and subject to the conditions of
31 21A.08.030B(10).

12. A conditional use permit is not required for townhouse units on lots in a subdivision designed for townhouse units.

13. Required prior to approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions, or binding site plans approved for multiple unit lots, and except as provided for accessory dwelling units in K.C.C. 21A.08.030.B.7.

14. No new mobile home parks are allowed in a Rural Zone.

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

A. Densities and dimensions - Resource and Commercial/Industrial Zones.

ZONES	RESOURCE					COMMERCIAL/INDUSTRIAL				
	AGRICULTURE			FOREST	MINERAL	NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	REGIONAL BUSINESS	OFFICE	INDUSTRIAL
STANDARDS	A-10	A-35	A-60	F	M	NB	CB	RB	O	I
Base Density: Dwelling Unit/Acre	0.1 du/ac	.0286 du/ac	.0167 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	60 acres	80 acres	10 acres					
Maximum Lot Depth/Width Ratio	4 to 1	4 to 1	4 to 1							
Minimum Street Setback	30 ft (4)	30 ft (4)	30 ft (4)	100 ft (4)	(12)	10 ft (5)	10 ft (5)	10 ft (5)	10 ft	25 ft
Minimum Interior Setback	10 ft (4)	10 ft (4)	10 ft (4)	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			35 ft 45 ft (6)	35 ft 60 ft (6)	35 ft 65 ft (6)	45 ft 60 ft (6)	45 ft
			5%** 15% (11)							
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)	10% 35% (11)		85%	85%	90%	75%	90%

21A.12.040 B. Development conditions.

1. Reserved.

2. These densities are allowed only through the application of mixed use development standards and for stand-alone townhouse development in the NB zone on property designated Commercial Outside of Center in the urban area.

3. These densities may only be achieved through the application of residential density incentives or transfer of density credits in mixed use developments and for stand-alone townhouse

1 development in the NB zone on property designated Commercial Outside of Center in the urban area
 2 , see K.C.C. 21A.34 and 21A.36.

3 4.a. In the F zone, scaling stations may be located 35 feet from property lines.

4 Residences shall have a setback of at least 30 feet from all property lines.

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

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

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

11 6. This base height allowed only for mixed use developments and for stand-alone townhouse
 12 development in the NB zone on property designated Commercial Outside of Center in the urban area.

13 7. Required on property lines adjoining residential zones.

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

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

17 10. Height limits may be increased when portions of the structure building which exceed
 18 the base height limit provide one additional foot of street and interior setback for each foot above the
 19 base height limit, provided the maximum height may exceed 75 feet only in mixed use developments.
 20 Netting or fencing and support structures for the netting or fencing used to contain golf balls in the
 21 operation of golf courses or golf driving ranges are exempt from the additional interior setback
 22 requirement provided that the maximum height shall not exceed 75 feet.

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

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

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

29 SECTION 5. Ordinance 10870, Section 363 as amended and K.C.C. 21A.14.030 are each
 30 amended to read as follows: Lot segregations - Zero lot line development. In any UR or R zone or in

1 the NB zone on property designated Commercial Outside of Center in the urban area, interior
 2 setbacks may be modified during subdivision or short subdivision review as follows:

3 A. If a building is proposed to be located within a normally required interior setback:

4 1. An easement shall be provided on the abutting lot of the subdivision that is wide enough
 5 to ensure a 10-foot separation between the walls of structures on adjoining lots, except as provided
 6 for common wall construction;

7 2. The easement area shall be free of permanent structures and other obstructions that
 8 would prevent normal repair and maintenance of the structure's exterior;

9 3. Buildings utilizing reduced setbacks shall not have doors that open directly onto the
 10 private yard areas of abutting property. Windows in such buildings shall not be oriented toward such
 11 private yard areas unless they consist of materials such as glass block, textured glass, or other opaque
 12 materials, and shall not be capable of being opened, except for clerestory-style windows or skylights;
 13 and

14 4. The final plat or short plat shall show the approximate location of buildings proposed to
 15 be placed in a standard setback area.

16 B. In the UR or R zones, setbacks on existing individual lots may be modified provided that
 17 the standards set forth in subsection A-1 of this section are met.

18 SECTION 6. Ordinance 10870, Section 366 as amended and K.C.C. 21A.21A.14.060 are
 19 each hereby amended to read as follows: Townhouse development. In the R-1 through R-8 zones
 20 and in the NB zone on property designated Commercial Outside of Center in the urban area, a
 21 building that contains a grouping of attached townhouse units shall not exceed a 200 foot maximum
 22 length without a separation of at least 10 feet from other groupings or rows of townhouses.

23 SECTION 7. Ordinance 10870, Section 378 as amended and K.C.C. 21A.14.180 are each
 24 hereby amended to read as follows: On-site recreation - Space required. A. Residential
 25 developments if more than four units in the UR and R zones, stand-alone townhouse developments in
 26 the NB zone on property designated Commercial Outside of Center in the urban area if more than
 27 four units and mixed use developments if more than four units, shall provide recreation space for
 28 leisure, play and sport activities as follows:

29 1. Residential subdivision and townhouses developed at a density of eight units or less per acre
 30 - 390 square feet per unit;

31 2. Mobile home park - 260 square feet per unit; and

- 1 3. Apartment, townhouses developed at a density of greater than eight units per acre, and
2 mixed use:
- 3 a. Studio and one bedroom - 90 square feet per unit;
4 b. Two bedroom - 130 square feet per unit; and
5 c. Three or more bedroom - 170 square feet per unit;
- 6 B. Any recreation space located outdoors shall:
- 7 1. Be of a grade and surface suitable for recreation;
8 2. Be on the site of the proposed development;
9 3. Have no dimensions less than 20 feet (except trail segments);
10 4. In single detached or townhouse subdivision when the required outdoor recreation space,
11 exceeds 5000 feet the space shall have a street roadway or parking area frontage along 10 percent or
12 more of the recreation space perimeter (except trail segments);
13 5. Be accessible and convenient to all residents within the development; and
14 6. Be accessible by trail or walkway to any existing or planned community park, public
15 open space or trail system, which may be located on adjoining property.
- 16 C. Indoor recreation areas may be credited towards the total recreation space requirement,
17 when the county determines that such areas are located, designed and improved in a manner which
18 provides recreational opportunities functionally equivalent to those recreational opportunities
19 available outdoors. For senior citizen assisted housing, indoor recreation areas need not be
20 functionally equivalent but may include social areas, game and craft rooms, and other multi-purpose
21 entertainment and education areas.
- 22 D. Stormwater runoff tracts may be credited for up to 50% of the on-site recreation space
23 requirement, subject to the following criteria;
- 24 1. The stormwater runoff tract is dedicated or reserved as a part of a recreation space tract;
25 2. The detention pond shall be constructed to meet the following conditions:
- 26 a. The side slope of the stormwater facilities shall not exceed 33% unless slopes are
27 existing, natural and covered with vegetation;
- 28 b. A bypass system or an emergency overflow pathway shall be designed to handle flow
29 exceeding the facility design and located so that it does not pass through active recreation areas or
30 present a safety hazard;
- 31 c. The stormwater facilities shall be landscaped in a manner to enhance passive recreation
32 opportunities such as trails and aesthetic viewing; and

1 d. The stormwater facilities shall be designed so they do not require fencing pursuant to
2 the Surface Water Design Manual.

3 3. In the case of joint use of the tract for stormwater facilities and recreation space, the King
4 County department of public works shall be responsible for maintenance of the stormwater facilities
5 only and will require an access easement for that purpose.

6 INTRODUCED AND READ for the first time this 8th day of
7 July, 1996.

8 PASSED by a vote of 11 to 0 this 18th day of November, 1996

9 KING COUNTY COUNCIL
10 KING COUNTY, WASHINGTON

11 Jane Hague
12 Chair

13 ATTEST:

14 Gerald A. Peterson
15 Clerk of the Council

16 APPROVED this 30th day of November, 1996.

17 Gary Locke
18 King County Executive

19 Attachments: