

July 21, 1998
clerk 9/22/98

Introduced By: Jane Hague

Proposed No.: 98-369

ORDINANCE NO. 13274

AN ORDINANCE authorizing a demonstration process for transfer of development credit pilot projects, and establishing monitoring and reporting requirements to evaluate and improve the effectiveness of the transfer of development credit program; amending Ordinance 10870, Section 340 and K.C.C. 21A.12.030, each as amended; adding new sections to K.C.C. chapter 21A.55.

PREAMBLE:

For the purpose of effective land use planning and regulation, the King County council makes the following legislative findings:

1. The Growth Management Act identifies transfer of development rights as an innovative technique for land use management.
2. King County has a long tradition of developing innovative strategies to conserve resource and environmentally sensitive lands that are essential to this region's quality of life.
3. Protecting rural farms and forests, agricultural and open space lands, wildlife habitat, urban separators, regional trail or natural linkages, historic sites and proposed park sites is a goal of both the countywide planning policies and the King County Comprehensive Plan.
4. Countywide planning policy LU-14 establishes that the county may transfer density from Rural Area properties to other rural or urban area properties in order to secure county open space land, protect a significant natural resource, or retain rural resource-based uses.
5. The King County Comprehensive Plan has authorized a study to develop a program to enable transfers of density from the rural area to urban and other rural areas. Initial program development efforts have been completed, and it is in the public interest to initiate pilot projects which demonstrate the program's environmental, community and economic benefits to the residents of King County.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

1 SECTION 1. There is hereby added to K.C.C. 21A.55 a new section to read as
2 follows:

3 Transfer of Development Credit (TDC) Pilot Program - Purpose. The purpose of
4 the Transfer of Development Credit Pilot Program is to provide a new, voluntary, incentive-
5 based process for preserving lands that provide a public benefit. The purpose of the TDC
6 Pilot Program process is to allow for testing of the provisions of this ordinance on initial
7 sending and receiving site proposals. The TDC provisions are intended to supplement land
8 use regulations, resource protection efforts and open space acquisition programs and to
9 encourage increased residential development density where it can best be accommodated
10 with the least impacts on the natural environment and public services by:

11 A. Providing an effective and predictable incentive process for property owners to
12 preserve lands with a public benefit as described in Section 4 of this ordinance; and

13 B. Providing a review system to ensure that transfers of residential development
14 credits to receiving sites are balanced with other county goals and policies, and are adjusted
15 to the specific conditions of each receiving site.

16 SECTION 2. There is hereby added to K.C.C. 21A.55 a new section to read as
17 follows:

18 Transfer of Development Credit (TDC) Pilot Program - Framework for monitoring.
19 This section establishes a framework for evaluating the effectiveness of the provisions of
20 this ordinance, as follows:

21 A. Pilot projects shall be initiated by private parties within thirty-six months of the
22 effective date of this ordinance.

23 B. Within the thirty-six month effective period for the TDC Pilot Program, the
24 executive shall:

- 1 1. Develop a means of monitoring and assessing the pilot program in order to
2 improve future applications and to measure outcomes based on the TDC purposes
3 described in Section 1 of this ordinance; and
- 4 2. Submit annual fourth quarter reports to the council which describe:
 - 5 a. the use of the pilot program in the preceding year,
 - 6 b. the public benefit associated with each sending site qualified under this
7 ordinance, such as resource protection or preservation of a model forest in the rural forest
8 district,
 - 9 c. current receiving area market conditions, and recommendations for improved
10 regulatory, fiscal and marketing strategies,
 - 11 d. community acceptance of the program and associated higher densities in the
12 receiving areas, including recommendations for improved and/or flexible development
13 standards to ensure quality urban and rural development, and
 - 14 e. opportunities for new sending and receiving areas, including cooperative
15 planning with cities.

16 SECTION 3. There is added to K.C.C. 21A.55 a new section as follows:

17 Transfer of Development Credit (TDC) Pilot Program - Specific exemptions.

18 Individual projects under the TDC Pilot Program shall be exempt from:

- 19 A. The requirement of K.C.C. 21A.55.010 which states that all new
20 demonstration projects shall be designated through an ordinance; and
- 21 B. The provisions of K.C.C. 21A.55.020 which require that demonstration projects
22 be designated by the council through the application of a demonstration project overlay to
23 properties in a specific area or areas.

1 SECTION 4. There is hereby added to K.C.C. 21A.55 a new section to read as
2 follows:

3 Transfer of Development Credit (TDC) Pilot Program - Sending sites.

4 A. For the purpose of this chapter, a sending site is defined as the portion of the
5 parcel(s) qualifying under subsection B below. Sending sites shall be maintained in a natural
6 state, except for agricultural lands, rural farm and forest district lands, proposed public park
7 or trail sites suitable for active or passive recreation or historic sites. Nonresidential uses
8 consistent with the zone may be allowed following the transfer of residential development
9 credits if allowed under the conservation easement.

10 B. Qualification of a sending site shall demonstrate that the site contains a public
11 benefit such that preservation of that benefit by transferring residential development density
12 to another site is in the public interest.

13 1. Designation in the King County Comprehensive Plan or a functional plan as
14 Agricultural land or as Rural Farm or Forest District land which is not encumbered through
15 King County's development rights purchase program; or

16 2. Designation in the King County Comprehensive Plan, or a functional plan as a
17 proposed park site, through either:

18 a. designation of a specific site, or

19 b. identification of geographic areas of proposed park sites which meet adopted
20 standards and criteria; or

21 3. A written determination by a public land managing agency, including but not
22 limited to the King County department of parks and recreation, King County department of
23 natural resources, King County office of cultural resources, a city parks department (if a
24 sending site is located within that city's designated potential annexation area), the

1 Washington State Parks and Recreation Commission or a private land conservation
2 organization such as the Nature Conservancy, that the sending site is appropriate for
3 preservation or acquisition as:

- 4 a. open space,
5 b. wildlife habitat for federal or state listed endangered or threatened species,
6 priority or candidate priority species of local importance; or species of local significance as
7 defined by the King County Comprehensive Plan; or wildlife networks designated by King
8 County, or Priority Habitats as defined by the state,
9 c. urban separators,
10 d. regional trail/natural linkages, or
11 e. historic landmarks.

12 The agency making the written determination of qualification shall state that the sending site
13 is appropriate for preservation or acquisition under that agency's rules, regulations or
14 guidelines and shall state that the proposed form of permanent protection is acceptable to
15 the agency responsible for managing the sending site once encumbered (i.e. encumbrance
16 with a conservation easement or fee simple ownership). Following the encumbrance or
17 dedication of the sending site, the remaining land value may be acquired or accepted by the
18 managing agency.

19 C. For the purposes of the TDC Pilot Program, "acquisition" shall mean obtaining
20 fee simple rights in real property, or a less than a fee simple right in a form which preserves
21 in perpetuity the public benefit supporting the designation or qualification of the property as
22 a sending site.

23 SECTION 5. There is hereby added to K.C.C. 21A.55 a new section to read as
24 follows:

1 Transfer of Development Credit (TDC) Pilot Program - Receiving sites.

2 A. Receiving sites shall be:

3 1. Zoned R-4 through R-48, NB, CB, RB or O, or any combination thereof. Such
4 sites may also be within potential annexation areas established pursuant to the countywide
5 planning policies,

6 2. King County incorporated municipal jurisdictions with urban centers (as
7 designated under the countywide planning policies), transit station sites, and/or other urban
8 areas where new growth is or will be encouraged under the Growth Management Act and
9 the countywide planning policies and where facilities and services exist or where public
10 investments in facilities and services will be made, or

11 3. RA-2.5 and RA-5 zoned parcels which meet the criteria listed below may receive
12 development credits transferred from Rural Farm and Forest Districts, and accordingly may
13 be subdivided and developed at a maximum density of one dwelling per 2.5 acres.

14 Increased density allowed through the designation of rural receiving areas:

15 a. must be eligible to be served by domestic Group A public water service;

16 b. must be located within one-quarter mile of an existing predominant pattern of
17 rural lots smaller than 5 acres in size;

18 c. must not adversely impact regionally or locally significant resource areas or
19 environmentally sensitive areas;

20 d. shall not require public services and facilities to be extended to create or
21 encourage a new pattern of smaller lots; and

22 e. may not be located within Rural Farm and Forest Districts.

23 B. Except as provided in this chapter development of an unincorporated King
24 County receiving site shall remain subject to all zoning code provisions for the base zone.

1 C. Apartments and townhouse units are permitted outright in the R-4 through R-8
2 zones through the transfer of density credits provisions of this pilot project, subject to the
3 review process described in Section 8 of this ordinance.

4 D. An unincorporated King County receiving site may accept development credits
5 from one or more sending sites, up to the maximum density permitted pursuant to
6 K.C.C. 21A.12.030.

7 SECTION 6. There is hereby added to K.C.C. 21A.55 a new section to read as
8 follows:

9 Transfer of Development Credit (TDC) Pilot Program - Transfer rules.

10 A. Unincorporated urban sending sites and unincorporated urban receiving sites. The
11 number of residential development credits that an unincorporated urban sending site is
12 eligible to send to an unincorporated urban receiving site shall be determined by:

13 1. Applying twenty-five percent of the sending site's base zoned density to the
14 sending site's unbuildable sensitive areas for R-4 through R-48 zoned properties and one
15 credit per acre for R-1 zoned properties. Due to the limitations imposed by K.C.C. chapter
16 21A.24, for the purposes of this chapter unbuildable sensitive areas shall include class 1 and
17 class 2 wetlands, streams, slopes forty percent or steeper and associated buffers; and

18 2. Applying the base density of the zone the sending site is located in to the
19 remaining portion of the sending site less the following:

20 a. any portion of the sending site already in a conservation easement or other
21 similar encumbrance,

22 b. any land area already used to calculate residential density for other development
23 within the sending site,

- 1 c. any submerged land,
- 2 d. regional utility corridors; and
- 3 e. other areas, excluding setbacks, required by King County to remain
- 4 undeveloped.

5 Any fractions of development credits which result from the calculations in subsections 1 or
6 2 above shall not be included in the final determination of total development credits
7 available for transfer.

8 3. The twenty-five percent discount for unbuildable sensitive areas in subsection 1.
9 above shall not be applied to urban sending sites certified using the process prescribed in
10 this chapter prior to December 31, 1998.

11 B. Rural sending sites and unincorporated urban receiving sites. The number of
12 residential development credits that a rural area sending site is eligible to send to an urban
13 area receiving site shall be determined by applying twice the base density of the zone in
14 which the rural area sending site is located, after the following lands have been subtracted:

- 15 1. Any portion of the sending site already in a conservation easement or other
16 similar encumbrance,
- 17 2. Any land area already used to calculate residential density for other development
18 within the sending site, and
- 19 3. Any submerged lands.

20 Any fractions of development credits which result from the calculations above shall not be
21 included in the final determination of total development credits available for transfer.

22 C. Rural sending sites and incorporated urban receiving Sites. The number of
23 development credits that a rural area sending site is eligible to send to an incorporated urban
24 area receiving site shall be determined through the application of a conversion ratio

1 established by the incorporated municipal jurisdiction. The conversion ratio will be applied
2 to the number of available sending site credits determined by applying the base density of
3 the zone in which the sending site is located, after the following lands have been subtracted:

- 4 1. Any portion of the sending site already in a conservation easement or other
5 similar encumbrance,
- 6 2. Any land area already used to calculate residential density for other development
7 within the sending site, and
- 8 3. Any submerged lands.

9 Any fractions of development credits which result from the calculations above shall not be
10 included in the final determination of total development credits available for transfer.

11 D. Rural sending sites and rural receiving sites. The number of residential
12 development credits that a sending site is eligible to send to a receiving site shall be
13 determined by applying the base density of the zone in which the sending site is located,
14 after the following lands have been subtracted:

- 15 1. Any portion of the sending site already in a conservation easement or other
16 similar encumbrance,
- 17 2. Any land area already used to calculate residential density for other development
18 within the sending site, and
- 19 3. Any submerged lands.

20 Any fractions of development credits which result from the calculations above shall not be
21 included in the final determination of total development credits available for transfer.

22 E. Following the transfer of residential development credits from either rural or
23 urban sending sites, the portion of the parcel(s) not designated as a sending site may
24 accommodate a lot or lots on the buildable portion of the parcel(s), consistent with the

1 zoned base density provisions of the density and dimensions table in K.C.C. 21A.12.030,
2 the allowable dwelling unit calculations in K.C.C. 21A.12.070, and other King County
3 development regulations. In the case of sending sites within the rural area, the development
4 potential remaining after a density transfer may only be actualized through a clustered
5 subdivision, short subdivision or binding site plan that creates a permanent preservation
6 tract as large or larger than the portion of the subdivision set aside as lots. Within rural
7 forest districts, such preservation resource use tracts shall be at least fifteen acres in size.

8 F. A site plan showing unbuildable sensitive areas and buffers as defined in Section
9 6 of this ordinance, submerged lands, regional utility corridors, areas required by King
10 County to remain undeveloped and conservation easements or other similar encumbrances
11 shall be submitted as part of the sending site certification application.

12 G. Development credits from one sending site may be allocated to more than one
13 receiving site and one receiving site may accept development credits from more than one
14 sending site.

15 H. Following the transfer of credits from a sending site, deed restrictions
16 documenting the development credit transfers shall be recorded and notice placed on the
17 title to the sending site parcel.

18 I. A conservation easement granted to the county or other appropriate land
19 management agency shall be required for land contained in the sending site. The
20 conservation easement shall be documented by a map indicating the portion of the parcel
21 restricted from future residential development, whether or not such land is dedicated, as
22 follows:

23 1. A conservation easement, which contains the easement map, shall be recorded
24 on the sending site to indicate development limitations on the sending site;

1 2. For a sending site zoned A-10 or A-35, the conservation easement shall be
2 consistent in form and substance with the purchase agreements used in the agricultural land
3 development rights purchase program. The conservation easement shall preclude
4 subdivision of the subject property but may permit not more than one dwelling per sending
5 site, and shall permit agricultural uses as provided in the A-10 or A-35 zone;

6 3. For a sending site located within a rural forest district, the conservation
7 easement shall encumber a minimum of fifteen acres, shall allow no more than one dwelling
8 unit per twenty acres to remain with the unencumbered portion of the sending site and shall
9 include a forest stewardship plan approved by the county for ongoing management
10 practices.

11 J. Upon submitting an application to the department of development and
12 environmental services to develop a receiving site under the provisions of this chapter, the
13 receiving site applicant shall provide either a sending site certification letter and evidence of
14 the option to buy the sending site development credits required for the receiving site
15 development proposals or evidence of ownership or full legal control of all sending sites
16 proposed to be used in calculating total residential density on the receiving site.

17 K. Development credits from a sending site shall be considered transferred to a
18 receiving site when a final decision is made on the TDC receiving area development
19 proposal by the department of development and environmental services, the sending site is
20 permanently protected by a completed and recorded land dedication or conservation
21 easement, and notification has been provided to the King County assessor's office.

22 L. The determination of the number of residential development credits a sending site
23 has available for transfer to a receiving site development shall be valid for transfer purposes

1 only, shall be documented in a TDC certificate letter of intent and be considered a final
2 determination, not to be revised due to changes to the sending site's zoning.

3 M. TDC receiving site developments shall comply with dimensional standards of the
4 zone with a base density most closely comparable to the total approved density of the TDC
5 receiving site development.

6 SECTION 7. There is added to K.C.C. 21A.55 a new section as follows:

7 Transfer of Development Credit (TDC) Pilot Program - Sending site certification and
8 interagency review committee process.

9 A. An Interagency Review Committee consisting of the director of the department of
10 development and environmental services, the department of natural resources and the
11 department of parks and recreation, or their designees, shall be responsible for qualification
12 of sending sites and allocation of residential development credits from sending sites for
13 purposes of transfer and determination of the appropriate agency to hold and enforce the
14 conservation easement. Additional members of the committee to be appointed by the
15 Interagency Review Committee may also include representatives of agencies with
16 jurisdiction in the review of a specific sending site application. Determinations on sending
17 site certifications made by the committee are appealable to the examiner pursuant to K.C.C.
18 20.24.080. The Committee shall issue a certification letter within three weeks of the date of
19 submittal of a completed sending site certification application.

20 B. Application for sending site certification shall include:

- 21 1. A legal description of the site,
- 22 2. A title report,
- 23 3. A description of the site resources and public benefit to be preserved,

- 1 4. A map of the proposed conservation easement area,
- 2 5. Existing dwelling units, submerged lands, regional utility corridors, and
- 3 unbuildable sensitive areas as defined in Section 6 of this ordinance,
- 4 6. A completed density calculation worksheet for estimating the number of available
- 5 development credits, and
- 6 7. The application fee consistent with K.C.C. 27.36.020

7 SECTION 8. There is hereby added to K.C.C. 21A.55 a new section to read as
8 follows:

9 Transfer of Development Credit (TDC) Pilot Program - Review process.

10 A. TDC proposals where both the proposed sending and receiving sites would be
11 within unincorporated King County shall be reviewed using the following process:

- 12 1. Following Interagency Review Committee review and approval of the sending
13 site application as described in Section 7 of this ordinance, the Interagency Review
14 Committee shall issue a TDC certificate letter of intent, agreeing to issue a TDC certificate
15 in exchange for the proposed sending site conservation easement. The sending site owner
16 may then market the TDC sending site development credits to potential purchasers.
- 17 2. In applying for receiving site approval, the applicant shall provide the department
18 of development and environmental services with a copy of a signed option to purchase TDC
19 sending site development credits. Following building permit or preliminary plat approval by
20 the department of development and environmental services of a receiving site development
21 proposal which includes the transferred development credits, the receiving area applicant
22 shall then purchase and deliver the TDC certificate to the county.

23 3. When the receiving site development proposal requires a public hearing under this
24 title or Title 19 or its successor, that public hearing shall also serve as the hearing on the

1 TDC proposal and the reviewing authority shall make a consolidated decision on the
2 proposed development and use of transferred development credits;

3 4. When the primary proposal does not require a public hearing under this title or
4 Title 19, the TDC proposal shall be evaluated by the same decision criteria as that for
5 conditional use permits outlined in K.C.C. chapter 21A.44 and to the procedures set forth
6 for director review in K.C.C. chapter 21A.42 and K.C.C. chapter 20.20.

7 B. TDC proposals where the proposed receiving site would be within an
8 incorporated King County municipal jurisdiction shall be reviewed using that jurisdiction's
9 development application review process.

10 SECTION 9. There is hereby added to K.C.C. 21A.55 a new section to read as
11 follows:

12 Transfer of Development Credit (TDC) Pilot Program - Notice. Public notice
13 consistent with the provisions of K.C.C. 20.20.060 for Type Four land use decisions shall
14 be provided for parcels identified as receiving sites for a demonstration project.

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SECTION 10. Ordinance 10870, Section 340, and K.C.C. 21A.12.030 are each

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hereby amended to read as follows:

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21A.12.030 A. Densities and dimensions - Residential zones.

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RESIDENTIAL													
Z O N E S	RURAL				URBAN RESERVE	URBAN RESIDENTIAL							
	STANDARDS	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
Base Density: Dwelling Unit/Acre (15)	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)	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Maximum Density: Dwelling Unit/Acre (1)	0.4 du/ac (20)	0.4 du/ac (20)					6 du/ac	9 du/ac	12 du/ac	18 du/ac	27 du/ac	36 du/ac	72 du/ac
Minimum Density: (2)							85% (12) (18)	85% (12) (18)	85% (12) (18)	80% (18)	75% (18)	70% (18)	65% (18)
Minimum Lot Width (3)	135 ft	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
Minimum Street Setback (3)	30 ft (9)	30 ft (9)	30 ft (9)	30 ft (9)	30 ft (7)	20 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)	5 ft (9)	10 ft (9)	10 ft (9)	10 ft (9)	5 ft (7)	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 45 ft (14)	35 ft 45 ft (14)	60 ft	60 ft 80 ft (14)	60 ft 80 ft (14)	60 ft 80 ft (14)
Maximum Impervious Surface: Percentage (5)	25% (11) (19)	20% (11) (19)	15% (11) (19)	12.5% (11) (19)	30% (11)	30% (11)	55%	70%	75%	85%	85%	85%	90%

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B. Development conditions.

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1. ~~((The))~~ This maximum density may be achieved only through the application of

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residential density incentives pursuant to K.C.C. 21A.34 or transfers of density credits pursuant to

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K.C.C. ((21A.34 or)) 21A.36 or 21A.55, or any combination of density incentive or density transfer.

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Maximum density may only be exceeded pursuant to K.C.C. 21A.34.040F.1.f.

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2. Also see K.C.C. 21A.12.060.

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

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developments.

1 4. Height limits may be increased when portions of the structure which exceed the base
2 height limit provide one additional foot of street and interior setback for each foot above the base
3 height limit, provided the maximum height may not exceed seventy-five feet. Netting or fencing and
4 support structures for the netting or fencing used to contain golf balls in the operation of golf courses
5 or golf driving ranges are exempt from the additional interior setback requirements provided that the
6 maximum height shall not exceed seventy-five feet.

7 5. Applies to each individual lot. Impervious surface area standards for:

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

9 b. nonresidential uses in residential zones shall comply with K.C.C. 21A.12.120 and
10 .220;

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

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

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

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

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

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

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

1 10.a. For developments consisting of three or more single-detached dwellings located on a
2 single parcel, the setback shall be ten feet along any property line abutting R-1 through R-8, RA and
3 UR zones, except for structures in on-site play areas required in K.C.C. 21A.14.190, which shall
4 have a setback of five feet.

5 b. for townhouse and apartment development, the setback shall be twenty feet along any
6 property line abutting R-1 through R-8, RA and UR zones, except for structures in on-site play
7 areas required in K.C.C. 21A.14.190, which shall have a setback of five feet, unless the townhouse
8 or apartment development is adjacent to property upon which an existing townhouse or apartment
9 development is located.

10 11. Lots smaller than .5 acre in area shall comply with standards of the nearest
11 comparable R-4 through R-8 zone. For lots that are .5 acre in area or larger, the maximum
12 impervious surface area allowed shall be at least 10,000 square feet. On any lot over one acre in
13 area, an additional five percent of the lot area may be used for buildings related to agricultural or
14 forestry practices. For lots smaller than two acres but larger than .5 acre, an additional ten percent of
15 the lot area may be used for structures which are determined to be medically necessary, provided the
16 applicant submits with the permit application a notarized affidavit, conforming with the requirements
17 of K.C.C. 21A.32.170A.2.

18 12. For purposes of calculating minimum density, the applicant may request that the
19 minimum density factor be modified based upon the weighted average slope of the net buildable
20 area(s) of the site pursuant to K.C.C. 21A.12.087.

21 13. Reserved.

22 14. The base height to be used only for projects as follows:

23 a. in R-6 and R-8 zones, a building with a footprint built on slopes exceeding a fifteen
24 percent finished grade; and

1 b. in R-18, R-24 and R-48 zones using residential density incentives and transfer of
2 density credits pursuant to this title.

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

4 16. Vehicle access points from garages, carports or fenced parking areas shall be set
5 back from the property line on which a joint use driveway is located to provide a straight line length
6 of at least twenty-six feet as measured from the center line of the garage, carport or fenced parking
7 area, from the access point to the opposite side of the joint use driveway.

8 17. All subdivisions and short subdivisions in the R-1 zone shall be required to be
9 clustered away from sensitive areas or the axis of designated corridors such as urban separators or
10 the wildlife habitat network to the extent possible and a permanent open space tract that includes at
11 least fifty percent of the site shall be created. Open space tracts shall meet the provisions of K.C.C.
12 21A.14.040.

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

14 19. All subdivisions and short subdivisions in R-1 and RA zones within the North Fork
15 and Upper Issaquah Creek subbasins of the Issaquah Creek Basin (the North Fork and Upper
16 Issaquah Creek subbasins are identified in the Issaquah Creek Basin and Nonpoint Action Plan) and
17 the portion of the Grand Ridge subarea of the East Sammamish Community Planning Area which
18 drains to Patterson Creek shall have a maximum impervious surface area of eight percent of the
19 gross acreage of the plat. Distribution of the allowable impervious area among the platted lots shall
20 be recorded on the face of the plat. Impervious surface of roads need not be counted towards the
21 allowable impervious area. In cases where both lot- and plat-specific impervious limits apply, the
22 more restrictive shall be required.

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20. This density may only be achieved on RA 2.5 and RA 5 zoned parcels designated as rural receiving areas through the Transfer of Density Credit Pilot Program outlined in K.C.C. 21A.55.

INTRODUCED AND READ for the first time this 15th day of June, 1998.

PASSED by a vote of 9 to 2 this 21ST day of September 1998.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Louise Miller
Chair

ATTEST:

[Signature]
Clerk of the Council

APPROVED this 25 day of September 1998

[Signature]
King County Executive