

May 27, 1982/hdm
1063A

Introduced by: Bruce Laing
Proposed No.: 82-142

ORDINANCE NO. **6067**

AN ORDINANCE relating to zoning; amending provisions relating to lot clustering and townhouses and adding a fee for modification of recorded building envelopes; and amending Ordinance 4687, Section 1, Ordinance 3144, Sections 2 and 8 (part), Ordinance 4667, Section 4, Ordinance 4689, Section 6, Ordinance 5331, Section 5, Ordinance 4304, Section 1, Ordinance 5786, Section 4, and KCC 21.08.020, 21.08.080, 21.17.040, 21.17.090, 21.48.270, and 21.62.050.

BE IT ORDAINED BY THE KING COUNTY COUNCIL:

SECTION 1. Ordinance 4687, Section 1, Ordinance 3144, Section 2 and KCC 21.08.020 are each hereby amended to read as follows:

Permitted uses - Primary residential. In an RS zone, the following residential uses only are permitted, subject to the off-street parking requirements and the general provisions and exceptions set forth in this title, beginning with ((Chapter)) K.C.C. 21.46, and subject to the provisions of the King County shoreline management master program where applicable:

((+1)) A. A one-family dwelling;

((+2)) B. A two-family dwelling when the lot or building site upon which it is located has a side line abutting a lot or lots classified for RM-2400, RM-1800, RM-900, B, C or M purposes, whether or not an alley intervenes. In no case shall the property used for such two-family dwelling consist of more than one lot or exceed a width of ninety feet, whichever is the least, nor be used to a depth greater than the extent to which the side property line is common with property classified for such heavier uses;

((+3)) C. Planned unit developments, as provided in Chapter 21.56;

((+4)) D. A townhouse dwelling within a multiple lot subdivision or short subdivision subject to the following conditions:

1 ((A)) 1. The area of each townhouse lot may be reduced
2 below the minimum required by the zone, but the average lot area
3 of the subdivision or short subdivision in which the townhouses
4 are located must meet the minimum requirement, using the lot
5 averaging provisions of ((Section)) KCC 21.08.050,

6 ((B)) 2. In addition to meeting all design, setback
7 and site improvement requirements of the RT zone, proposed
8 townhouse developments in an RS zone shall,

9 ((i)) a. Provide two off-street parking spaces per
10 dwelling, one of which must be enclosed or capable of being
11 fully enclosed in conformance with normal yard requirements, or
12 as modified pursuant to ((Ordinance-4304)) KCC 21.48.270,

13 ((ii)) b. A row of townhouse dwellings in an RS zone
14 shall be no more than one hundred twenty feet long across its
15 frontage without an intervening segment of side yards or common
16 open space,

17 ((iii)) c. Any lot at the end of a row of townhouse
18 lots which is adjacent to a lot developed with a detached
19 single-family dwelling shall have the same front yard setback as
20 the detached dwelling, and shall have a minimum side yard of
21 five feet. If the side of the townhouse structure is more than
22 fifty feet long, an additional five feet of side yard per story
23 shall be provided. When a townhouse lot is also a reverse
24 corner lot, an additional ten feet of side yard shall be
25 provided,

26 ((e)) 3. When townhouses are proposed for an RS zoned
27 area already platted into legal lots, the area must be
28 resub-divided to meet the requirements of this section,

29 ((D)) 4. In order to assure correct placement of
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1 buildings, construction of foundation forms, but no other
 2 structural elements, of townhouse dwellings or other residential
 3 structures with walls touching lot lines may commence prior to
 4 final plat or short plat approval, provided,

5 ~~((f+))~~ a. The proposed subdivision or short subdivision
 6 has received preliminary approval, all conditions have been met,
 7 and bonds are posted for improvements

8 ~~((f+i+))~~ b. Partial or complete construction of
 9 foundations shall not relieve the subdivider from, nor impair
 10 county enforcement of, conditions of subdivision or short
 11 subdivision approval

12 ~~((f+i+i)--Neither-units-ner))~~ c. No lots may be sold
 13 ~~((or-offered-for-sale-until-final-plat-or-short-plat-approval-))~~
 14 in violation of the state subdivision act, RCW 58.17.

15 SECTION 2. Ordinance 4667, Section 4, Ordinance 3144,
 16 Section 8(part) and KCC 21.08.080 are each hereby amended to
 17 read as follows:

18 Permissible lot coverage. ~~((f+a))~~ A. Except as otherwise
 19 provided for schools and churches, all buildings, including
 20 accessory buildings and structures, but not including any open
 21 areas used to provide parking spaces or private swimming pools,
 22 shall not cover more than thirty-five percent of the area of the
 23 lot. In the case of churches and schools, the limitation of lot
 24 coverage shall pertain to buildings and structures only and does
 25 not include open air parking areas.

26 ~~((f+b))~~ B. In subdivisions or short subdivisions where lot
 27 averaging, lot clustering or flexible setback requirements of
 28 ~~((Ordinance-4304))~~ K.C.C. 21.48.270 are used, residential lot
 29 coverage shall be limited to thirty-five percent of the ~~((total--~~
 30 ~~area-of-lots))~~ minimum lot area of the zone classification,
 31 except that the lot coverage provisions of the RT zone shall
 32 apply to lots developed with townhouses.
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1 SECTION 3. Ordinance 4689, Section 6 and KCC 21.17.040 are
2 each hereby amended to read as follows:

3 Forms of townhouse occupancy and conveyance. A. The RT
4 classification is designed as a flexible tool to meet the needs
5 of a variety of housing consumers and producers. Therefore,
6 townhouse developments may be built for renter occupancy of
7 units on a site under one ownership, owner occupancy of units on
8 a commonly owned site through condominium agreements pursuant to
9 Chapter 64.32 RCW, or owner or renter occupancy of separately
10 conveyed units on individual lots created through subdivision or
11 short subdivision pursuant to Chapter 58.17 RCW. The
12 requirements of this chapter apply regardless of the form of
13 occupancy or ownership; the terms "lot" and "unit" are therefore
14 interchangeable, depending on whether the site of a proposed
15 townhouse development is to be subdivided or remain under one
16 ownership. Similarly, "lot lines" shall connote common walls
17 and the exterior boundaries of private open space attached to
18 each unit when no subdivision or short subdivision is used.
19 Townhouse condominium developments proposed with setback
20 variations pursuant to (~~Ordinance-4304~~) K.C.C. 21.48.270 must
21 be approved by means of a short subdivision.

22 B. Construction of townhouse dwellings intended for
23 separate conveyance through subdivision or short subdivision may
24 commence prior to final plat or short plat approval, provided:

25 1. The proposed subdivision or short subdivision has
26 received preliminary approval;

27 2. Partial or complete construction of structures shall
28 not relieve the subdivider from, nor impair county enforcement
29 of, conditions of subdivision or short subdivision approval;

30 3. Units (~~(may-not-be)~~) are not sold (~~(or-offered-for~~
31 ~~sale-unit-final-plat-or-short-plat-approval.)~~) in violation of
32 the state subdivision act, RCW 58.17.

1 C. No subdivision or short subdivision of a site containing
2 previously constructed townhouse dwellings shall be allowed
3 unless all common walls meet building code and fire code
4 requirements for separately owned dwellings.

5 SECTION 4. Ordinance 5331, Section 5 and KCC 21.17.090 are
6 each hereby amended to read as follows:

7 Site improvement and design standards. In conditioning
8 townhouse development approval, whether by subdivision or short
9 subdivision review or by building permit review when the site
10 remains commonly owned, the following shall be required, subject
11 to administrative discretion when appropriate:

12 A. Street Improvements. All streets and alleys, whether
13 public or private, shall be designed and constructed in
14 accordance with the adopted King County road standards codified
15 in (~~Chapter 19.20 of this code~~) K.C.C. 19.20.

16 B. Drainage Controls. Surface water runoff shall be
17 controlled in accordance with standards set forth in (~~Chapter~~
18 ~~20.50 of this code~~) K.C.C. 20.50.

19 C. Landscaping. Landscaping shall be installed in
20 accordance with the provisions set forth in (~~Chapter~~) K.C.C.
21 21.51. In addition, street trees, a minimum of ten feet or with
22 a minimum trunk diameter of one and one-half inches, shall be
23 planted not greater than thirty feet on-center. All trees shall
24 be chosen and maintained in accordance with the provisions of
25 (~~Chapter~~) K.C.C. 21.51. The manager may waive or reduce this
26 requirement when existing trees on the site can achieve
27 substantially the same effect.

28 D. Sidewalks or Walkways. Sideways or walkways shall be
29 provided which:

- 30 1. Are durable and serviceable;
31 2. Provide direct access to each unit;
32 3. Are functionally and safely convenient to any
33 community facilities or recreational areas within the site, and

1 to public streets and sidewalks adjacent to the site;

2 4. Are sufficiently wide to accommodate the projected
3 use; and

4 5. Are separated from vehicular traffic by curbs,
5 vegetation or other acceptable means.

6 E. Orientation. The overall development plan for the site
7 and orientation of individual units should reflect consideration
8 of the microclimate of the site, by orientation to sun, shade
9 and wind for increased energy efficiency of the development and
10 for maximum comfort of the residents.

11 F. Privacy. Each unit shall have reasonable visual and
12 accoustical privacy; and opportunities for viewing of public
13 areas and accessways should be considered in designing the
14 development. Private, semiprivate and public areas should be
15 clearly delineated by means of walls, fences, berms, landscaping
16 or other acceptable means.

17 G. Bulk and Setback Variation. Groups of townhouses with
18 three or more units attached to each other, whether being
19 conveyed together or separately, shall have at least a five-foot
20 variation in the front ((yard)) facade on at least every third
21 unit, or a five-foot "fin" extension of each common wall into
22 the front yard, to help provide privacy and identity for each
23 unit. In multiple lot subdivisions or short subdivisions, a
24 plot plan of the entire row in which each unit is located shall
25 be provided by the builder to show compliance with this
26 requirement.

27 SECTION 5. Ordinance 4304, Section 1 and KCC 21.48.270 are
28 each hereby amended to read as follows:

29 Flexible yard and lot dimension requirements in subdivisions
30 and short subdivisions. In subdivisions and short subdivisions
31 proposed to create residential building lots within any R, S or
32 G zone, required front, rear and side yard requirements and lot
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1 dimensions may be varied from those required by the zone in
 2 which the proposed subdivision or short subdivision is situated,
 3 in order to provide more optimal use of private or community
 4 open space, privacy, or more energy-efficient arrangement of
 5 structures, or to protect environmentally sensitive areas
 6 provided:

7 ((+1)) A. Primary and accessory residential buildings,
 8 whether on the same lot or on adjacent lots, must either
 9 maintain a separation of not less than ten feet or share a
 10 common wall;

11 ((+2)) B. If a detached structure is proposed to be
 12 located (~~touching-a-lot-line~~) within a normally required yard
 13 a ten-foot easement must be provided on the adjacent lot, said
 14 easement to be free of structures and other obstructions so as
 15 to allow painting, reroofing and other normal repair and
 16 maintenance of the structure's exterior. When structures are
 17 proposed to share a common wall on a lot boundary line, a plat
 18 covenant or condition of approval must be provided for necessary
 19 access to each adjacent lot to allow painting, reroofing and
 20 other normal repair and maintenance of each structure's exterior

21 ((+3)) C. The preliminary and final plat or short plat
 22 must show the (~~exact~~) approximate size and location of all
 23 structures (i.e. building envelopes) proposed to be placed in an
 24 otherwise required yard or open space. (~~Review-of-proposed-~~
 25 ~~subsequent-additions-to-such-structures-shall-be-governed-by~~
 26 ~~Section-21-52-050---Any-structure-not-specifically-shown-on-the~~
 27 ~~final-plat-or-short-plat-must-observe-all-normally-required-~~
 28 ~~yards-and-setbacks;~~) The manager may permit modifications of
 29 approved building envelopes for good cause. When the building
 30 envelope is to be located within a required yard the manager
 31 shall give notice to adjacent property owners and must allow
 32 fifteen (15) days for comments before making a decision.
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1 ((+4)) D. In no case shall a structure be located closer
2 than the normally required side yard distance from the boundary
3 of the proposed subdivision or short subdivision. This
4 restriction may be waived by the County when an adjacent
5 property has been developed under a planned unit development or
6 under the provisions of this section, and the county has
7 determined that no adverse impact on the adjacent property will
8 result;

9 ((+5)) E. Eaves, but no other part of any structure, may
10 protrude no more than eighteen inches across a side or rear lot
11 line;

12 ((+6)) F. In order to preserve privacy between adjacent
13 lots, when a residence is located within an otherwise required
14 side or rear yard, there shall be no windows, doors or
15 mechanical vents in the walls facing the nearest lot lines
16 ~~((--No doors or mechanical vents shall be installed in such~~
17 ~~walls))~~ except when such walls abut permanent open space or a
18 public or private right-of-way;

19 ((+7)) G. The setback flexibility allowed by this section
20 shall not eliminate the vision requirements of ((Section))
21 K.C.C. 21.48.130 or any other county requirements relating to
22 traffic safety at or near street intersections;

23 ((+8)) H. Average lot area and lot area per dwelling unit
24 shall be as required in the zone in which the proposed subdi-
25 vision or short subdivision is located;

26 ((+9)) I. All normal yard, open space and lot dimension
27 requirements shall apply to lots proposed to be created through
28 a subdivision or short subdivision unless King County determines
29 that a proposed modification of normally required yards or lot
30 dimensions is consistent with the purposes of this title and
31 county subdivision regulations. King County shall deny or
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1 modify any proposed variation from normally required yards or
 2 lot dimensions within a subdivision or short subdivision as
 3 necessary to accomplish the purposes of this title and the
 4 county's subdivision regulations, and to minimize adverse
 5 impacts on adjacent properties.

6 ((+10)) J. Prior to selling any lot or residence in a
 7 subdivision or short subdivision which provides for flexible
 8 yard or lot dimension arrangements as allowed by this section,
 9 the seller shall show the prospective purchase a copy of the
 10 plat or short plat depicting the arrangement of lot lines and
 11 structures, and shall provide a clear written explanation of the
 12 provisions of this section to said prospective purchaser.

13 SECTION 6. Ordinance 5786, Section 4, Ordinance 4221,
 14 Section 1 and KCC 21.62.050 are each hereby amended to read as
 15 follows:

16 Filing fees. The following fees shall be paid upon the
 17 filing of any application:

18 A. Reclassification to:

- 19 1. RS, SR, SE, SC, G, G-5, AOU, A, FR, FP, RMHP, RD ...
 20 \$300 + \$25/acre ... Max. \$750.00.
 21 2. RT, RM-2400, RM-1800 ... \$550 + \$25/acre ... Max.
 22 \$850.00.
 23 3. RM-900, BN, BC, BR-C, BR-N ... \$750 + \$30/acre ... Max.
 24 \$1,100.
 25 4. CG, ML, MP, MH, QM ... \$800 + \$30/acre ... Max. \$1,200.

26 B. Unclassified Use Permits ... Max. \$1,000.

27 C. Planned Unit Developments ((+))

28 ((1--Residential)) ... \$500 + \$50/acre ... Max. \$1,250.

29 If the planned unit development includes a request for
 30 reclassification, no fee will be required for the
 31 reclassification.
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D. Conditional Use Permits ... \$450.

E. Variances\$250.

F. Appeals - Zoning and Subdivision Examiner's
Recommendations ...\$25.

G. Modification of a recorded building envelopes pursuant
to Section 21.48.270(C) ... \$125.

INTRODUCED AND READ for the first time this 3rd day
of May, 1982.

PASSED this 19th day of July, 1982.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Louis North
Chairman

ATTEST:

Dorothy M. Quena
DEPUTY Clerk of the Council

APPROVED this 30th day of July,
1982.

Randy Ruwe
King County Executive

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