

ORDINANCE NO. **10457**

AN ORDINANCE repealing the lot combining requirements for substandard lots, repealing Ordinance 2735, Section 3 and K.C.C. 21.48.250, and amending Ordinance 2735, Section 2 and K.C.C. 21.48.240.

FINDINGS:

The existing zoning code provisions require that whenever two or more adjacent lots are in common ownership, they must be combined for purposes of building new residential structures. Further, the code allows construction of two new homes whenever adjacent lots in common ownership comprise at least 150% of the minimum lot size required by the zone.

These lot combining requirements do not apply in an a G,S, or A zone, where any parcel 7200 square feet in size is buildable regardless of common ownership of adjacent lots.

BALD has not been applying the lot combining provisions of the code consistently, and has in fact issued building permits for each lot in a series of adjacent substandard lots which were in common ownership. The Division has found this requirement to be difficult to monitor and enforce, and recommends that it be removed from the code.

Growth management and affordable housing objectives are advanced when code provisions are adjusted to facilitate the reasonable use of residential building sites, so long as similar properties are treated similarly.

Repealing of the lot aggregation requirements of the code would treat properties of similar size in the same manner, and eliminate existing disparate treatment of similar properties now caused by the literal terms of the existing zoning code.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 2735, Section 2 and K.C.C. 21.48.240

are each hereby amended as follows:

21.48.240 Substandard lot - Single. An owner of a single substandard lot (~~(who does not own adjacent vacant property)~~) may use such lot as follows:

A. A single-family residence may be (~~(erected)~~) located on a single substandard lot provided such use is permitted in the zone.

1           B.    In two-family and multiple family zones, there may  
2 be one dwelling unit located on a single substandard lot for  
3 each unit of required minimum lot area per dwelling unit  
4 contained therein.

5           C.    In every case, all other requirements of the zone  
6 shall be met except that:

7           1. where a lot became substandard by a change from one  
8 residential classification to another, the yard requirements of  
9 the "RS" classification shall apply;

10          2. where a lot became substandard by a change from a  
11 residential or forest and recreation zone to an agricultural or  
12 forest resource zone, the yard requirements of the previous  
13 classification shall apply.

14          SECTION 2. Ordinance 2735, Section 3 and K.C.C. 21.48.250  
15 are each hereby amended as follows:

16          21.48.250 Substandard lot - Two or more.

17          Two or more substandard lots (~~(or fractions of lots)~~)  
18 under the same ownership as of the effective date of the  
19 ordinance codified in this title, which have common side lot  
20 lines and cannot individually satisfy the lot area and width  
21 requirements of the zone, shall only be used, divided,  
22 transferred, sold or ownership changed in combinations which  
23 produce building sites that satisfy the requirements of (~~the~~  
24 ~~zone in which they are located, with the following~~  
25 ~~exceptions:)~~ this section as follows: (~~A. One single family~~  
26 ~~dwelling may be erected on any combination of substandard lots~~  
27 ~~and fractions thereof which in total contain less than the lot~~  
28 ~~area requirement for the zone; provided, the owner of such lots~~  
29 ~~does not own adjoining vacant property)).~~

30 (~~B. Two single family dwellings may be located on any~~  
31 ~~combination of substandard lots or fractions thereof which in~~  
32 ~~total contain at least one and one half but less than twice the~~  
33 ~~lot area requirement; provided, that two building sites of~~  
34 ~~approximately equal size result with a minimum lot width of~~

1 ~~forty feet and the owner of such lots does not own adjoining~~  
2 ~~vacant property.))~~

3 A. A single family residence may be located on each single  
4 substandard lot: provided that in an F,AR or A zone, the lot  
5 contains at least twelve thousand five hundred square feet and  
6 is at least sixty feet in width. Lots of less than twelve  
7 thousand five hundred square feet in the F,AR and A zones may  
8 be used for single family residences only in combinations which  
9 equal or exceed twelve thousand five hundred square feet. In  
10 cases where all lots under a single contiguous ownership in an  
11 F,AR or A zone do not total at least twelve thousand five  
12 hundred square feet, only one single family residence may be  
13 located within the total contiguous ownership.

14 ((~~C.~~) B. On substandard lots in two-family and  
15 multifamily zones, one dwelling unit may be erected for each  
16 unit of required minimum lot area per dwelling unit contained  
17 therein.

18 C. In all cases all other requirements of the zone shall be  
19 met, provided that setbacks may be adjusted consistent with the  
20 provisions of K.C.C. 21.48.240.

21 ~~((D. In each of the above situations all other requirements of~~  
22 ~~the zone shall be met, provided that setbacks may be adjusted~~  
23 ~~consistent with the provisions of K.C.C. 21.48.240.~~

1 ~~E. A legally created lot in a G, S, F, AR or A zone, which~~  
2 ~~contains at least seven thousand two hundred square feet and is~~  
3 ~~at least sixty feet in width, may be used for a single family~~  
4 ~~dwelling regardless of the location and number of other lots~~  
5 ~~under the same ownership.))~~

6 INTRODUCED AND READ for the first time this 6<sup>th</sup>  
7 day of April, 1992

8 PASSED this 6<sup>th</sup> day of July, 1992

9 KING COUNTY COUNCIL  
10 KING COUNTY, WASHINGTON

11 Audrey Singer  
12 Chair

13 ATTEST:

14 Gerald A. Peterson  
15 Clerk of the Council

16 APPROVED this 17 day of July, 1992

17 Ruth Rexel  
18 King County Executive