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Ordinance No. 106057

AN ORDINANCE relating to land use and zoning; amending Sections 10.1, 11.1 and 22.3 of the Zoning Ordinance (86300) to eliminate certain exceptions to the minimum lot area required for duplexes and triplexes.

178- Pass

COMPTROLLER FILE NUMBER 283181

Council Bill No. 97937

INTRODUCED: NOV 22 1976	BY: EXECUTIVE REQUEST
REFERRED: NOV 22 1976	TO: PLANNING & URBAN DEV.
REFERRED:	
REFERRED:	
REPORTED: DEC 13 1976	SECOND READING: DEC 13 1976
THIRD READING: DEC 13 1976	SIGNED: DEC 13 1976
PRESENTED TO MAYOR: DEC 14 1976	APPROVED: DEC 21 1976
VETO TO CITY CLERK: DEC 21 1976	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

76 NOV 15 PM 3:26

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ORDINANCE 106057

AN ORDINANCE relating to land use and zoning; amending Sections 10.1, 11.1 and 22.3 of the Zoning Ordinance (86300) to eliminate certain exceptions to the minimum lot area required for duplexes and triplexes.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 10.1 of the Zoning Ordinance (86300), as last amended by Ordinance 98608, is further amended to read as follows:

Section 10.1 Principal Uses Permitted Outright

10.11 The following uses:

- (a) RS 7200 principal uses permitted outright as specified and regulated in Article 7 unless modified in this Article.
- (b) Duplex dwellings.
- (c) Three family dwelling (triplexes) subject to the following conditions:

The minimum lot area shall be nine thousand (9,000) square feet, and Section 22.31 shall not apply.

10.12 Uses permitted when all buildings are located twenty (20) feet or more from any other lot in an R Zone:

Public and private colleges and universities for academic instruction, including dormitories owned and operated in connection therewith and accessory thereto; scientific and technological seminar centers and institutes for advanced study and other institutes organized as nonprofit entities for the advancement of knowledge, including theoretical and light

1 physical laboratory research incidental
2 thereto and customarily incidental accessory
3 uses, but excluding the performance of heavy
4 types of laboratory physical research.

5 Section 2. That Section 11.1 of the Zoning Ordinance
6 (86300), as last amended by Ordinance 98608, is further
7 amended to read as follows:

8 Section 11.1 Principal Uses Permitted Outright

9 11.11 The following uses:

10 (a) RD 7200 Principal Uses permitted outright as
11 specified and regulated in Article 10, unless
12 modified in this Article.

13 (b) Three-family dwellings (triplexes) subject to the
14 following conditions:

15 The minimum lot area shall be six thousand
16 five hundred (6,500) square feet, and Section
17 22.31 shall not apply.

18 (c) Townhouse structures, subject to the following
19 conditions:

20 (1) A townhouse structure shall contain at least
21 two (2) and not more than ten (10) townhouse
22 dwellings.

23 (2) The minimum lot area shall be at least sixteen
24 hundred (1,600) square feet per townhouse
25 dwelling and Section 22.31 shall not apply.

26 (3) Each townhouse dwelling shall have a rear and
27 front yard totaling forty-five (45) feet,
28 provided that the average of such front and
rear yards for one townhouse structure shall
be no less than twenty (20) feet and twenty-
five (25) feet respectively and the minimum

1 front or rear yard of any townhouse dwelling
2 shall be not less than ten (10) feet. If
3 townhouse dwellings make up an entire block
4 front, the front yard may be reduced to five
5 (5) feet, provided, however, that the townhouse
6 dwelling abutting a less intensive zone or
7 development shall provide front and rear
8 yards as otherwise required in the zone.

- 9 (4) The minimum side yard for an end townhouse
10 dwelling of a townhouse structure shall be
11 five (5) feet, except as modified in Section
12 22.4.
- 13 (5) Townhouse dwellings shall not occupy more
14 than fifty-five (55) percent of the lot and
15 Section 22.5 shall not apply.
- 16 (6) No townhouse dwelling shall exceed a height
17 of thirty-five (35) feet and Section 22.2
18 shall not apply.
- 19 (7) At least ten (10) feet of open space shall be
20 provided between townhouse structures except
21 when the overlap is ten (10) feet or less
22 and then the open space may be reduced to
23 five (5) feet.
- 24 (8) A minimum of fifteen (15) percent of the lot
25 must be private usable open space.
- 26 (9) In townhouse dwelling developments consisting
27 of five (5) or more townhouse dwellings the
28 required lot area may be reduced up to
fifteen (15) percent by providing an equivalent
amount of continuous common open space, not
including required parking area.

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(10) Required parking with connecting permanent pedestrian access shall be located within two hundred (200) feet of the townhouse dwelling that it serves.

(11) Each proposal for townhouse dwellings shall be reviewed in its preliminary form and approved in writing as to design prior to issuance of a building or use permit by the Director of Planning after receiving advice and recommendations from the Commission. Any applicant feeling aggrieved by a decision of the Director of Planning may appeal such decision within fourteen (14) days to the Council, citing the reasons therefor. The Council shall consider such appeal with or without a public hearing, and render a decision within 60 days of the filing of such appeal. The proposal will be judged as to design on the following criteria:

- (a) Efficient and harmonious grouping of structures and space encouraging individuality of separate townhouse dwellings within a unifying design concept.
- (b) Efficient parking for occupants and guests with adequate space for maneuvering.
- (c) Provision for short-term parking of service and delivery vehicles.
- (d) Provision for common open space.
- (e) Space for children's playspace with allowance for visual supervision.

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- (f) Access points from all townhouse dwellings to common space separated from moving vehicles.
- (g) Separation of pedestrians, common open spaces, and children's play spaces from moving vehicles.
- (h) Clear definition between the private domain of the townhouse dwelling and the surrounding public domain.
- (i) Screening of private spaces, as appropriate; and the Director of Planning may authorize fences exceeding the height limits established in Section 22.42(c) where necessary to achieve privacy.
- (j) Adequate light and air.
- (k) Provision for emergency access of escape, fire, ambulance and service.
- (l) Enclosed garbage storage and collection area.
- (m) Provision of space for control and maintenance of public utilities.
- (n) Preservation of natural vegetation and topography to the greatest extent possible.
- (o) Undergrounding of utilities.
- (p) Due consideration for the impact of the townhouse dwelling proposal on the vicinity or zone in which the property is located.

1 Section 3. That Section 22.3 as last amended by Ordinance
2 105654 is further amended to read as follows:

3 Section 22.3 Lot Area Modifications.

4 22.31 In the case of a corner lot, or a lot a side
5 lot line of which abuts upon a street, place,
6 or alley, the width of the lot may be increased
7 by one-half (1/2) the width of the abutting
8 side street, place, or alley, for the purpose
9 of computing the number of dwelling units
10 permitted in multiple dwellings of more than
11 three units, provided that no lot width used in
12 such computation shall exceed seventy-five (75)
13 feet and that no lot area used in such
14 computation shall exceed by more than twenty-five
(25) per cent the actual net area of such lot.

15 22.32 Lot Area Exceptions for Lots of Single Ownership.

16 (a) In any zone, except an M or I Zone, a
17 single family dwelling may be established on
18 a lot which cannot satisfy the lot area
19 requirements of the zone, provided that all
20 other bulk regulations shall apply, and
21 provided further that the owner of such lot
22 does not own any adjoining vacant property,
23 and that such lot was of public record or
24 under bona fide contract of purchase prior
25 to the effective date of this ordinance.
26 Said exception shall not apply to any lot
27 which was formerly a part of two or more
28 contiguous, vacant lots fronting on the
same street and held under common ownership
on or after the effective date of Ordinance

(To be used for all Ordinances except Emergency.)

105289.

(b) In a RM 1600, RM 800, RMH 350, B or C Zone, a duplex dwelling may be established on a lot having less than the required lot area, provided that yard and lot coverage regulations shall apply, and provided further that the owner of such lot does not own any adjoining vacant property and that such lot was of public record or under bona fide contract of purchase prior to the effective date of this ordinance.

Section 4..... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 13 day of December, 1976, and signed by me in open session in authentication of its passage this 13 day of December, 1976.

[Signature]
President of the City Council.

Approved by me this 21 day of December, 1976.

[Signature]
Mayor.

Filed by me this 21 day of December, 1976.

Attest: *[Signature]*
City Comptroller and City Clerk.

(SEAL)

Published.....

By *[Signature]*
Deputy Clerk.

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on

PLANNING & URBAN DEVELOPMENT

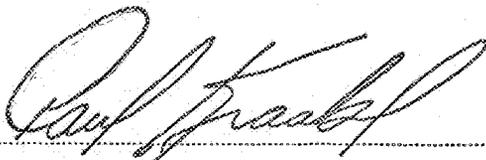
DEC 13 1976

to which was referred

C.B. 97937

Relating to land use and zoning; amending Sections 10.1, 11.1 and 22.3 of the Zoning Ordinance (86300) to eliminate certain exceptions to the minimum lot area required for duplexes and triplexes.

RECOMMEND THAT THE SAME DO PASS



P&UD

Chairman

Chairman

Committee

Committee

Affidavit of Publication

STATE OF WASHINGTON,
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

ORDINANCE NO 106057

was published on Dec 23, 1976

B. Abbatt

Subscribed and sworn to before me on

Dec 23, 1976

[Signature]

Notary Public for the State of Washington,
residing in Seattle.

ORDINANCE 18667

AN ORDINANCE relating to land use and zoning amending Sections 10.1, 11.1 and 22.1 of the Zoning Ordinance (86300) to eliminate certain exceptions to the minimum lot area required for duplexes and triplexes.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 10.1 of the Zoning Ordinance (86300), as last amended by Ordinance 23604, is further amended to read as follows:

Section 10.1 Principal Uses Permitted Outright

10.11 The following uses:

(a) RS 7200 principal uses permitted outright as specified and regulated in Article 7 unless modified in this Article.

(b) Duplex dwellings.

(c) Three family dwelling (triplexes) SUBJECT TO THE FOLLOWING CONDITIONS:

THE MINIMUM LOT AREA SHALL BE nine thousand (9,000) square feet AND SECTION 22.31 SHALL NOT APPLY.

10.12 Uses permitted when all buildings are located twenty (20) feet or more from any other lot in an R Zone:

Public and private colleges and universities for academic instruction, including dormitories owned and operated in connection therewith and accessory thereto; scientific and technological seminar centers and institutes for advanced study and other institutes organized as nonprofit entities for the advancement of knowledge including theoretical and light physical laboratory research incidental thereto and customarily incidental accessory uses, but excluding the performance of heavy types of laboratory physical research.

Section 2. That Section 11.1 of the Zoning Ordinance (86300), as last amended by Ordinance 93604, is further amended to read as follows:

Section 11.1 Principal Uses Permitted Outright

11.11 The following uses:

(a) RD 7200 Principal Uses permitted outright as specified and regulated in Article 10, unless modified in this Article.

(b) Three-family dwellings (triplexes) SUBJECT TO THE FOLLOWING CONDITIONS:

THE MINIMUM LOT AREA SHALL BE six thousand five hundred (6,500) square feet AND SECTION 22.31 SHALL NOT APPLY.

(c) Townhouse structures, subject to the following conditions:

(1) A townhouse structure shall contain at least two (2) and not more than ten (10) townhouse dwellings.

(2) The minimum lot area shall be at least sixteen hundred (1,600) square feet per townhouse dwelling and Section 22.31 shall not apply.

(3) Each townhouse dwelling shall have a rear and front yard totaling forty-five (45) feet provided that the average of such front and rear yards for one townhouse structure shall be no less than twenty (20) feet and twenty-five (25) feet respectively and the minimum front or rear yard of any townhouse dwelling shall be not less than ten (10) feet. If townhouse dwellings make up an entire block front, the front yard may be reduced to five (5) feet provided, however, that the townhouse dwelling abutting a less intensive zone or development shall provide front and rear yards as otherwise required in the zone.

(4) The minimum side yard for an end townhouse dwelling of a townhouse structure shall be five (5) feet, except as modified in Section 22.4.

(5) Townhouse dwellings shall not occupy more than fifty-five (55) per cent of the lot and Section 22.5 shall not apply.

(6) No townhouse dwelling shall exceed a height of thirty-five (35) feet and Section 22.2 shall not apply.

(7) At least ten (10) feet of open space shall be provided between townhouse structures except when the overlap is ten (10) feet or less and then the open space may be reduced to five (5) feet.

(8) A minimum of fifteen (15) per cent of the lot must be private usable open space.

(9) In townhouse dwelling developments consisting of five (5) or more townhouse dwellings, the required lot area may be reduced up to fifteen (15) per cent by providing an equivalent amount of contiguous common open space, not including required parking area.

(10) Required parking with connecting permanent pedestrian access shall be located within two hundred (200) feet of the townhouse dwelling that it serves.

(11) Each proposal for townhouse dwellings shall be reviewed in its preliminary form and approved in writing as to design prior to issuance of a building or use permit by the Director of Planning after receiving advice and recommendations from the Commission. Any applicant feeling aggrieved by a decision of the Director of Planning may appeal such decision within fourteen (14) days to the Council, citing the reasons therefor. The Council shall consider such appeal with or without a public hearing, and render a decision within 60 days of the filing of such appeal. The proposal will be judged as to design on the following criteria:

(a) Efficient and harmonious grouping of structures and space encouraging individuality of separate townhouse dwellings within a unifying design concept.

(b) Efficient parking for occupants and guests with adequate space for maneuvering.

(c) Provision for short-term parking of service and delivery vehicles.

(d) Provision for common open space.

(e) Space for children's play space with allowance for visual supervision.

(f) Access points from all townhouse dwellings to common space separated from moving vehicles.

(g) Separation of pedestrians, common open spaces, and children's play spaces from moving vehicles.

(h) Clear definition between the private domain of the townhouse dwelling and the surrounding public domain.

(i) Screening of private spaces, as appropriate; and the Director of Planning may authorize fences exceeding the height limits established in Section 22.42(c) where necessary to achieve privacy.

(j) Adequate light and air.

(k) Provision for emergency access of escape, fire, ambulance and service.

(l) Enclosed garbage storage and collection area.

(m) Provision of space for control and maintenance of public utilities.

(n) Preservation of natural vegetation and topography to the greatest extent possible.

(o) Undergrounding of utilities.

(p) Due consideration for

the impact of the townhouse dwelling proposal on the vicinity or zone in which the property is located.

Section 3. That Section 22.3 as last amended by Ordinance 18664 is further amended to read as follows:

Section 22.3 Lot Area Modifications

22.31 In the case of a corner lot, or a lot a side lot line of which abuts upon a street, place, or alley, the width of the lot may be increased by one-half (1/2) the width of the abutting side street, place, or alley, for the purpose of computing the number of dwelling units permitted in multiple dwellings OF MORE THAN THREE UNITS provided that no lot width used in such computation shall exceed seventy-five (75) feet and that no lot area used in such computation shall exceed by more than twenty-five (25) per cent the actual net area of such lot.

22.32 Lot Area Exceptions for Lots of Single Ownership.

(a) In any zone, except an M or I Zone, a single family dwelling may be established on a lot which cannot satisfy the lot area requirements of the zone provided that all other bulk regulations shall apply, and provided further that the owner of such lot does not own any adjoining vacant property and that such lot was of public record or under bona fide contract of purchase prior to the effective date of this ordinance. Said exception shall not apply to any lot which was formerly a part of two or more contiguous, vacant lots fronting on the same street and held under common ownership on or after the effective date of Ordinance 105239.

(b) In a RM 1600, RM 800, RMH 150, B or C Zone, a duplex dwelling may be established on a lot having less than the required lot area, provided that yard and lot coverage regulations shall apply. And provided further that the owner of such lot does not own any adjoining vacant property and that such lot was of public record or under bona fide contract of purchase prior to the effective date of this ordinance.

Section 4. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 13th day of December, 1976, and signed by me in open session in authentication of its passage this 13th day of December, 1976.

SAM SMITH,
President of the City Council.

Approved by me this 21st day of December, 1976.

WES UHLMAN,
Mayor.

Filed by me this 21st day of December, 1976.

Attest: E. L. KIDD,
City Comptroller and
City Clerk.

(Seal) By W. ANGEVINE,
Deputy Clerk.

Publication ordered by E. L. KIDD, Comptroller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce, Seattle, December 23, 1976.