

TRANSITIONAL AREA ORDINANCE Continued....

PART 2 of 2

Section 5. Amendment. Amend the list of sections in Chapter 19.30 of the Mountlake Terrace Municipal Code, RS – Single-Household Residential Districts, to read as follows:

Chapter 19.30
RS – SINGLE-HOUSEHOLD RESIDENTIAL DISTRICTS

Sections:

- 19.30.010 Purpose and intent.
- 19.30.020 Uses.
- 19.30.030 Dimensional requirements.
- 19.30.035 ~~Density and~~ Lot area calculations.
- 19.30.040 Special regulations.
- 19.30.050 Accessory dwellings.
- 19.30.060 RS 4800 district standards.
- 19.30.065 Transitional ~~uses~~ Area district standards.
- 19.30.070 Cottage housing.
- 19.30.080 General residential design standards.
- 19.30.090 Off-street parking and driveways.
- 19.30.100 Electric vehicle charging station level 2, home preparation.
- ~~19.30.110 Low impact development (LID).~~

Section 6. Amendment. Section 19.30.010 (Ord. 2699 § 5) of the Mountlake Terrace Municipal Code, Dimensional requirements, is hereby amended to read as follows:

19.30.010 Purpose and intent.

The purpose of single-household residential districts (RS districts) is to provide land for single-household residences and other complementary uses, while encouraging a clean and healthy environment, safety, walkability, neighborliness, affordability for a range of income levels, and adequate open space. RS 8400 is a zoning designation intended to require slightly larger residential lots than the RS 7200 zoning designation. The RS 4800 is intended to provide opportunities for market-rate affordable housing and to reflect the interest of many homeowners in having somewhat smaller lots to maintain. RS-5 is a zoning designation that allows townhomes and parking lots to provide a transition between traditional RS districts and the BC/D zoning district. The RS districts are shown on the City's Official Zoning Map. (Ord. 2699 § 5, 2016; Ord. 2480 § 3, 2008).

Section 7. Amendment. Section 19.30.030 (Ord. 2699 § 6) of the Mountlake Terrace Municipal Code, Dimensional requirements, is hereby amended to read as follows:

19.30.030 Dimensional requirements.

A. Dimensional requirements, as identified in subsection C of this section, shall apply to all buildings and lots in the RS districts, except as otherwise specifically provided by this chapter.

B. For the purpose of establishing dimensional requirements in the RS districts, the definitions that are provided by this subsection and affect corner lots shall be used. If such definitions conflict with definitions in Chapter [19.15](#) MTMC as they relate to corner lots, the definitions in this subsection shall prevail over those in Chapter [19.15](#) MTMC.

1. “Corner lot” means a lot or parcel of land abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than 135 degrees.

2. “Front yard” means the area between a parcel’s front property line and the required building setback line, except that corner lots shall be considered to have only one front yard, which shall be measured from the front property line as defined in this section.

3. “Lot, corner” means “corner lot” as defined in this section.

4. “Lot coverage” means the portion of the lot that is covered by buildings; or, if specifically so indicated, the portion of the lot that is covered by buildings and surface vehicle parking, excluding driveways and similar surfaces.

5. “Lot line” means a line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space.

56. “Lot line, front” has the same meaning as in MTMC [19.15.130](#), except that a corner lot shall be considered to have only one front lot line, which is the parcel’s property line along the street on which the parcel takes or is expected to take its address.

67. “Property line” means “lot line” as defined in this section.

78. “Residential character” means characteristics of appearance and use that are similar to typical residential use, scale, building form, and building materials. It does not include uses or exterior appearances that are industrial or commercial in nature.

89. “Underlying district” means the basic zoning district and does not refer to overlay districts or special zoning categories, such as ~~the smaller lot overlay district or cottage housing. (For example, in this chapter, the three underlying districts are RS 4800, RS 7200 and RS 8400.)~~

C. Dimensional requirements for lots and buildings in RS districts are set forth in the following dimensional requirements table:

Dimensional Requirements Table

	Residential Zoning Districts			
	RS 8400	RS 7200	RS 4800 ^{2,3}	TA
Maximum Building Height	3 stories, not to exceed 35 feet	3 stories, not to exceed 35 feet	2 stories, not to exceed 30 feet	<u>3 stories, not to exceed 35 feet</u>
Front Yard Setback (minimum)	20 feet	15 feet, except that any garage entry that faces the street, shall be at least 20 feet from property line	15 feet, except that any garage entry that faces the street, shall be at least 20 feet from property line	65 feet for any townhome or commercial parking lot; otherwise, same as for RS 4800.

Rear Yard Setback (minimum)	20 feet	15 feet	15 feet	<u>15 feet</u>
Side Yard Setback (minimum) ²	5/10 feet	5/10 feet	5/10 feet	<u>5/ 7 feet</u>
Lot Width at Building Setback Line (minimum)	55 feet	45 feet	40 feet	<u>40 feet</u>
Lot Width at Street (minimum)	40 feet ³⁵	30 feet ³⁵	30 feet ³⁵	<u>30 feet</u>
Lot Coverage by Structures (maximum)	40% of lot area	40% of lot area	40% of lot area	<u>60% of lot area*</u>
Lot Coverage by Impervious Surfaces (maximum)	45% of lot area	45% of lot area	45% of lot area	
Lot Coverage by Hard Surfaces (maximum)	55% of lot area	55% of lot area	55% of lot area	
Mean Lot Depth (minimum)	80 feet	70 feet	70 feet	<u>70 feet</u>
Lot Area (minimum; except as specifically allowed otherwise under this chapter or the provisions of Title 17) ^{**}	8,400 square feet	7,200 square feet	4,800 square feet	<u>4,800 square feet⁴</u>
Maximum Floor Area Ratio (FAR)	None	None	0.6	<u>None</u>

¹~~Lots in all residential zoning districts are subject to the low impact development (LID) provisions of MTMC 19.30.110, which may supersede the provisions of this section.~~

²~~Exception: Smaller lots/Lesser areas or distances may be allowed subject to meeting the requirements of MTMC 19.30.035, 19.30.070, as applicable, or ~~other specific provisions of~~ as otherwise specifically allowed under this title or MTMC Title 17.~~

³~~Lots in the RS 4800 district are subject to the additional standards of MTMC 19.30.060.~~

⁴For a corner lot as defined in this section, the larger number shall be used for any side yard that is adjacent to a street but is not the front yard as defined in this section.

⁵~~Exception~~³ Exception: Flag/panhandle lots shall be a minimum of 12 feet at the street.

⁴Exception: Lots in this district that have frontage on the west side of 58th Avenue W or the north side of 230th Street SW shall have a minimum lot area of 7200 square feet.

*In the TA district, "Lot coverage" is 60% by structures and surface parking, excluding driveways and similar surfaces.

**Except as specifically allowed otherwise under this chapter or the provisions of Title 17 MTMC.

(Ord. 2699 § 6, 2016; Ord. 2529 § 1, 2010).

Section 8. Amendment. Section 19.30.035 (~~Ord. 2697 § 2~~) of the Mountlake Terrace Municipal Code, Density and lot area ~~Calculations~~, is hereby renamed, Lot Area Calculations, and amended to read as follows:

19.30.035 ~~Density and Lot~~ area calculations.

A. No more than one dwelling unit shall be developed on each lot within an RS district, except as otherwise specifically permitted under this title or MTMC Title 17. For townhomes in the TA district, the lot dimensional requirements generally apply to the parent lot, not individual townhome parcels.

B. Regardless of the minimum lot area required under MTMC 19.30.030, a subdivision may include one lot that does not meet minimum lot requirements; provided, that the lot would have an area that is at least 90 percent of the required minimum lot area of the underlying district and would meet all other dimensional requirements of MTMC 19.30.030(C).

~~C. The RS district has target net densities as follows (rounded to the nearest whole number): RS 7200 — 4.5 units per acre, RS 8400 — 4.0 units per acre; RS 4800 — 7.0 units per acre. (Ord. 2697 § 2, 2016; Ord. 2529 § 2, 2010).~~

Section 9. Amendment. Section 19.30.060 (Ord. 2699 § 8) of the Mountlake Terrace Municipal Code, RS 4800 district standards, is hereby amended to read as follows:

19.30.060 RS 4800 district standards.

A. In addition to the standards of MTMC 19.30.030(C), the following standards apply to the RS 4800 zoning district:

1. No more than one flag lot shall be created from a parent lot.
2. Each home shall have a floor plan that is different than the adjacent house; a reversed or flipped floor plan does not count as being different.
3. Carports and tent structures for vehicles or storage are not allowed.
4. The garage of a home shall comprise no more than two-thirds of any street-facing facade of the home.
5. Street-facing facades of houses and garages shall include windows comprising at least 15 percent of the facade.
6. The roof pitch of any structure shall be at least six feet rise to 12 feet of run (6:12) over at least 80 percent of the structure's footprint, except as otherwise provided for townhomes under ~~in~~ MTMC 19.30.065(1)(e).
7. Lots in the RS 4800 district that are at least 7,200 square feet may develop according to the dimensional standards of the RS 7200 district as described in MTMC 19.30.030(C); provided, that all other development standards of the RS 4800 district are met. (Ord. 2699 § 8, 2016).

Section 10. Amendment. Section 19.30.065 (Ord. 2667 § 4) of the Mountlake Terrace Municipal Code, Transitional uses, is hereby deleted and replaced to read as follows:

~~19.30.065 Transitional uses.~~

~~Townhomes and parking lots are permitted as transitional uses in the RS zoning districts according to the following standards:~~

~~A. Location. Transitional uses are allowed only on parcels that (1) directly front on streets abutting BC/D zoning district, and (2) are directly accessed off streets abutting the BC/D zoning district.~~

~~B. Townhomes Development Standards:~~

~~1. Building design standards of the BC/D zoning district apply.~~

~~2. Setbacks:~~

~~a. Front yard: same as BC/D.~~

~~b. Side and rear yard: same as RS zoning district.~~

~~3. Height. Same as RS zoning district.~~

~~C. Parking Lot Development Standards:~~

~~1. Parking lots are permitted as overflow or off premises parking to uses in the BC/D district lying within 150 feet of the site, as measured from the closest points of each property to each other.~~

~~2. All standards of Chapter 19.125 MTMC apply.~~

~~3. Landscape Buffer. A 15-foot wide dense vegetative screen shall be provided along all property lines of the subject site abutting any lot in the RS zoning district that does not lie within the transitional use area. The vegetative screen shall include:~~

~~a. Evergreen fir or cedar trees at maximum 15-foot intervals, at least six feet high at planting.~~

~~b. Understory shrubs with year-round screening qualities, minimum two-gallon planting size, spaced four feet on center and located to fill voids between evergreen trees.~~

~~4. Lighting. Fixtures for lighting are limited to 20-foot high maximum. Except for decorative pedestrian scaled lighting, all light fixtures shall (a) be shielded to ensure full-horizontal cut-off and to ensure that the lamp within the fixture is not visible to abutting residential development; and (b) use flat lenses rather than curved drop lenses to avoid horizontal refraction of light below the fixture's solid housing. Lighting shall be designed to not spill onto abutting properties, as determined by a photometric plan prepared by a lighting engineer. (Ord. 2667 § 4, 2015).~~

19.30.065 Transitional area (TA).

A. Townhome Development Standards. The TA district allows townhomes and parking lots to provide transition between portions of the BC/D district and single-household zoning districts, consistent with the standards of this section. Other uses are allowed in the TA district pursuant to Chapter 19.23; the other uses are subject to the same standards as for the RS 4800 district.

1. The overall intent of the townhome development standards is to:

a. Ensure a safe and comfortable experience for pedestrians;

b. Provide an attractive appearance, especially from the street view; and

c. Encourage housing options and landscapes that provide a neighborly transition between the Town Center and larger-lot residential zones. If any development standards of this section conflict with other provisions of the municipal code, this section shall prevail.

2. The Transitional Areas Design Standards, incorporated as if fully set forth here, with any subsequent amendments, shall apply to all townhome developments of two or more units

3. The following standards apply in addition to any other city standards applicable to improvements in the public right-of-way

1. Sidewalks shall be at least 5 feet and more where needed for intersections and other special functions. T
2. A 5-foot wide street tree landscape area shall be between the sidewalk and street curb. Street trees shall be planted per Town Center Construction Standards.
4. Outdoor Common Spaces - at least 10% of the parent lot shall be comprised of common open space that may be equally used or otherwise enjoyed by all residents. *Common open space may include shared pedestrian walkways and the first five feet of landscaped area at the front of the lot; it shall not include areas designed for private outdoor space or auto use. Up to half of the required outdoor common space may include rooftop decks that are shared as common space among units.*

5. Private outdoor space.

- a. Each townhome unit shall have a minimum of 75 square feet of that is directly accessible from the unit and not part of the common outdoor space.
- b. Private outdoor space may be provided by such features as decks, patios, balconies, porches, walkways, yards, and gardens that are associated with an individual residential unit.
- c. Roof surfaces may be used as private outdoor space for each unit.

6. Exceptions to height limits.

- a. A structure to access the roof shall not be included in the maximum townhome building height, so long as the structure is set back at least five feet from the required yard setbacks.
- b. The structure shall be primarily for access to the rooftop and may include mechanical equipment or other ancillary items but shall not include livable floor space.
- c. Solid walls (or parapets) no taller than the minimum building height are not included in the height calculation where such features are used for enclosing a rooftop deck and shall be setback at least 5 feet from edge of building face. In no case may a parapet or wall exceed 4 feet above roof deck height
- d. Railings that are at least 80% open are not subject to an additional setback and limited to feet in height.

7. Two on-site vehicle parking spaces are required for each townhome unit that has a floor area greater than 1,200 square feet in area. One on-site vehicle parking space is required for each unit that has a floor area of 1,200 square feet or less.

8. Sheltered, secure storage for two bicycles per townhome shall be provided. The storage may be located in a garage; it shall not be on a deck or balcony.

9. For each story of the façade facing the street, transparent glazing that comprises at least 25% of the wall area shall be provided. For this purpose, a story does not include any portion of the building that is four feet or more below grade.

10. Where a townhome fronts a street, it shall include a pedestrian entrance, provided that for corner lots, a pedestrian entrance on only one of the streets is required.

11. Garage entrances facing the street shall comprise no more than 30% of the building's front ground level façade. Garage entrances facing a private street or shared driveway shall not be a dominant feature over pedestrian entrances and other architectural features of the façade. NOTE: More work needed to clarify intent and standard.

12. ~~Double loaded~~ Two-way driveways accessing the townhomes may be as narrow as 20 feet where a walkway of at least 48 inches in width for pedestrian access is provided at each side of the driveway. The walkway shall be of a different material or otherwise visually distinct from the vehicular driveway. Driveways and garage entrances shall be designed in a manner that discourages the parking of vehicles that would block the walkway.

B. Parking Lot Development Standards.

1. Parking lots are permitted as overflow or off-premises parking to uses in the BC/D district lying within 300 feet of the auxiliary parking site, as measured from the closest points of each property to each other. In no case may such parking be used or leased for parking by users other than those who the BC/D development serves (patrons, employees, and tenants).

2. Parking lot development is subject to the parking stall and drive aisle dimensional standards of Chapter 19.125. Each lot shall provide no less than one ADA and two electric vehicle parking spaces, regardless of the actual number of parking spaces developed. Up to 80% of the parking may be compact.

3. The parking lot design is consistent with the applicable Transitional Area Design Standards, as adopted and amended thereafter.

4. To encourage a mix of uses in this zone, no parking lot will extend more than 120 linear feet on a street frontage in any direction, and no parking lot will be closer than 60 feet from another, as measured along the street, and no more than 40% of the lots and street frontage may be developed and used for such parking lots.

Section 11. Amendment. Section 19.30.070 (Ord. 2699 § 9) of the Mountlake Terrace Municipal Code, Cottage housing, is hereby amended to read as follows:

19.30.070 Cottage housing.

A. "Cottage housing" or "cottage home development," for purposes of this chapter, means a set of detached small-scale homes that are clustered around common open space and that meet the requirements of this section. The intent of allowing cottage home development is to: (1) increase the variety of housing types available for smaller households; and (2) encourage creative and high quality infill development that fosters a sense of community. Pedestrian orientation and quality design are hallmarks of this type of infill development.

B. Early in the design phase of a potential cottage home development, the applicant shall, at his or her expense, hold an informational meeting within Mountlake Terrace to which all residents and property owners within 300 feet of the potential development, according to City or County records, and City staff have been invited via a written invitation mailed at least 14 days in advance of the meeting. The invitation shall identify the purpose of the meeting and the location of the site being considered for cottage development and shall include logistical information regarding place

and time of the meeting. The purpose of the meeting shall be to explain the preliminary development concept being considered and to provide opportunity for neighborhood input regarding site layout or building design that the developer may be able to reasonably address in the design phase.

C. Cottage homes shall be developed in one or more clusters, each of which has a minimum of eight units (~~unless restricted to fewer units under maximum density targets of MTMC 19.30.035~~) units to a maximum of 16 units. An example of a cottage home development is illustrated by Figure 19.30.070.

D. The minimum lot size for a cottage home development in a RS 4800 or RS 7200 district is 28,800 square feet. In a RS 8400 district, the minimum lot size for a cottage home development is 33,600 square feet. Up to two cottage homes shall be allowed in place of each single-household dwelling allowed by the base density of the underlying zone as specified in MTMC [19.30.035\(C\)](#); provided, that all other applicable requirements are met.

E. Cottage homes shall be oriented around the common open space. The common open space shall consist of a contiguous area that is accessible to all units and serves as a gathering area, with landscaping and pedestrian amenities. It shall not include nor be divided by a driveway or parking space for vehicular use. The common open space must total at least 250 square feet per cottage housing unit. Open space with a dimension of less than 20 feet shall not be included in the calculated common open space.

F. Each cottage home shall be provided with private use open space of at least 225 square feet, contiguous to each unit and for the exclusive use of the cottage home's resident. A minimum of 125 square feet of the required private use open space shall be adjacent to and oriented to the common use open space and shall have no dimension of less than five feet on any one side.

G. For every eight units, at least two basic floor plans shall be used. A floor plan that is reversed or flipped from another does not count as a separate floor plan.

H. For any cottage home, the floor area of a second story shall be no greater than 60 percent of the first story floor area.

I. Buildings must have pitched roofs with a minimum slope of four feet of rise to 12 feet of run (4:12). The height limit for all structures shall not exceed 25 feet at the ridge of the roof, excluding chimneys or cupolas.

J. Each cottage home shall have a covered entry porch that is oriented to the common open space. The porch shall be at least 60 square feet in area with a minimum dimension of six feet on any side. Each cottage home shall include windows and/or doors that comprise at least 25 percent of any street-facing facade.

K. All dwellings within the cluster shall maintain no less than 10 feet of separation from each other. Projections may extend into the required separation for the following:

1. Eaves up to 12 inches;
2. Minor appurtenances such as pipes, gas and electrical meters, alarm systems, air vents, and downspouts;
3. Architectural projections up to 12 inches and a total area of no more than eight square feet from any single cottage.

L. Vehicle parking shall be provided on the cottage home development site as follows:

1. For dwellings that do not exceed 1,000 square feet and are part of a site located within 1,500 feet of a transit stop: an average of 1.25 parking spaces per unit is required.
2. For dwellings that exceed 1,000 square feet or are part of a site not located within 1,500 feet of a transit stop: an average of two parking spaces per unit is required.

3. In addition to other parking spaces required by this subsection, guest parking shall be located on site and/or along improved street frontage adjacent to the subject property to equal 0.25 parking spaces per unit.

4. Vehicle parking shall be located within one or more garages in a common area or in parking areas that are otherwise detached from the cottage units.

M. The exterior of any common garage(s) shall be modulated by differing rooflines or building offsets or bays at least every 25 feet along each wall. The length of street-facing garage walls within 50 feet of the public street shall comprise no more than 50 percent of the length of the front lot line. All parking outside of a common garage shall be:

1. Clustered and separated from the common open space by landscaping and/or an architectural screen. Solid-surfaced fencing shall not be allowed as an architectural screen.

2. Screened from public streets and adjacent residential uses by landscaping and/or an architectural screen. Solid surfaced fencing shall not be allowed as an architectural screen from public streets.

3. Set back a minimum of 10 feet from a public right-of-way.

4. Located in clusters of not more than five abutting spaces.

N. The cottage home development is subject to the dimensional requirements of MTMC 19.30.030 as they apply to the total development site, not to individual units within the development; provided, that the cottage home development complies with the requirements of this section. Individual homes within the development must be separated from each other by at least 10 feet.

O. All fences on the interior of the site shall be no more than 36 inches in height. Fences along the side or rear property line of the cottage home development may be up to six feet in height. Wire fences, such as chain link, shall not be allowed.

P. Landscape screening, which may include a fence up to six feet in height, is required as a visual buffer along the property line between the cottage housing development and any adjacent lots zoned single-household, i.e., RS 4800, RS 7200 or RS 8400.

Q. One carriage housing unit, which is defined for this purpose as a dwelling above a garage, may be allowed for each four cottages within a cottage development under this chapter so long as the unit meets all other requirements under this chapter, except that:

1. The development's required common open space shall include a minimum of 150 square feet for the carriage housing unit; and

2. Any carriage housing unit's private use open space area, which may include deck space, shall comprise a minimum of 150 square feet, of which at least 100 square feet must face the common open space; and

3. The floor space of the carriage housing unit shall not exceed 1,000 square feet.

R. The street frontage along any dimension of the cottage home development shall be improved by the developer to meet current City standards. For cottage home developments, this shall include a minimum five-foot-wide landscape area between the street curb and the sidewalk for the length of the property along the street.

S. Each cottage home development shall have only one driveway from a street, except that one additional driveway may directly connect to the same street if the driveways are at least 150 feet apart. Any driveway in the development shall not exceed 20 feet of width where the apron meets the street or is otherwise in the right-of-way.

Figure 19.30.070: Cottage Housing Example



(Ord. 2699 § 9, 2016; Ord. 2480 § 3, 2008).

Section 12. Amendment. Section 19.30.090 (Ord. 2698 § 2) of the Mountlake Terrace Municipal Code, Off-street parking and driveways, is hereby amended to read as follows:

19.30.090 Off-street parking and driveways.

A. Off-street parking is required pursuant to Chapter [19.125](#) MTMC, as now or hereafter amended, except as otherwise provided by this chapter.

B. [Driveway Standards.](#) To preserve on-street parking capacity ~~and to avoid unnecessary interruptions to traffic flow and pedestrian mobility,~~ ~~more fully implement low impact~~

~~development (LID) principles, the following applies to single-household residential driveways in the all RS zones, except as otherwise provided by this chapter:~~

~~1. Each single-household residential lot in an RS zone shall have no more than one driveway access from a street, provided that corner lots and through lots that are at least 28,000 square feet may have a second driveway access that is not on the same street as the first-~~

~~2. A residential driveway serving one or more single-household dwelling units, including townhomes, shall comprise no more than 24 feet of width, and serving any lots of 4800 square feet or less in area shall comprise no more than 20 feet of width, as measured at the driveway throat in any portion of the public right-of-way, excluding an alley, in which it is located.~~

~~3. Newly created lots of less than 5000 square feet in area must share a driveway with an adjacent lot under the same ownership [SH1] unless one or more of the following applies:~~

~~(a) Corner lots are not required to share a driveway with an adjacent lot when the driveway for the corner lot is approached from a side street and is at least 20 feet from any other driveway as measured at the street edge;~~

~~(b) Lots that are served by a residential driveway of no more than 15 feet in width are not required to share a driveway if each of the resulting driveways would be immediately adjacent to each other or at least 20 feet from any other driveway as measured at the street edge;~~

~~(c) Lots taking vehicular access solely from an alley are not required to share a driveway;~~
~~or~~

~~(d) The Director finds that a shared driveway for two adjacent lots is not feasible due to topographical conditions or other significant physical constraints, provided that separate driveways shall be sized and located so as to maximize the amount of available on-street parking.~~

~~4. are limited to shared driveways with abutting lots in the same subdivision or plat unless it can be demonstrated that a shared driveway would result in more driveway coverage than lots with individual driveway accesses. A shared residential driveway shall serve at least two lots, but no more than three lots, provided that a single shared residential driveway may serve up to sixteen units of either cottage housing or townhomes, regardless of the number of lots that are in the development. (Ord. 2698 § 2, 2016; Ord. 2480 § 3, 2008).~~

Section 13. Amendment. Section 19.30.110 (Ord. 2697 § 3) of the Mountlake Terrace Municipal Code, Low Impact Development (LID), is hereby deleted in full:

19.30.110 Low impact development (LID).

~~All lots in the RS zoning districts are subject to low impact development (LID) standards of Chapter 16.22 MTMC and this section, unless otherwise exempt under MTMC 16.22.030.~~

~~A. Analysis of Assessment Data. The site design developed pursuant to MTMC 16.22.060, LID plan development and submittal, shall be considered when determining the site's development potential and limitations, unless the site development is otherwise exempt under the provisions of MTMC 16.22.030.~~

~~B. Development of Existing Lots. Development of existing lots shall occur outside of all avoidance areas as defined in Chapter 16.22 MTMC, unless encroachments into avoidance areas are mitigated as follows:~~

~~1. Any loss of existing trees shall be replaced, subject to the provisions of MTMC 16.22.080, Tree planting, retention and replacement.~~

~~2. Removal of deciduous trees shall be preferred over removal of coniferous trees. Any coniferous tree greater than 10 feet in height shall be replaced pursuant to the replacement ratios of MTMC 16.22.080.~~

~~3. Placement of impervious improvements over less permeable soils is preferred to placing improvements over permeable soils. Any area of pervious soil in the development disturbance area covered by impervious improvements shall be mitigated by amending a commensurate area of impervious soils that may abut the development disturbance area, but only if the area of the abutting soils are not within defined critical areas. Soils shall be amended as defined in MTMC 16.22.090.~~

~~4. Encroachment into critical areas as defined in Chapter 16.15 MTMC is subject to all provisions of said chapter.~~

~~5. Setbacks may be reduced up to 50 percent in order to avoid encroachment into existing avoidance areas; provided, that there is a corresponding increase in setbacks along the property line most opposite from the property line to which the reduced setback applies. Setback reductions require approval of the director, based upon findings that the reduced setback will better preserve existing avoidance areas than application of standard setbacks. The revised setbacks shall be recorded against the property prior to issuance of building permits. These requirements do not apply to setbacks otherwise reduced during the platting process under the provisions of Chapter 19.115 MTMC, Planned Unit Development (PUD); provided, that avoidance areas and all LID principles are considered during the PUD review process.~~

~~C. Creating New Lots—Subdivisions. Newly platted development sites may be created only outside of avoidance areas, except that up to 50 percent of a site may be platted into individual development sites even if more than 50 percent of the site is encumbered by avoidance areas; provided, that targeted densities are not exceeded and that impacts of encroachment into avoidance areas are minimized and/or mitigated, as follows:~~

~~1. Density Target. The RS district density targets are specified in MTMC 19.30.035(C).~~

~~2. Clustering. To facilitate the targeted densities for each RS zoning district, development may be clustered within the plat according to the following provisions:~~

~~a. Reduced Lot Size. Lot sizes may be reduced by up to 50 percent, commensurate with the amount of site dedicated to platted avoidance areas. For example, if 30 percent of the site is dedicated to platted avoidance areas, lot sizes may be reduced by 30 percent.~~

~~b. Reduced Setbacks. Setbacks may be reduced by up to 50 percent except that standard setbacks shall apply to all property lines abutting the plat's perimeter.~~

~~c. Increased Coverage on Individual Lots. Lot coverage by structures may be increased up to 65 percent; lot coverage by impervious surface may be increased up to 70 percent, and lot coverage by hard surface may be increased up to 80 percent maximum on individual lots.~~

~~d. Increased Story and Building Height. Maximum stories and building height may increase subject to the following limitations:~~

~~i. One half story increase is permitted for every 25 percent reduction in lot size, not to exceed one full story increase (two half story increases equate to one full story).~~

~~ii. Total height increase shall not exceed five additional feet, except that an increase of up to 10 feet is permitted on portions of building with a minimum 8:12 pitch roof over 75 percent of the area of increased height.~~

~~e. Reductions in setbacks and increased coverage shall be commensurate with reductions in lot sizes. For example, if lot sizes are reduced by only 30 percent, setback reductions are limited~~

~~to 30 percent reduction from standard setbacks, and increased coverage is limited to 30 percent increase above standard coverage, not to exceed the above stated reductions/increases.~~

~~3. Locating platted development sites over less permeable soils (e.g., clay) is preferred to locating them over permeable soils. Any area of pervious soils within a developable lot shall be mitigated by amending a commensurate area of impervious soils abutting and lying outside of the developable lots; provided, that the area of the abutting impervious soils are not within defined critical areas or their buffers as defined in Chapter 16.15 MTMC. Soils shall be amended as defined in MTMC 16.22.090 prior to final plat recordation unless otherwise deferred under a subdivision improvement agreement as prescribed in Chapter 17.06 MTMC.~~

~~4. Removal of deciduous trees shall be preferred over removal of coniferous trees. Any coniferous tree greater than 10 feet in height shall be replaced pursuant to the replacement ratios of MTMC 16.22.080.~~

~~5. Development of individual platted sites are subject to the development provisions of subsection B of this section.~~

~~D. Avoidance Area Tracts and Easements.~~

~~1. Tracts. Avoidance areas required to be preserved as identified through the platting or subdivision process shall be contained in individual tracts or parcels specifically reserved for preservation of the avoidance area features.~~

~~2. Easements. Avoidance areas required to be preserved on existing development sites shall be contained in preservation easements. (Ord. 2697 § 3, 2016).~~

Section 14. Corrections. The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 15. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this ordinance.

Section 16. Publication and Effective Date. This Ordinance, or a summary thereof consistent of the title, shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after its adoption and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOUNTLAKE TERRACE this ___ day of February, 2018 and signed in authentication of its passage this ___ day of February, 2018.

Mayor Jerry E. Smith

ATTEST: _____
City Clerk

APPROVED AS TO FORM: _____
Gregory G. Schrag, City Attorney