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# 2020 Development Code Amendment Batch – Administrative and Clarifying Amendments

City Council Discussion November 9, 2020



# Background

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- Amendments are collected throughout the year.
- Administrative corrections, clarifications, and new policy direction.
- Anyone may submit an amendment

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Commission reviewed the 2020 batch amendments on August 20 and September 17 and held a public hearing on October 1, 2020.



# Schedule

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November 9 – Administrative and Clarifying  
Amendments

November 23 – Policy Amendments

December 7 – Adoption of Ordinance 907  
(Administrative, Clarifying, and Policy  
Amendments)

# Administrative

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- Administrative amendments are “house-keeping” amendments that fix errors or references in the code.
- Exhibit A lists 9 amendments – Incorrect numbering, updating references, and deleting code sections that refer to previously deleted code sections.

# Administrative

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## Duplicate Amendments - Administrative Amendment #2 and Clarifying Amendment #7

B. General Requirements. A site development permit is required for the following activities or as determined by the Director of Planning and Community Development:

1. The construction of two or more detached single-family dwelling units on a single parcel;
2. Site improvements associated with short and formal subdivisions; or
3. The construction of two or more nonresidential or multifamily structures on a single parcel; or
4. Site improvements that require Minimum Requirements Nos. 1 to 5, as set forth in the Stormwater Manual, as modified by Division 3 in the Engineering Development Manual.

# Administrative

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## **Administrative Amendment #9** 20.70.240(F) – Private streets

Local access streets may be private, subject to the approval of the City. If the conditions for approval of a private street cannot be met, then a public street will be required. Private streets may be allowed when all of the following conditions are present:

F. At least one of the following conditions exists:

1. The street would ultimately serve ~~four~~ five or fewer more single-family detached dwelling units or lots; or
2. ~~The private street would ultimately serve more than four lots, and the Director determines that no other access is available; or~~
32. The private street would serve developments where no circulation continuity is necessary.

# Clarifications

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- Clarifying amendments are amendments that have been subject to interpretation, generated from previous Code Interpretation decisions, or conflict with other code sections.
- Exhibit B lists 23 amendments



# Amendment 3

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Manufactured Home – A structure, transportable in one or more sections, which is built on a permanent chassis and is designated for use with or without a permanent foundations when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”

Manufactured home (also mobile home) – Attached to a chassis and can be moved



Modular Home – Attached to a permanent foundation.

# Amendment 8

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20.30.355(D) – Development Agreement Contents for Property Zoned MUR-70' in Order to Increase Height Above 70 Feet.

1. Twenty percent of the housing units constructed on site shall be affordable to those earning less than 60 percent of the median income for King County adjusted for household size. The units shall remain affordable for a period of no less than 99 years. The number of affordable housing units may be decreased to 10 percent if the level of affordability is increased to 50 percent of the median income for King County adjusted for household size. A fee in lieu of constructing any fractional portion of mandatory units is available upon the City Council's establishment of a fee in lieu formula. Full units are not eligible for fee in lieu option and must be built on site. ~~constructing the units may be paid upon authorization of the City's affordable housing program instead of constructing affordable housing units on site.~~ The fee will be specified in SMC Title 3.



# Amendment 8

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**Staff-Recommended Amendatory Motion** – If Council would like to amend the Clarifying amendment #8, a Council member would need to move to modify the Planning Commission’s recommendation as follows:

***I move to modify the Planning Commission’s recommendation by amending SMC 20.30.355 (D)(1) to read, “A fee in lieu of constructing any fractional portion of mandatory units is based on the adopted fee schedule (Chapter 3.01 SMC). Full units are not eligible for fee in lieu option and must be built on site”.***

# Amendment 18

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B. Tree dripline areas or critical root zones (tree protection zone) as defined by the International Society of Arboriculture shall be protected. No development, fill, excavation, construction materials, ~~or~~ equipment staging, or traffic shall be allowed in the dripline areas of trees that are to be retained.

C. Prior to any land disturbance, temporary construction fences must be placed around the ~~dripline of trees~~ tree protection zone to be preserved. If a cluster of trees is proposed for retention, the barrier shall be placed around the edge formed by the drip lines of the trees to be retained. Tree protection shall remain in place for the duration of the permit unless earlier removal is addressed through construction sequencing on approved plans.

G. Retain small trees, bushes, and understory plants within the tree protection zone, unless the plant is identified as a regulated noxious weed, a non-regulated noxious weed, or a weed of concern by the King County Noxious Weed Control Board ~~to the maximum extent practicable.~~



# Amendment 21

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E. Reductions of up to 50 percent may be approved by the Director for the portion of housing providing low-income housing units that are 60 percent of AMI or less as defined by the U.S. Department of Housing and Urban Development. This parking reduction may ~~not~~ be combined with parking reductions identified in subsection A of this section.

G. Parking reductions for ~~affordable housing or~~ the Deep Green Incentive Program may not be combined with parking reductions identified in subsection A of this section.



# Next Steps

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November 23 – Policy Amendment  
Discussion.

December 7 – Adoption of Ordinance 907.

