

ORDINANCE NO. 6 6 6 1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING TITLE 18, OF THE CITY CODE, RELATING TO THE METHODOLOGY USED TO CALCULATE RESIDENTIAL DENSITY AND THE LOT SIZE STANDARDS WITHIN VARIOUS RESIDENTIAL ZONING DESIGNATIONS.

WHEREAS, the City Council has an ongoing interest to simplify land use decision making, lower City and customer costs, and to take advantage of enhanced efficiencies; and,

WHEREAS, while the City Council strives to implement simplifications and efficiency enhancements, modifications must not sacrifice quality of decision making or public input opportunities; and,

WHEREAS, the City's methodology of utilizing a Net Site Area formula for calculating residential densities has resulted in confusion and inconsistent application for staff and developers, places a heavy burden on a property owner when attempting to determine the lot yield that they can achieve when dividing land, and has resulted in lower density subdivisions than were anticipated in long range planning efforts and when establishing land use designations; and,

WHEREAS, a Gross Site Area formula is intended to provide easier understanding of lot yield, greater clarity and consistency in code application, and to increase the ability for a developer to achieve the density that is envisioned within the underlying zoning designation; and,

WHEREAS, an unintended consequence of establishing minimum density requirements is that smaller lots are difficult to subdivide. Their size, configuration, utility layout, existing development, and surrounding development tend to preclude any subdivision at all. Precluding subdivision of smaller lots is contrary to the City's infill

objectives. Therefore, short plat development requires greater flexibility in order to encourage small lot infill subdivision; and,

WHEREAS, while utilization of a Gross Site Area formula will enhance the ability to achieve maximum densities within a zone, strict application will complicate development proposals on lands that are heavily encumbered by features that preclude development. Parcels that are heavily encumbered with critical areas, BPA powerline easements, or conservation easements may result in very limited remaining land area to develop. Therefore, it is appropriate to establish administrative capabilities that allow for the deviation of minimum density requirements in order to enable further division of the remaining developable lot areas; and,

WHEREAS, the City's requirement that each subdivision achieve an overall average minimum lot size has had little benefit in the final design and function of new residential communities. Additionally, the minimum lot size within the R-5 zone has been a constraining factor when designing new R-5 communities and the ability to achieve maximum density; and,

WHEREAS, the Planning Commission held a publicly advertised meeting on August 8, 2017. The Planning Commission then held a publicly advertised hearing on September 6, 2017. Following public input, the Planning Commission deliberated on the matter and proceeded to vote in favor making a recommendation to City Council approving amendments to Title 18 that revise the methodology for calculating density and for eliminating the requirement that subdivisions incorporate an overall average lot size standard into their layout. The Planning Commission did not vote in favor of staff's recommendation to reduce the minimum lot size in the R-5 zone from 6,000 square feet to 4,500 square feet; and,

WHEREAS, pursuant to RCW 36.70A.106, the draft amendments were transmitted to the Washington State Department of Commerce in order to initiate state agency review. The City did not receive any comments from state agencies; and,

WHEREAS, a SEPA environmental checklist was prepared on July 31, 2017. A SEPA environmental threshold Determination of Non-Significance was issued on August 14, 2017. The August 17, 2017 edition of the Seattle Times provided notification of a 15-day public comment period, 15 day appeal period, and notification of the Planning Commission public hearing. The comment period expired on September 1, 2017, the appeal period expired on September 15, 2017, and the public hearing was held on September 6, 2017; and,

WHEREAS, on December 11, 2017 staff presented the Planning Commission's recommendation to City Council. Staff also presented the portion of the staff recommendation that the Planning Commission voted against; the reduction of the minimum lot size in the R-5 zone from 6,000 square feet to 4,500 square feet. City Council requested that the Planning Commission recommendation be forwarded to City Council for action and that the ordinance also include the staff recommendation to reduce the minimum lot size in the R-5 zone.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. That Section 18.02.065 of the Auburn City Code be and the same hereby is amended to read as follows:

18.02.065 Methods of calculating density.

The permitted number of dwelling units or lots shall be determined as follows:

~~A. Net Site Area. The area of a site used to calculate the allowed number of dwelling units or lots shall exclude those areas designated for public rights-of-way, except for the designation of additional right-of-way along arterials, private streets, vehicle access easements, and on-site public or homeowners' association-maintained recreation space if required.~~

~~Further, the net site area shall be subject to the following adjustments and limitations for critical areas:~~

~~1. Net site areas shall exclude streams, wetlands, fish and wildlife habitat areas, and high landslide hazards; and~~

~~2. Net site area shall include any required critical area buffer, seismic hazards, and flood hazard areas when calculating base density, unless critical areas identified in subsection (A)(1) of this section are present; provided, that net site area shall not include required critical area buffers when calculating minimum density. The allowed number of dwelling units or lots for a site shall be computed by multiplying the net site area of the lot as calculated in this section by the applicable residential base density number found in the development standards for each zone.~~

A. Gross Site Area. The gross site area shall be used to calculate both the minimum and maximum number of allowed dwelling units or lots.

1. When calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

i. Fractions of 0.50 or above shall be rounded up; and

ii. Fractions below 0.50 shall be rounded down.

2. Calculating Base Density. Base density is calculated by multiplying the gross site area by the upper limit of units or lots allowed within the zone. For example, in the R-5 zone, where the density range allows up to 5 dwelling units per acre:

4.3 acre gross site area x 5 units per acre = 21.5 (rounded up to 22)

3. Calculating Minimum Density. Minimum density is calculated by multiplying the gross site area by the lower limit of units or lots allowed within the zone. For example, in the R-5 zone, where the density range allows as few as 4 dwelling units per acre:

4.3 acre gross site area x 4 units per acre = 17.2 (rounded down to 17)

4. Each lot shall meet the requirements established in Chapter 18.07 ACC for lot area, dimensions, setbacks, and other development standards.

5. Where a proposed area for subdivision cannot meet the minimum density due to encumbrance by critical areas, critical area buffers, or other similar types of features the preclude development, the applicant may seek to deviate from the

minimum density which will be reviewed as an administrative decision as part of the subdivision application. If the applicant seeks a variance from the development standards in Chapter 18.07 ACC the variance shall be processed utilizing the provisions of ACC 18.70.010. Alterations of a critical area or its buffer shall be processed in accordance with Chapter 16.01 ACC. Compliance with the density requirements of the underlying zone shall not be used as justification for alteration of a critical area.

B. "Base density" refers to the maximum number of dwelling units or lots allowed for a specific zone without application of the bonus density provisions of Chapter 18.25 or 18.49 ACC, expressed as units per net acre. Base densities for residential zones are specified in ACC 18.07.030. The minimum density requirements shall not apply to short plats that are processed under Chapter 17.09 ACC.

C. "Base units" refers to the number of allowable dwelling units for a site, as determined by multiplying the base density of the zone in which the site is located by the net site area.

For example, the R-5 zone has a base density of five units per acre; therefore, the maximum number of base units allowed on a lot with 0.6 acres of net site area in the R-5 zone is three units.

D. Bonus density, where applicable, shall be computed by adding the bonus units authorized by Chapter 18.25 or 18.49 ACC to the base units computed under this section.

E. When calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

1. Fractions of 0.50 or above shall be rounded up; and
2. Fractions below 0.50 shall be rounded down.

Section 2. Amendment to City Code. That Section 18.04.300 of the Auburn City Code be and the same hereby is amended to read as follows:

14.04.110 Density.

"Density" is a measure of population, housing units, or building area related to land area, and is expressed as a ratio, e.g., one dwelling unit per acre. See ACC 18.02.065 ~~for~~

features that are deducted from site are in the city of Auburn's calculation of density for the methodology for calculating density.

Section 3. Amendment to City Code. That Section 18.07.030 of the Auburn City Code be and the same hereby is amended to read as follows:

18.07.030 Development standards.

Table 18.07.030 Residential Development Standards

	Standard	RC	R-1	R-5	R-7	R-10	R-16	R-20
A	Base density (units per net acre)	0.25	1	5	7	10	16	20
B	Minimum density (units per net acre) ¹	0.25	1	4	5	8	12	15
C	Minimum average lot area per dwelling unit (square feet)	174,240	35,000	8,000	6,000	4,300	2,700	2,175
DC	Minimum lot area per dwelling unit (square feet)	174,240	35,000	6,000 4,500	4,300	2,000	2,000	2,000
ED	Minimum lot width (feet)²	125	125	50	40	20 for interior lots; 35 for exterior lots	20 for interior lots; 35 for exterior lots	20 for interior lots; 35 for exterior lots
FE	Minimum setbacks (feet)^{2,3}							

Table 18.07.030 Residential Development Standards

	Standard	RC	R-1	R-5	R-7	R-10	R-16	R-20
1	Residence front setback ³	35	35	10	10	10	10	10
2	Garage (minimum front setback required from street access) ³	20	20	20	20	20	20	20 unless alley-loaded then 15 provided there are 20 feet from any garage
3	Setback to any property line for barns, stables, or similar structures for enclosure of large domestic animals For other animals, see the supplemental development standards for animals in ACC 18.31.220	75	X	X	X	X	X	X
4	Setback to any property line for any corral, exercise yard, or arena for large domestic animals For other animals, see the supplemental development standards	35	X	X	X	X	X	X

Table 18.07.030 Residential Development Standards

	Standard	RC	R-1	R-5	R-7	R-10	R-16	R-20
	for animals in ACC 18.31.220							
5	Interior side setback	20	10	5	5	5	5	5
6	Street side setback ³	35	20	10	10	10	10	10
7	Rear setback ³	35	35	20	20	20	20	20
8	Rear setback, detached structure In all zones, 20 ft for structure with vehicular entrance oriented toward street or public alley ³	15	15	10	5	5	5	5
<u>GE</u>	Maximum lot coverage (%)	25	35	40	50	60	70	70
<u>HG</u>	Maximum impervious area (%)	25	50	65	75	N/A	N/A	N/A
<u>IH</u>	Maximum building height (feet)	35	35	35	35	45	45	50
<u>JI</u>	Maximum height of accessory buildings and structures	35 ⁴	35	16	16	16	NA	NA

Table 18.07.030 Residential Development Standards

	Standard	RC	R-1	R-5	R-7	R-10	R-16	R-20
<u>KJ</u>	Minimum front setback area landscape strip (feet)	N/A	N/A	5	5	10	10	10
<u>LK</u>	Minimum side setback area landscape strip (feet)	N/A	N/A	5	5	10	10	10
<u>ML</u>	Minimum landscaped open space (%)	N/A	N/A	N/A	N/A	20	20	20

1. ~~For purposes of calculating minimum density, critical area buffers are not included in net site area.~~ See ACC 18.02.065 for ~~calculation of net acreage for minimum density~~calculating density.

2. All minimum lot widths, setbacks, and landscaping strips are subject to demonstration to the satisfaction of the city engineer that all required utility infrastructure, access requirements, and street elements can be accommodated in accordance with the design and construction standards.

3. In addition to meeting setback requirements, all structures must meet sight distance requirements in accordance with city design and construction standards.

4. Barns and other specialized structures used for agricultural purposes may exceed the height limits.

Section 4. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 5. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, section or

portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 6. **Effective date.** This Ordinance shall be in full force and effect five days after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

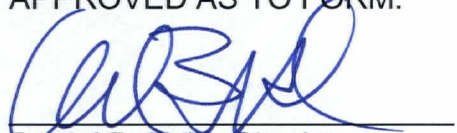
CITY OF AUBURN

ATTEST:

NANCY BACKUS, MAYOR

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Published: _____