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RESOLUTION NO. 25789

A RESOLUTION IDENTIFYING USE CLASSIFICATIONS IN THE COUNTY OF KING, STATE OF WASHINGTON, AND, BY MAP, ESTABLISHING THE BOUNDARIES OF AREAS TO BE KNOWN AS ZONES TO WHICH THE USE CLASSIFICATIONS ARE APPLIED, AND WITHIN WHICH ZONES THE HEIGHT OF BUILDINGS, YARDS AND OPEN SPACES ARE REGULATED: PROVIDING FOR ITS ADJUSTMENT, AMENDMENT AND ENFORCEMENT: PRESCRIBING PENALTIES FOR VIOLATIONS, AND PROVIDING FOR THE REPEAL OF PREVIOUS LAND USE REGULATIONS.

The Board of County Commissioners of King County, State of Washington, does resolve as follows:

ARTICLE 1
DECLARATION OF PURPOSE

Section 100: PURPOSE OF RESOLUTION. An Official Land-Use Control for the County of King, State of Washington is hereby adopted and established to serve the public health, safety and general welfare and to provide the economic and social and aesthetic advantages resulting from an orderly planned use of land resources and represents one means of carrying out the general purposes set forth and defined in the Comprehensive Plan of King County.

Section 101: NAME OF RESOLUTION. This resolution shall be known as "The Zoning Code".

ARTICLE 2
DEFINITIONS

Section 200: ACCESSORY. "Accessory" means a use, a building or structure, part of a building or other structure, which is subordinate to and the use of which is incidental to that of the main building, structure or use on the same lot, including a private garage. If an accessory building is attached to the main building by a common wall or roof, such accessory building shall be considered a part of the main building.

Section 201: ACCESSORY LIVING QUARTERS. "Accessory living quarters" means living quarters within an accessory building for the sole use of the family or of persons employed on the premises, or for the temporary use of guests of the occupants of the premises. Such quarters have no kitchen facilities and are not rented or otherwise used as a separate dwelling unit. The term "accessory living quarters" includes "guest house".

Section 202: AIRPORT, HELIPORT OR AIRCRAFT LANDING FIELD. "Airport", "heliport" or "aircraft landing field" means any runway, landing area or other facility whether publicly or privately owned and operated, and which is designed, used or intended to be used either by public carriers or by private aircraft for landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings and open spaces, but not including manufacturing, servicing or testing facilities located in the vicinity of any landing area associated with the manufacture or testing of commercial or military aircraft or activities associated therewith.

Section 203: ALLEY. "Alley" means a public thoroughfare or way which affords only a secondary means of access to abutting property.

Section 204: AMENDMENT. "Amendment" means a change in the wording, context or substance of this resolution, adoption of a zoning map hereunder, a change in the zone boundaries upon zoning maps adopted hereunder, or the adoption of a planned unit development.

Section 205: ANIMAL, SMALL. "Small animal" means any animal other than livestock or animals considered to be predatory or wild.

Section 206: ANTIQUES, AND ANTIQUE SHOP. "Antiques" means any article which, because of age, rarity or historical significance, has a monetary value greater than the original value, or which has an age recognized by the United States Government as entitling the article to an import duty less than that prescribed for

contemporary merchandise. A store or shop selling only such articles or offering them for sale shall be considered as an antique shop or store, and not considered as a dealership handling used or secondhand merchandise.

Section 207: APARTMENT. "Apartment" means a room, or a suite of two or more rooms in a multiple dwelling or in any other building not a single-family dwelling or a two-family dwelling occupied or suitable for occupancy as a dwelling unit for one (1) family.

Section 208: APARTMENT HOTEL. "Apartment hotel" means a building or portion of a building containing dwelling units and six (6) or more hotel rooms or suites.

Section 209: APARTMENT HOUSE. "Apartment house" means a building or a portion of a building, designed for occupancy by three (3) or more families living separately from each other and containing three (3) or more dwelling units.

Section 210: AUTOMOBILE, BOAT AND TRAILER SALES AREA. "Automobile, boat and trailer sales area" means an open area, other than a street, used for the display, sale or rental of new or used automobiles, boats or trailers, and where no repair work is done except minor incidental repair of automobiles, boats or trailers to be displayed, sold or rented on the premises.

Section 211: AUTOMOBILE WRECKER. "Automobile wrecker" means any person, corporation or enterprise engaged in automobile wrecking.

Section 212: AUTOMOBILE WRECKING. "Automobile wrecking" means any dismantling or wrecking of motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts.

Section 213: AUTOMOBILE WRECKING YARD. "Automobile wrecking yard" means any premises devoted to automobile wrecking as the term is defined herein.

Section 214: BASEMENT. "Basement" means that portion of a building between floor and ceiling which is partly below and partly above grade (as defined in Section 261), but so located that the vertical distance from grade to floor below is less than the vertical distance from grade to ceiling. A basement, when designed for or occupied for business or industrial purposes, or for dwelling purposes (recreational room or family room excepted) shall be considered a story.

Section 215: BLOCK. "Block" means all property abutting upon one side of a street between intersecting and intercepting streets, or between a street and railroad right of way, water way, terminus or dead-end street, or city boundary line. An intercepting street shall determine only the boundary of the block on the side of the street which it intercepts.

Section 216: BOARD. "Board" means the Board of King County Commissioners.

Section 217: BOARDING HOUSE. "Boarding house" means the same as lodging house, but where meals (with or without lodging) are provided for compensation for not more than ten (10) persons other than the family. Boarding house shall not include rest homes or convalescent homes.

Section 218: BOAT HOUSE, PRIVATE. "Private boat house" means an accessory building, or portion of building, which provides shelter and enclosure for a boat or boats owned and operated only by the occupants of the premises.

Section 219: BOAT HOUSE, PUBLIC. "Public boat house" means a boat house other than a private boat house, used for the care, repair or storage of boats, or where such boats are kept for remuneration, hire or sale.

Section 220: BUILDING. "Building" means any structure having a roof, but excluding all forms of vehicles even though immobilized. When a use is required to be within a building, or where special authority granted pursuant to this resolution requires that a use shall be within an entirely enclosed building, then the term "building" means one so designed and constructed that all exterior walls of the structure shall be solid from the ground to the roof line, and shall contain no openings except for windows and doors which are designed so that they may be closed.

Section 221: BUILDING DEPARTMENT. "Building Department" means the King County Engineer's Office.

Section 222: BUILDING HEIGHT. "Building height" means the vertical distance from the grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.

Section 223: BUILDING, MAIN. "Main building" means the principal building or other structure on a lot or building site designed or used to accommodate the primary use to which the premises are devoted; where a permissible use involves more than one (1) building or structure designed or used for the primary purpose, as in the case of group houses, each such permissible building or other structure on a lot or building site as defined by this resolution shall be construed as comprising a main building or structure.

Section 224: BUILDING SITE. "Building site" means a parcel of land assigned to a use, to a main building, or to a main building and its accessory buildings, together with all yards and open spaces required by this resolution, whether the area so devoted is comprised of one lot, a combination of lots, or combination of lots and fractions of lots.

Section 225: BUNGALOW COURT. "Bungalow court" means a group of three (3) or more detached one-story, one-family or two-family dwellings located upon a single lot or building site, together with all open spaces required by this resolution.

Section 226: BUSINESS OR COMMERCE. "Business" or "Commerce" means the purchase, sale, offering for sale, or other transaction involving the handling or disposition of any article, service, substance or commodity for livelihood or profit; or the management or occupancy of office buildings, offices, recreational or amusement enterprises; or the maintenance and use of buildings, offices, structures or premises by professions and trades or persons rendering services.

Section 227: CAMP, PUBLIC. "Public camp" means any area or tract of land used or designed to accommodate two (2) or more camping parties, including cabins, tents, camping trailers or other camping outfits.

Section 228: CATEGORY. "Category" means a broad generic group of types of uses such as agriculture, residential, business, commercial, manufacturing and others, and which are further refined into classifications distinguished principally by

the degree of intensity of use.

Section 229: CELLAR. "Cellar" means that portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from the grade to the floor below is equal to or greater than the vertical distance from grade to the ceiling next above it.

Section 230: CEMETERY. "Cemetery" means land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Section 231: CHURCH. "Church" means an establishment, the principal purpose of which is religious worship and for which the principal building or other structure contains the sanctuary or principal place of worship, and including accessory uses in the main building or in separate buildings or structures, including Sunday School rooms and religious education classrooms, assembly rooms, kitchen, library room or reading room, recreation hall, a one-family dwelling unit and residences on site for nuns and clergy, but excluding facilities for training of religious orders.

Section 232: CLASSIFICATION. "Classification" means a refined identification of uses which, either individually or as to type, are identified as possessing similar characteristics or performance standards and are permitted as compatible uses in a zone. A classification, as the term is employed in this resolution, includes provisions, conditions and requirements related to the permissible location of permitted uses.

Section 233: CLUB. "Club" means an association of persons for some common purpose, but not including groups organized primarily to render a service which is customarily carried on as a business.

Section 234: COMBUSTIBLE. "Combustible" means any mixture, substance or compound which is susceptible of spontaneous combustion, or which is flammable.

Section 235: COMMISSION. "Commission" means the King County Planning Commission.

Section 236: CONDITIONAL USE. "Conditional use" means a use permitted in one or more classifications as defined by this resolution but which use because of characteristics peculiar to it, or because of size, technological processes or type of equipment, or because of the exact location with reference to surroundings, streets and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent with and compatible to other existing or permissible uses in the same zone or zones, and to assure that such use shall not be inimical to the public interest.

Section 237: CONDITIONAL USE PERMIT. "Conditional use permit" means the documented evidence of authority granted by the Board of Adjustment to locate a conditional use at a particular location.

Section 238: CONFORMING BUILDING. "Conforming building" means:

(a) In the "R", "S" and "A" Zones, a building which is considered to be a residential building by the King County Building Code, and other buildings designed to accommodate uses permitted in these zones and which buildings also conform to the requirements of this resolution in the matter of use, height, yards and area coverage, and which do not contain more than the number of dwelling units prescribed for the zone in which such buildings are located.

(b) In the "B" Zones, a building which is considered under the King County Building Code as a building designed to accommodate uses permitted in the business zones.

Section 239: CONFORMING USE. "Conforming use" means an activity the nature and type of which is permitted in the zone in which the property on which it is established is located.

Section 240: COURT. "Court" means any portion of the interior of a lot or building site which is fully or partially surrounded by buildings or other structures and which is not a required yard or open space.

Section 241: DAIRY. "Dairy" means any premises where three (3) or more cows, three (3) or more goats, or any combination thereof are kept, milked or maintained.

Section 242: DAY NURSERY. "Day nursery" means any type of group child day care program, including nurseries for children of working mothers, nursery schools for children under minimum age for education in public schools, privately conducted kindergartens when not a part of a public or parochial school, and programs covering after-school care for school children; provided any such "day nursery" is licensed by the State or County and conducted in accordance with State and local requirements.

Section 243: DUMP. "Dump" means an open area devoted to the disposal of refuse, including incineration, reduction, or dumping of ashes, garbage, combustible or non-combustible refuse, but not including transfer stations.

Section 244: DWELLING. "Dwelling" means a building designed exclusively for residential purposes, including one-family, two-family and multiple dwellings, but not including hotels or motel units having no kitchens.

Section 245: DWELLINGS, TYPES OF.

(a) DWELLING, GROUP. "Group dwelling" means more than two (2) separate buildings, each containing one (1) or more dwelling units.

(b) DWELLING, ONE-FAMILY. "One-Family dwelling" means a detached building designed exclusively for occupancy by one family and containing one (1) dwelling unit.

(c) DWELLING, TWO-FAMILY (DUPLEX). "Two-family dwelling or duplex" means a building designed exclusively for occupancy by two (2) families living independently of each other, and containing two (2) dwelling units.

(d) DWELLING, MULTIPLE. "Multiple dwelling" means a building designed exclusively for occupancy by three (3) or more families living independently of each other, and containing three (3) or more dwelling units.

Section 246: DWELLING UNIT. "Dwelling unit" means one or more rooms designed for or occupied by one family for living or sleeping purposes and containing kitchen facilities for use solely by one family. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit. A bachelor apratment constitutes a dwelling unit within the meaning of this resolution.

Section 247: EDUCATIONAL INSTITUTION. "Educational institution" means elementary, junior high, high schools, junior colleges, colleges or universities or other schools giving general academic instruction in the several branches of learning and study required by the Education Code of the State of Washington.

Section 248: ENTIRELY ENCLOSED BUILDING OR STRUCTURE. "Entirely enclosed building or structure" means a building or structure so designed and constructed that all exterior walls of the building or structure shall be solid from the ground to the roof line and containing no openings except for windows and doors which are so designed that they may be closed.

Section 249: EQUIPMENT, HEAVY DUTY. "Heavy duty equipment" means high-capacity mechanical devices for moving earth or other materials, mobile power units, including, but not limited to, carryalls, graders, loading and unloading devices, cranes, drag lines, trench diggers, tractors, augers, caterpillars, concrete mixers and conveyors, harvesters, combines or other major agricultural equipment and similar devices operated by mechanical power as distinguished from manpower.

Section 250: ERECTED. "Erected" means the construction of any building or structure, or the structural alteration of a building or structure the result of which would be to change the exterior walls or roof or to increase the square foot floor area of the interior of the building or structure.

Section 251: EXPLOSIVE. "Explosive" means any mixture, substance or compound having properties of such a character that alone, or in combination or contiguity with other substances or compounds, may decompose suddenly and generate sufficient heat, gas or pressure to produce rapid flaming combustion or administer a destructive blow to surrounding objects.

Section 252: FAMILY. "Family" means an individual, or two (2) or more persons related by blood or marriage, or a group of not more than five (5) persons who are not related by blood or marriage, excluding servants, living together in a dwelling unit.

Section 253: FENCE. "Fence" means a masonry wall or a barrier composed of posts connected by boards, rails, panels, or wire for the purpose of enclosing space or separating parcels of land. The term "fence" does not include retaining walls.

Section 254: FIRE ESCAPE. "Fire escape" means an auxilliary facility for emergency escape from a building, as defined or designated by the King County Building Code.

Section 255: FIRST PERMITTED. The term "first permitted" refers to the most restricted zone in which a particular use is indicated as a permissible use.

Section 256: FLAMMABLE. "Flammable" means any mixture, substance, or compound which will emit a flammable vapor at a temperature at or below three hundred (300) degrees Fahrenheit when tested in a Tagliabue open cup tester; if a liquid, then one having a flash point below two hundred (200) degrees Fahrenheit and having a vapor pressure not exceeding forty (40) pounds per square inch (absolute) at one hundred (100) degrees Fahrenheit.

Section 257: FLOOR AREA. "Floor area" means a total floor area within the walls of all buildings on a lot or building site, except for the spaces therein devoted to vents, shafts and light courts and except for the area devoted exclusively to loading and unloading facilities and to parking of motor vehicles.

Section 258: FOSTER HOME, TWENTY-FOUR HOUR CARE. A "twenty-four hour foster care home" means a dwelling occupied by a family who, for compensation or otherwise, accepts and cares for not more than six (6) children as full-time residents as a part of the family as defined herein and which children are assigned by authorized public authorities.

Section 259: FOSTER FAMILY DAY CARE HOME. "Foster family day care home" means a residence licensed by authorized public authorities, to be used to care for not more than six (6) children by the day, with or without compensation. A foster family day care home may be considered to include a day nursery conducted on a half-day basis, when such home is licensed by authorized public authorities, provided the number of children cared for at any one time shall not exceed six (6).

Section 260: GARAGE, PRIVATE. "Private garage" means an accessory building or an accessory portion of the main building, enclosed on not less than three (3) sides and designed or used only for the shelter or storage of vehicles owned or operated only by the occupants of the main building or buildings.

Section 261: GARAGE, PUBLIC. "Public garage" means a building other than a private garage, used for the care, repair or storage of automobiles, or where such vehicles are kept for remuneration, hire or sale.

Section 262: GRADE. "Grade" means the average of the finished ground level at the center of all exterior walls of a building. In case walls are parallel to and within five (5) feet of a sidewalk, the sidewalk shall be considered the finished ground level.

Section 263: HOSPITAL. "Hospital" means an institution specializing in giving clinical, temporary and emergency services of a medical or surgical nature to human patients and licensed by State Law to provide facilities and services in surgery, obstetrics and general medical practice, as distinguished from treatment of mental and nervous disorders and alcoholics, but not excluding surgical and post-surgical treatment of mental cases.

Section 264: HOSPITAL, MENTAL (INCLUDING HOSPITAL FOR TREATMENT OF ALCOHOLICS). "Mental hospital" means an institution licensed by State agencies under provisions of law to offer facilities, care and treatment for cases of mental and nervous disorders, and alcoholics. Establishments limiting services to juveniles below the age of five (5) years, and establishments housing and caring for cases of cerebral palsy are not considered mental hospitals.

Section 265: HOSPITAL OR CLINIC, SMALL ANIMAL. "Small animal hospital or clinic" means an establishment in which vetrinary medical services, clipping, bathing and similar services are rendered to dogs, cats and other small animals and domestic pets, but not including kennels.

Section 266: HOTEL. "Hotel" means a building in which there are six (6) or more guest rooms where lodging with or without meals is provided for compensation, and where no provision is made for cooking in any individual room or suite, and in which building may be included one (1) apartment for use of the resident manager, but shall not include jails, hospitals, asylums, sanitariums, orphanages, prisons, detention homes and similar buildings where human beings are housed or detained under legal restraint.

Section 267: JUNK DEALER. "Junk dealer" means and includes any person or enterprise having a fixed place of business in the County and engaged in conducting, managing, or carrying on the business, either wholesale or retail, of buying, selling or otherwise dealing in any old rags, sacks, bottles, cans, papers, metal, rubber or other articles commonly known as junk.

Section 268: JUNK YARD. "Junk yard" means any premises devoted wholly or in part to the storage, buying or selling or otherwise handling or dealing in old rags, sacks, bottles, cans, papers, metal, rubber or other articles commonly known as junk.

Section 269: KENNEL. "Kennel" means a place where four (4) or more adult dogs or cats or any combination thereof are kept, whether by owners of the dogs and cats or by persons providing facilities and care, whether or not for compensation, but not including a small animal hospital or clinic. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of four (4) months.

Section 270: KITCHEN. "Kitchen" means any room or rooms, or portion of a room or rooms, used or intended or designed to be used for cooking or the preparation of food.

Section 271: LIGHTER USES (ANTITHESIS OF HEAVIER USES). "Lighter uses" means uses involving performance standards having less detrimental effect upon surrounding properties and uses in the same or other classifications than do uses first permitted in the next succeeding classification in terms of nuisance, hazard, generation of traffic and volume of traffic, both passenger and freight, and which uses make less demand upon public services such as electricity, gas, sewers and streets. Where residential uses are involved, the term "lighter uses" means less permitted population density, possibly greater required yards, open spaces and floor area within dwellings than is permitted or required in the next succeeding residential classification.

Section 272: LIVESTOCK. "Livestock" means horses, bovine animals, sheep, goats, swine, reindeer, donkeys and mules.

Section 273: LOADING SPACE. "Loading space" means an on-site space or berth on the same lot or site with the buildings or use served, such space to serve for the temporary parking of a vehicle while loading or unloading merchandise, materials or passengers.

Section 274: LODGING HOUSE. "Lodging house" means a dwelling unit within which are not more than five (5) guest rooms devoted to accommodating not more than ten (10) persons other than members of the family, but wherein meals for guests shall be neither provided nor permitted. A lodging house containing guest rooms numbering six (6) or more shall be considered a hotel.

Section 275: LOT. "Lot" means a building site that is described by reference to a recorded plat, by metes and bounds, or by Section, Township and Range which as direct legal access to a street or has access to a street over an easement approved by the County.

Section 276: LOT AREA AND DIMENSIONS.

(a) LOT AREA. "Lot area" means the total horizontal area within the boundary lines of a lot.

(b) LOT DEPTH. "Lot depth" means the horizontal length of a straight line drawn from the midpoint of the lot front line and at right angles to such line to its intersection with a line parallel to the lot front line and passing through the midpoint of the lot rear line. In the case of a lot having a curved front line, the lot front line, for purposes of this section shall be deemed to be a line tangent to the curve and parallel to a straight line connecting the points of intersection of the lot side lines of the lot with the lot front line.

(c) LOT WIDTH. "Lot width" means the horizontal distance between the lot side lines measured at right angles to the line comprising the depth of the lot at a point midway between the lot front line and the lot rear line.

Section 277: LOT LINES.

(a) LOT FRONT LINE. "Lot front line" means, in the case of an interior lot, a line separating the lot from the street; in the case of a corner lot and reverse corner lot, the lot front line shall be the line separating the narrowest street frontage of the lot from the street. In the case of corner lots or reverse corner lots having equal street frontages, that property line the prolongation of which creates the front property line for the greatest number of interior lots in the same block shall be considered as the lot front line of such corner or reverse corner lot.

(b) LOT REAR LINE. "Lot rear line" means a lot line which is opposite and most distant from the lot front line. For the purpose of establishing the lot rear line of a triangular or trapezoidal lot, or of a lot the rear line of which is formed by two (2) or more lines, the following shall apply:

(1) For a triangular or goreshaped lot, a line then (10) feet in length within the lot and farthest removed from the lot front line and at right angles to the line comprising the depth of such lot shall be used as the lot rear line;

(2) in the case of a trapezoidal lot the rear line of which is not parallel to the lot front line, the lot rear line shall be deemed to be a line at right angles to the line comprising the depth of such lot and drawn through a point bisecting the recorded lot rear line; or

(3) in the case of a pentagonal lot the rear boundary of which includes an angle formed by two lines, such angles shall be employed for determining the lot rear line in the same manner as prescribed for a triangular lot.

(4) In no case shall the application of the above be interpreted as permitting a main building to locate closer than five (5) feet to any property line.

(c) LOT SIDE LINE. "Lot side line" means any lot boundary line not a lot front line or a lot rear line.

Section 278: LOT TYPES.

(a) CORNER LOT. "Corner lot" means a lot situated at the intersection of two (2) or more streets, the street frontages of which lot form an angle not greater than one hundred twenty-eight (128) degrees, and not less than forty-five (45) degrees.

(b) INTERIOR LOT. "Interior lot" means a lot other than a corner lot or a reverse corner lot.

(c) KEY LOT. "Key lot" means the first lot to the rear of a reverse corner lot and whether or not separated by an alley.

(d) REVERSE CORNER LOT. "Reverse corner lot" means a corner lot the side street line of which is substantially a continuation of the lot front line of the lot upon which the rear of said corner lot abuts.

(e) THROUGH LOT. "Through lot" means a lot having frontage on two (2) streets, including a lot at the intersection of two streets when the street sides of such lot form an internal angle of less than forty-five (45) degrees. Corner lots and reverse corner lots as defined in this resolution are not through lots.

(f) TRANSITIONAL LOT. "Transitional lot" means a residentially-classified lot a side line of which forms a common boundary with contiguous property classified for either a higher density residential use or commercial or industrial uses.

Section 279: MEDICAL-DENTAL BUILDING OR BUILDINGS. "Medical-dental building or buildings" means a building or group of buildings designed for the use of, and occupied and used by, physicians and dentists and others engaged professionally in such healing arts for humans as are recognized by the laws of the State of Washington, including medical clinics; and including the installation and use of therepeutic equipment, X-ray equipment or laboratories, chemical, bio-chemical, and biological laboratories used as direct accessories to the medical-dental professions; dental laboratories including facilities for the making of dentures on prescription; pharmacies limited to the retail dispensing of pharmaceuticals and sick room supplies (but not room or orthopedic equipment or furniture) provided there shall be no exterior display windows or signs pertaining to such accessory uses other than a directory sign.

Section 280: MEDICAL-DENTAL CLINIC. "Medical-dental clinic" means an establishment for treatment of out-patients, and providing no overnight care for patients.

Section 281: MOTEL. "Motel" means a group of attached or detached buildings containing individual sleeping units where a majority of such units open individually and directly to the outside, and where a garage is attached to or a parking space is conveniently located to each unit, all for the temporary use by automobile tourists or transients, and such word shall include tourist courts, motor courts, automobile courts, automobile camps and motor lodges. A unit in a motel having kitchen facilities shall constitute a dwelling unit and shall be subject to all of the provisions and requirements of this resolution governing dwelling units for the zone in which the establishment is located, but never less than the requirements of the heaviest multiple-dwelling zone.

Section 282: NONCONFORMING BUILDING. "Nonconforming building" means a building, or portion thereof, which was lawfully erected or altered and maintained but which, because of the application of this resolution to it no longer conforms to the regulations of the zone in which it is located as defined by this resolution.

Section 283: NONCONFORMING USE. "Nonconforming use" means a use which was lawfully established and maintained but which, because of the application of this resolution to it, no longer conforms to the use regulations of the zone in which it is located as defined by this resolution.

Section 284: OPEN SPACE, REQUIRED. "Required open space" means a portion of the area of a lot or building site, other than required yards, which area is required by this resolution, as set forth in the different classifications contained herein, to be maintained between buildings, between wings of a building and between buildings and any portion of a property boundary line not contiguous to a required front or side yard. Such open spaces, as in the case of required yards, are required to be free and clear of buildings and structures and to remain open and unobstructed from the ground to the sky.

Section 285: OUTDOOR ADVERTISING DISPLAY. "Outdoor advertising display" means any card, paper, cloth, metal, glass, wooden or other display or device of any kind or character whatsoever placed or painted for outdoor advertising purposes on the ground or on any tree, wall, fence, rock, structure or thing whatsoever.

Section 286: OUTDOOR ADVERTISING STRUCTURE. "Outdoor advertising structure" means a structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising display is, or can be, placed.

Section 287: PARKING AREA, PRIVATE. "Private parking area" means an open area other than a street, alley or other public property, limited to the parking of automobiles of occupants or employees of a dwelling, hotel, motel, apartment hotel, apartment house, boarding house or lodging house to which these facilities are appurtenant.

Section 288: PARKING AREA, PUBLIC. "Public parking area" means an open area other than a street, alley or private parking area as defined herein, whether privately or publicly owned, which area is used for the parking of more than four (4) automobiles.

Section 289: PARKING SPACE. "Parking space" means an area accessible to vehicles, which area is provided, improved, maintained and used for the sole purpose of accommodating a motor vehicle.

Section 290: PASTURE: "Pasture" means an area confined within a fence or other physical barrier and which area is used for grazing or roaming of livestock.

Section 291: PERSON. "Person" means and includes an individual, firm, co-partnership, association or corporation, governmental agency or political subdivision.

Section 292: PET SHOP. "Pet shop" means an establishment dealing in buying and selling small animals and birds such as are customarily or occassionally harbored in domestic establishments as pets, such as fish, dogs, cats, parrots, canaries, and other song and decorative birds, monkeys, hamsters and similar animals, but specifically excluding dangerous animals or dangerous or poisonous or constricting reptiles, provided no boarding or veterinarian services are rendered excepting bathing and clipping of dogs and cats.

Section 293: PRINCIPAL USE. "Principal use" means the primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.

Section 294: PROFESSIONAL OFFICES. "Professional offices" means offices maintained and used as a place of business conducted by persons engaged in the healing arts for human beings, such as doctors and dentists (but wherein no overnight care for patients is given), and by engineers, attorneys, realtors, architects, accountants and other persons providing services utilizing training in and knowledge of the mental discipline as distinguished from training in occupations requiring mere skill or manual dexterity or the handling of commodities.

Section 295: PUBLIC UTILITY. "Public utility" means a private business organization such as a public service corporation performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either of which are paid for directly by the recipients thereof. Such services shall include, but are not limited to, water supply, electric power, gas and transportation for persons and freight.

Section 296: RECLASSIFICATION OF PROPERTY. "Reclassification of property" means a change in zone boundaries upon the zoning map, which map is part of this resolution when adopted in the manner prescribed by law.

Section 297: RECLASSIFICATION OF USE. "Reclassification of use" means the assignment, by amendment of this resolution, of a particular use to a different use classification than that in which the use was originally permitted.

Section 298: RECORDED. "Recorded" means, unless otherwise stated, filed of record with the Auditor of King County.

Section 299: RECREATIONAL AREA OR COMMUNITY CLUB HOUSE, NON-COMMERCIAL. "Recreational area or community club house, non-commercial" means an area devoted to facilities and equipment for recreational purposes, swimming pools, tennis courts, playgrounds, community club houses and other similar uses maintained and operated by a non-profit club or organization whose membership is limited to the residents within the area.

Section 299.01: RECREATIONAL AREA, COMMERCIAL. "Commercial recreational area" means an area operated for profit and devoted to facilities and equipment for recreational purposes, including swimming pools, tennis courts, playgrounds and other similar uses whether the use of such area is limited to private membership or whether open to the public upon the payment of a fee.

Section 299.02: RECREATION ROOM, FAMILY ROOM OR RUMPUS ROOM. "Recreation room", "family room" or rumpus room" means a room or an area within a dwelling, or in a building accessory to a dwelling, designed, equipped or used as a recreation room, including but not limited to games, music, refreshments and facilities for serving, and similar general utility purposes, but which room shall not be used as a separate dwelling unit.

Section 299.03: RESIDENCE. "Residence" means a building or structure, or portion thereof, which is designed for and used to provide a place of abode for human beings, but not including hotels or motel units having no kitchens. The term "residence" includes the term "residential" as referring to the type of or intended use of a building or structure.

Section 299.04: REST HOME, CONVALESCENT HOME, GUEST HOME, HOME FOR THE AGED. "Rest home", "convalescent home", "guest home" and "home for the aged", means a home operated similarly to a boarding house but not restricted to any number of guests or guest rooms and the operator of which is licensed by the State or County to give special care and supervision to his or her charges, and in which nursing, dietary and other personal services are furnished to convalescents, invalids and aged persons, but in which homes are kept no persons suffering from a mental sickness, mental disease, disorder or ailment, or from a contagious or communicable disease, and in which homes are performed no surfery, maternity or other primary treatments such as are customarily provided in sanitariums or hospitals, and in which no persons are kept or served who normally would be admittable to a mental hospital.

Section 299.05: RETAINING WALL. "Retaining wall"means any wall used to resist the lateral displacement of any material.

Section 299:06: ROOF. "Roof" means a structural covering over any portion of a building or structure, including the projections beyond the walls or supports of the building or structure. An open work covering shall not be considered a roof if the upper horizontal surface area of the component solid portions thereof measured on the horizontal plane do not exceed twenty percent (20%) of the area of the covering.

Section 299.07: SANITARIUM. "Sanitarium" means a health station or retreat or other place where resident patients are kept, and which specializes in giving clinical, temporary and emergency services of a medical or surgical nature to human patients and licensed by State agencies under provisions of law to provide facilities and services in surgery, obstetrics and general medical practice as distinguished from treatment of mental and nervous disorders and alcoholics, but not excluding surgical and post surgical treatment of mental cases.

Section 299.08: SCHOOLS, ELEMENTARY, JUNIOR HIGH AND HIGH. "Elementary schools", "junior high schools" and "high schools" mean institutions of learning offering instruction in the several branches of learning and study required by the Education Code of the State of Washington to be taught in the public and parochial schools.

Section 299.09: SECONDHAND STORES. "Secondhand store" means any retail establishment in which the principal portion of the articles, commodities or merchandise handled, offered for sale, or sold on the premises are not new. Secondhand stores shall not be considered as including antique stores or pawn shops.

Section 299.10: SERVICE STATION, AUTOMOBILE. "Automobile service station" means an occupancy which provides for:

(a) the servicing of motor vehicles and operations incidental thereto limited to the retail sale of petroleum products and automotive accessories; automobile washing by hand; waxing and polishing of automobiles; tire changing and repairing (excluding recapping); battery service, charging and replacement, excluding repair and rebuilding; radiator cleaning and flushing, excluding steam cleaning and repair; and installation of accessories.

(b) the following operations if conducted within a building; lubrication of motor vehicles; brake servicing limited to servicing and replacement of brake cylinders, lines and brake shoes; wheel balancing; the testing, adjustment, and replacement or servicing of carburetors, coils, condensers, distributor caps, fan belts, filters, generators, points, rotors, sparkplugs, voltage regulators, water and fuel pumps, water hoses and wiring.

Section 299.11: SIGN. "Sign" means any outdoor advertising display or outdoor advertising structure, or any indoor advertising display or structure designed and placed so as to be readable principally from the outside.

Section 299.12: STABLE, PRIVATE. "Private stable" means a detached accessory building in which horses or other beasts of burden owned by the occupants of the premises are kept, and in which no such animals are kept for hire, remuneration or sale.

Section 299.13: STABLE, PUBLIC. "Public stable" means a stable other than a private stable.

Section 299.14: STAND. "Stand" means a structure for the display and sale of products with no space for customers within the structure itself.

Section 299.15: STORY. "Story" means that portion of a building included between the surface of any floor and the surface of the floor next above it. If there be no floor above it, then the space between the floor and the ceiling next above it shall be considered a story. If the finished floor level directly above the basement or cellar is more than six (6) feet above grade, such basement or cellar shall be considered a story.

Section 299.16: STREET. "Street" means a public or recorded private thoroughfare which affords primary means of access to abutting property.

Section 299.17: STREET LINE. "Street line" means the boundary line between a street and the abutting property.

Section 299.18: STREET, SIDE. "Side street" means a street which is adjacent to a corner lot or reverse corner lot and which extends in the general direction of the line determining the depth of the corner or reverse corner lot.

Section 299.19: STRUCTURE. "Structure" means anything constructed in the ground, or anything erected which requires location on the ground or water, or is attached to something having location on or in the ground, but not including fences less than six (6) feet in height, or paved areas.

Section 299.20: STRUCTURAL ALTERATIONS. "Structural alterations" means any change in the supporting members of a building or structure, such as foundations, bearing walls, columns, beams, floor or roof joists, girders or rafters, or changes in the exterior dimensions of the building or structure, or increase in floor space.

Section 299.21: THEATRE, DRIVE-IN. "Drive-in theatre" means an establishment to provide entertainment through projection of motion pictures on an outdoor screen for audiences whose seating accommodations are provided by their own motor vehicles parked in car spaces provided on the same site with the outdoor screen.

Section 299.22: TO PLACE. The verb "to place" and any of its variants as applied to advertising displays and outdoor advertising structures, includes maintaining, erecting, constructing, posting, painting, printing, nailing, glueing or otherwise fastening, affixing or making visible in any manner whatsoever.

Section 299.23: TRAILER, AUTOMOBILE HOUSE. "Automobile house trailer" means a vehicle without motor power designed to be drawn by a motor vehicle and to be used for human habitation, including a trailer coach, camper, mobile home, or any self-propelled vehicle having a body designed for or converted to the same use as a house trailer.

Section 299.24: TRAILER, AUTOMOBILE COMMERCIAL. "Automobile commercial trailer" means a vehicle without motor power designed to be drawn by a motor vehicle and which trailer is used or is to be used for carrying goods and property.

Section 299.25: TRAILER PARK, TRAILER COURT, MOBILE HOME PARK AND PUBLIC TRAILER CAMP. "Trailer park", "trailer court", mobile home park", "public trailer camp" mean any area or tract of land used or designed to accommodate two (2) or more automobile house trailers.

Section 299.26: UNCLASSIFIED USE. "Unclassified use" means a use possessing characteristics of such unique and special form as to make impractical its being made automatically and consistently permissable in any defined classification or zone as set forth in this resolution.

Section 299.27: UNCLASSIFIED USE PERMIT. "Unclassified use permit" means a limiting authority granted by the County and the documented evidence thereof to locate an unclassified use at a particular location, and which limiting authority is required to apply or modify the controls stipulated in this resolution.

Section 299.28: UNLISTED USES. "Unlisted uses" means uses which are not specifically named as permitted in any use classification contained within this resolution.

Section 299.29: USE. "Use" means the nature of the occupancy, the type of activity, or the character and form of improvements to which land is devoted or may be devoted.

Section 299.30: VARIANCE. "Variance" means an adjustment in the application of the specific regulations of this resolution to a particular piece of property which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity and zone and which adjustment remedies disparity in privileges.

Section 299.31: YARD. "Yard" means an open space other than a court on a lot, unoccupied and unobstructed from the ground upward unless specifically otherwise permitted in this resolution.

Section 299.32: YARDS, TYPES AND MEASUREMENTS.

(a) FRONT YARD. "Front yard" means an area extending across the full width of the lot and lying between the lot front line and a line drawn parallel thereto, and at a distance therefrom equal to the required front yard depth as prescribed in such classification. Front yards shall be measured by a line at right angles to the lot front line, or by the radial line or radial line extended in the case of a curved lot front line.

(b) SIDE YARD. "Side yard" means an open area measured from the lot side line toward the center of the lot and extending from the rear line of the required front yard, or from the lot front line if there be no required front yard, toward the lot rear line to a point measuring two-thirds (2/3) of the depth of the lot, except that on the side street side of corner lots and reverse corner lots

the required side yard shall extend to the rear line of the lot. The width of the side yard shall be measured horizontally from, and be parallel to the lot side line from which it is measured.

Section 299.33: YARD, REAR LINE OF REQUIRED FRONT. "Rear line of the required front yard" means a line parallel to the lot front line and at a distance therefrom equal to the depth of the required front yard, and extending across the full width of the lot.

Section 299.34: ZONE. "Zone" means an area accurately defined as to boundaries and location on an official map and within which area only certain types of land uses are permitted, and within which other types of land uses are excluded, as set forth in this resolution.

ARTICLE 3

ESTABLISHING OF USE CLASSIFICATIONS AND PROVIDING FOR PRECISELY IDENTIFYING BY MAP THOSE AREAS TO BE KNOWN AS ZONES TO WHICH THE VARIOUS CLASSIFICATIONS ARE APPLIED.

Section 300: PURPOSE OF CLASSIFICATIONS. The basic purpose of this resolution is to classify uses and to regulate the location of such uses in such manner as to group as nearly as possible those uses which are mutually compatible, and to protect each such group of uses from the intrusion of incompatible uses which would damage the security and stability of land and improvements and which would also prevent the greatest practical convenience and service to the citizens of King County. It is also recognized that intrusion of uses in one zone upon uses in another lighter zone may also result from effects reaching across boundary lines separating contiguous zones due to noise, smoke, equipment, open air activity or other features. To further accomplish the goal of compatibility, varying degrees of regulations are established for certain uses in the business, commercial and industrial classifications when such uses are contiguous to lighter zones. A further purpose of this resolution is to make it possible for King County to efficiently and economically design, install and operate physical public service facilities in terms of type, size and capacity, including streets, sewers, drains, schools and other public buildings to adequately and permanently meet the ultimate requirements as determined by a defined intensity and type of land-use; to require an orderly arrangement of essential related facilities with particular reference to the movement of people and goods, including the traffic pattern and well-located and well-designed off-street parking areas and, through the medium of the zoning map which is a part of this resolution, to establish the geographical location and boundaries of the zones to which the different classifications will apply.

A further purpose of this resolution is to establish required minimum lot area, yards and open spaces as a means of providing a suitable environment for living, business and industry, and to maintain reasonable population densities and reasonable intensities of land use, all for the general purpose of conserving public health, safety, morals, convenience and general welfare.

Section 301: NAMES OF CLASSIFICATIONS. In order to accomplish the purpose of this resolution, the following use classifications are established and regulations are set forth herein defining the permissable uses, the height and bulk of buildings, the area of yards and other open spaces about buildings, and the density of population, such classifications to be known as follows:

RS	SINGLE-FAMILY DWELLING CLASSIFICATION	(3 AREA DISTRICTS ESTABLISHING LOT MINIMUM AREA OF 15,000, 9,600 AND 7,200 SQUARE FEET)
RD-3,600	TWO-FAMILY (DUPLEX) DWELLING CLASSIFICATION	
RM-2,400	MEDIUM DENSITY MULTIPLE DWELLING CLASSIFICATION	
RM-1,800	HIGH DENSITY MULTIPLE DWELLING CLASSIFICATION	
RM-900	MAXIMUM DENSITY MULTIPLE DWELLING RESTRICTED SERVICE CLASSIFICATION	
S-E	SUBURBAN ESTATE CLASSIFICATION	
S-R	SUBURBAN RESIDENTIAL CLASSIFICATION	
A	AGRICULTURAL CLASSIFICATION	
G	GENERAL CLASSIFICATION	
B-N	NEIGHBORHOOD BUSINESS CLASSIFICATION	
B-C	COMMUNITY BUSINESS CLASSIFICATION	
C-G	GENERAL COMMERCIAL CLASSIFICATION	
M-L	LIGHT MANUFACTURING CLASSIFICATION	
M-P	MANUFACTURING PARK CLASSIFICATION	
M-H	HEAVY MANUFACTURING CLASSIFICATION	
F-R	FORESTRY AND RECREATION CLASSIFICATION	
F-P	FLOOD PLAIN CLASSIFICATION	
Q-M	QUARRYING AND MINING CLASSIFICATION	
- - -	Areas enclosed with a heavy dashed line on the zoning map indicate potential zones are provided in Sections 2305 and 2306.	

Section 302: DEGREE OF RESTRICTIVENESS. In the different major categories of use classifications established by this resolution, the "R" category is considered the most restrictive and other major categories are less restrictive in the following sequence: "S", "A", "G", "B", "C" and "M". Although the elements of required minimum lot areas and open spaces are involved in varying degrees in determining the position of uses in the scale of restrictiveness, the characteristics of uses as set forth in the various individual classifications are the primary criteria. Therefore, in applying these considerations, and even though the required minimum lot areas and open spaces are greater than those required in the "R" category of classifications, the uses permitted in the "S" and "A" categories of classifications are considered to be less restrictive than are those classifications in the "R" category. In the "B", "C" and "M" categories of classifications the uses permitted actually determine the sequence of restrictiveness. To further distinguish the degree of restrictiveness in the various major categories of classifications within which there is more than one classification, the sequence is as follows:

In the "R" classifications, that classification which establishes the lowest population density and requires the highest standards of lot area, yards and open spaces is considered to be the most restrictive, and the uses permitted in such classification are considered to be the lightest and most restricted. The RS classification and the uses permitted therein are considered to be the lightest and most restrictive, and in this classification there is a further distinction in terms of required minimum lot area and open spaces which establish a degree of less restrictiveness in the following sequence - RS-15,000, RS-9,600 and RS-7,200, the numeral suffix referring to required minimum lot areas. As greater population density is permitted by classification, the uses permitted are considered to be heavier and less restrictive in the following sequence - RD-3,600, RM-2,400, RM-1,800 and RM-900. In the RD and RM classifications the numeral suffix refers to required lot area per dwelling unit.

In the "B" and "C" classifications that classification which establishes the most stringent performance standards is considered to be the lightest and most restrictive classification, and the uses permitted in such classification are considered to be the lightest and most restrictive business uses. In the business and commercial classifications set forth in this resolution the B-N classification and the uses permitted therein are the lightest and most restricted, and the classifications become heavier and less restrictive in the following sequence - B-C and C-G.

In the "M" classifications the M-L classification and the uses permitted therein are considered to be the lightest and most restricted use-wise and the M-H classification the least restricted. The M-P classification use-wise is the same as the M-L classification but by reason of more stringent performance standards is considered more restrictive than the M-L classification.

Section 303: ESTABLISHMENT OF ZONES BY MAP. The location and boundaries of the various zones as defined herein are such as are shown and delineated on the zoning map or parts thereof adopted under this resolution. The transition from the provisions of Resolution 18801 where zoning maps have been adopted thereunder shall be as set forth in Section 3500 of this resolution. Areas not contained in zoning maps adopted under this resolution or in zoning maps adopted under Resolution No. 18801 shall be and are hereby declared to be regulated by Section 3.02 of Resolution No. 18801.

Section 304: DIVISION OF ZONING MAP. The zoning map may, for convenience be divided into parts and each such part may, for purposes of more readily identifying locations therein, be subdivided into units, and such parts and units may be separately employed for identification purposes when adopting or amending the zoning map or for any official reference to the zoning map.

Section 305: PARTS OF THE ZONING MAP. For purposes of conforming to the provisions of R.C.W. 36.70, (Chapter 201, L 1959) and particularly R.C.W. 36.70:740 thereof, and in consideration of practical means for identifying portions of the zoning map as set forth in Section 304 herein the "parts" of the zoning map therein referred to are declared to be the westerly one half or the easterly one half, as the case may be, of the sections in the various townships and ranges as established by the United States Geodetic Surveys.

Section 306: CHANGES IN BOUNDARIES. Changes in the boundaries of the zones shall be made by resolution adopting an amended zoning map, or part of said map, or unit of a part of said zoning map, and when so adopted said amended maps, or parts or units of parts, shall become a part of this resolution.

Section 307: UNCERTAINTY OF BOUNDARIES. Where uncertainty exists as to the boundaries of any zone shown upon the zoning map or any part or unit thereof, the following rules shall apply:

(1) Where such boundaries are indicated as approximately following street or alley lines or lot lines, such lines shall be construed to be such boundaries.

(2) In the case of unsubdivided property, and where a zone boundary divides such property, the location of such boundaries, unless the same are indicated by dimensions, shall be determined by use of the scale appearing on said zoning map.

(3) Where a public street or alley is officially vacated or abandoned, the area comprising such vacated street or alley shall acquire the classification of the property to which it reverts.

(4) Where a lot subdivided and recorded subsequent to the zoning of the area in which it is located becomes so placed that it is unequally bisected longitudinally by the boundary lines of different zones or area districts, the zone or area district boundary shall be considered as following the lot lines of the lot in such manner as to place the lot wholly in that zone classification or area district which applies to the major portion of the lot.

(5) Where property abuts a lake, river or body of water, the use classification shall extend to the inner harbor line and where no harbor line exists, to a line which the Army Engineers would define as the line of navigability.

(6) Where a lot is equally bisected longitudinally by a zone or area district boundary line, the total lot shall acquire the most restrictive use classification and the highest area requirement of the two zone classifications or area districts involved.

(7) Where a lot is bisected by the boundary line between two zones or area districts and such boundary line parallels or approximately parallels the street on which such lot fronts, the total area of such bisected lot shall acquire the same zone classification or area district requirement as the front portion of the lot. This provision shall not apply to through lots.

Section 308: UNCLASSIFIED PROPERTY. Any property which, for any reason other than the fact that it is a right-of-way of a street, alley, or railroad, is located within an adopted part of the zoning map but is not designated as being classified in any of the classifications established hereby, shall be deemed to be classified RS-15,000.

Section 309: CLASSIFICATION OF RIGHTS-OF-WAY. Areas of streets or alleys and railroad rights-of-way, other than such as are designated on the zoning map as being classified in one of the zones provided in this resolution, shall be deemed to be unclassified and, in the case of streets, permitted to be used only for street purposes as defined by law, and in the case of railroad rights-of-way, permitted to be used solely for the purpose of accommodating tracks, signals, other operating devices, the movement of rolling stock, public utility lines and facilities accessory to and used directly for the delivery, distribution or rendering of services to bordering land uses.

Section 310: LOT AREA REQUIREMENT SYMBOL. In the RS zone where a number follows the indicated zone classification on the zoning map such number shall indicate which of the minimum lot area, yards and open spaces required in the zone applies to the properties involved.

Section 311: LIMITATION OF LAND USE. Except as provided in this resolution, no building or structure shall be erected, reconstructed or structurally altered, nor shall any building, structure or land be used for any purpose except as hereinafter specifically provided and allowed in the zone in which such building, land or use is located.

ARTICLE 4
RS - SINGLE-FAMILY DWELLING CLASSIFICATION

Section 400: PURPOSE OF CLASSIFICATION. The principal objective and purpose to be served by this classification and its application is to create a living environment of the highest standards for single-family dwellings. Other related uses contributing directly to a complete living environment are considered compatible and therefore also permitted. A further related consideration is to make it possible to more efficiently and economically design, install and maintain all physical public service facilities in terms of size and capacity to adequately and permanently meet needs resulting from a defined intensity of land use.

Section 401: PERMITTED USES. In an RS zone the following uses only are permitted and as hereinafter specifically provided and allowed by this Article, subject to the off-street parking requirements and the general provisions and exceptions set forth in this resolution beginning with Article 23.

(1) A one-family dwelling

(2) Accessory buildings and uses including, but not limited to, the following:

(a) accessory living quarters;

(b) private garages designed to accommodate not more than four (4) cars;

(c) small animals (household pets) not to exceed three (3) in any combination thereof, when kept on the same lot as the residence of the owners of such pets;

(d) lodgers limited to two (2);

(e) private docks and mooring facilities and a private boat house or hangar for the sole use of occupants of the premises to accommodate private non-commercial pleasure craft. Boat houses, hangars, docks and moorings shall be accessory to the primary use on the property to which they are contiguous, provided: (1) no part of the boat house or hangar shall extend more than sixteen (16) feet above the mean high water level;

(2) any structure shall not be located closer to a property side line, or property side line extended, than the width of the required side yard on the lot to which such facilities are accessory;

(3) the total area of covered moorages, boat houses or hangars shall not exceed one thousand (1,000) square feet;

(4) covered structures shall abut upon the natural shoreline;

(5) such structures shall not have a width greater than fifty percent (50%) of the width of the lot at the natural shoreline upon which it is located;

(6) any boat using such moorage shall not be used as a place of residence when so moored.

(f) foster family day care home;

(g) greenhouses, private and non-commercial, for propagation and culture only and no sales from the premises shall be permitted;

(h) radio tower, amateur;

(i) swimming pools and other recreational facilities for the sole use of occupants of premises and their guests.

(3) Art galleries and museums, when located in a public park.

(4) Boat moorages for pleasure craft only in connection with community and non-commercial recreational facilities as set forth in this Article, whether the moorage is publicly or privately owned, subject to the issuance of a conditional use permit provided the following minimum conditions are conformed to:

(a) no boat sales, service, repair, boat charter or rental shall be permitted on the premises;

(b) the deck of any pier shall be no more than five (5) feet above high water level;

(c) on-shore toilet facilities shall be provided;

(d) boats using such moorage facilities shall not be used as a place of residence;

(e) no overhead wiring shall be permitted on piers or floats except within covered moorage structures;

(f) all covered structures over water shall abut upon the shore and be at least forty (40) feet apart when placed side by side; when covered structures are placed end to end or side to end, one of the structures shall abut upon the shore and the structures shall be at least fifteen (15) feet apart;

(g) no covered structures over water shall be permitted to extend out from shore a distance greater than fifty percent (50%) of the maximum permitted distance from shore of a pier on subject premises, but in no case a distance of more than three hundred (300) feet from shore, unless the outer line of the property is less than two hundred (200) feet from shore, a covered structure may be permitted to extend to the outer property line;

(h) no pier, including finger piers, shall occupy more than ten percent (10%) of the water area of any lot upon which same is built, nor shall the total area of covered structures over water occupy more than twenty percent (20%) of the water area of such lot;

(i) all covered structures over water under one ownership shall be built in a uniform manner and design and no point in the roof of such structure shall be higher than sixteen (16) feet above high water in fresh water and no floating moorage located in fresh or tidal water shall have a structure higher than sixteen (16) feet from the water line;

(j) the roofs of covered moorages shall contain no more than seventy-two hundred (7200) square feet of area in any one unit and such roofs shall not be supported directly by extended piling;

(k) side walls on covered structures shall not exceed fifty percent (50%) of the area of any three sides and shall be of rigid or semi-rigid material and shall cover from external view all roof bracing.

(5) Cemeteries which were legally in existence prior to the effective date of the adoption of this resolution.

(6) Churches, providing the following conditions are conformed to:

(a) all buildings and structures on the site shall not cover more than forty percent (40%) of the area of the site;

(b) the depth of the required front yard shall be the same as that required for the area district in which the site is located as identified on the zoning map;

(c) buildings and structures on the site shall not be closer than thirty (30) feet to any property line which is a common property line with "R", "S" or "A" classified property, except that a detached one-family dwelling on such site need conform only to the yard requirements and required distance between buildings as prescribed by the area district in which the site is located;

(d) the height limits of the area district in which the site is located shall apply, except that the height shall be measured to the mean height of the roof;

(e) on interior lots the required side yards may be used to provide off-street parking areas and on corner lots the interior side yard may be similarly used. Under no circumstances may the required front yard or the side yard on the side street be used for off-street parking;

(f) where areas devoted to off-street parking are contiguous to residentially classified property, then on the property line common with such residentially classified property there shall be erected and maintained a solid wall or view-obscuring fence or hedge not less than five (5) feet nor more than six (6) feet in height, and such walls or fences may be built progressively as the parking facilities are installed;

(g) all lights provided to illuminate any parking area or building on such site shall be so arranged as to direct the light away from any adjoining premises

(h) church sites shall abut and be accessible from at least one public street having two moving traffic lanes and a dedicated width that will permit not less than a thirty six (36) foot roadway;

(i) the following signs only are permitted:

(1) one sign area, lighted or unlighted, on the outside wall of the main building and parallel thereto, having an area not greater than forty (40) square feet;

(2) a detached sign having dimensions totalling not more than twenty (20) square feet and on which both faces may be utilized, such sign being securely mounted on the ground on supports and the top of which signshall be not more than six (6) feet above the natural level of the ground upon which it rests. On corner and reverse corner lots one such sign may be placed facing each street.

(j) For purposes of determining conformance to the foregoing conditions and the parking requirements, a plot plan showing ultimate location and use of all buildings, location of signs, location and amount of off-street parking areas, location and adequacy of ingress to and egress from parking areas, landscaping and sketches to-scale showing the building elevations and floor space to be devoted to seating or assembly purposes, shall be filed with and approved by the Building Department prior to the issuance of any building permit and thereafter the issuance of building permits shall be governed by and conform to the approved plot plan. If, later, a modified plot plan is submitted, the modified plan shall conform to the conditions and requirements of this resolution or any amendments in effect at the time the modified plan is submitted.

(7) Nursery schools, when located on the same site with public or private schools or churches.

(8) Foster care home, twenty-four (24) hours.

(9) Golf courses, private or public, including clubhouse, accessory driving range, pitch and putt courses, provided:

(a) any building or structure shall maintain a distance of not less than fifty (50) feet from any exterior boundary line which is a common property line with "R" or "S" classified property and from any street boundary line;

(b) any service area, any side of which constitutes a common property line with "R" or "S" classified property shall be screened from such property line by the erection and maintenance on such common property line of a solid wall or view-obscuring fence or hedge not less than five (5) or more than six (6) feet in height;

(c) no required yard or open space on the premises may be used to provide parking space for cars or vehicles;

(d) where property devoted to these purposes is bounded by a street, then on any street property line, no entrance-exit facilities for automobiles shall be located closer than one-hundred (100) feet to a street intersection.

(10) Libraries (publicly-operated).

(11) Parks, publicly-owned and operated, provided:

(a) no bleachers or stadiums are permitted if the site is less than ten (10) acres, and no public amusement devices for hire are permitted;

(b) any lights provided to illuminate any building or recreational area shall be so arranged as to reflect the light away from any premises upon which a dwelling unit is located;

(c) any building or structure or service yard on the site shall maintain a distance not less than fifty (50) feet from any property line that is a common property line with "R", "S" or "A" classified property and from a public street.

(12) Public utility facilities

(a) public utility facilities permitted by Section 2313 shall in no way be affected by this section;

(b) public utility facilities necessary for the transmission and distribution of services for the area when the facilities are located underground below the natural grade of the site; provided, however, that surface mounted transformers, telephone terminals and metering devices less than five (5) feet in height required in connection with underground services are permitted above ground;

(c) public utility facilities, such as telephone exchanges, sewage or water pumping stations, electrical distribution substations, water storage reservoirs or tanks necessary for the distribution of services including accessory microwave transmission facilities and towers are permitted above ground, but not including business offices, warehousing, storage buildings or yards, service yards, sewage treatment plants or bulk gas storage or the like, subject to the following minimum standards:

(1) any equipment or structure except architectural screens and fences shall observe a distance of one (1) foot for each one (1) foot the equipment or structure rises above the grade but in no case less than twenty (20) feet from any property line that is a common property line with a street, alley, or with "R", "S" or "G" classified property;

(2) when security fences are used, they shall be supplemented with base plantings of evergreen shrubs, or trees, climbing evergreen material on the fence or wooden slats woven into the fence so as to minimize the industrial character of such fences,

(3) an appropriate area surrounding the installation shall be landscaped and maintained with paving, shrubs and ground cover consistent with surrounding residential standards;

(4) when the facility includes bulky structures such as water towers or standpipes, the landscaping shall include trees either natural or planted of such size as will partially screen and effectively break up the massive appearance of such structures;

(5) landscaping shall be planted according to accepted practice in good soil and maintained in good condition at all times. Landscaping shall be planted as a yard improvement at or before the time of completion of the first structure or within a reasonable time thereafter considering weather and planting conditions;

(6) the permissible sound level measured at any common property line with "R", "S" or "G" classified property shall normally not exceed sixty (60) decibels when measured with the A or 40db scale by a sound level meter meeting American Standard Association Standards;

(7) site plans, elevation and landscape plans shall be submitted and approved by the Building Department prior to the issuance of a building permit. The Building Department may require the posting of a surety bond guaranteeing to the county the installation and improvement of the site in accordance with the approved screening and landscape plans in an amount estimated to be equal to the cost of such screening and landscaping.

(13) Recreational facilities, community and non-commercial, including club house facilities, subject to the issuance of a conditional use permit, provided the following minimum conditions are conformed to:

(a) a solid wall or view-obscuring fence or hedge not less than five (5) feet nor more than six (6) feet in height shall be erected and maintained on any exterior boundary line which is a common property line with "R", "S" or "G" classified property, except that on any portion of the common property line constituting the depth of the required front yard on the adjoining "R", "S" or "G" classified property such wall, fence or hedge shall be not less than thirty-six (36) inches nor more than forty-two (42) inches in height. Wherever a six (6) foot wall, fence or hedge is permitted, open, wire mesh screens may be erected to heights greater than six (6) feet where needed for protective purposes;

(b) any building or structure on the site shall maintain a distance not less than twenty-five (25) feet from any abutting "R", "S" or "G" classified property;

(c) any lights provided to illuminate any building or recreational area shall be so arranged as to reflect the light away from any premises upon which a dwelling unit is located;

(d) the site shall be located upon, or have adequate access to a public thoroughfare.

(14) Schools, elementary, junior high and high and Junior Colleges, public or parochial, provided the following conditions are conformed to:

(a) no less than the following minimum site areas shall be provided:

(1)	for Elementary Schools	5 acres
(2)	for Junior High Schools	10 acres
(3)	for Senior High Schools	15 acres
(4)	for Junior Colleges	20 acres

(b) any buildings or structures on the site shall maintain all yards required in the area district in which the site is located as identified on the zoning map;

(c) all buildings and structures shall maintain a distance not less than thirty (30) feet from any property line that is a common property line with "R", "S" or "A" classified property;

(d) all buildings, including accessory buildings and structures, shall not cover more than forty percent (40%) of the area of the site.

(15) Signs, only the following (except as provided for churches):

(a) name plates not exceeding two (2) square feet in area containing the name of the occupant of the premises;

(b) one (1) unlighted sign not exceeding six (6) square feet in area pertaining only to the sale, lease or hire of only the particular building, property or premises upon which displayed;

(c) one (1) unlighted identification sign not more than twelve (12) square feet in area provided such sign shall not extend into any required yard or open spaces on the lot or site.

(16) Uses on Transitional Lots.

A two-family dwelling when the lot or building site upon which it is located has a side line abutting a lot or lots classified for RM-2400, RM-1800, RM-900, "B", "C" or "M" purposes, whether or not an alley intervenes. In no case shall the property used for such two-family dwelling consist of more than one (1) lot or exceed a width of ninety (90) feet, whichever is the least, nor be used to a depth greater than the extent to which the side property line is common with property classified for such heavier uses.

(17) Planned Unit Development as provided in Article 27.

(18) Unclassified Uses as provided in Article 22.

Section 402: LOT AREA. In recognition of the variations in topographical conformation and geographical relationships of portions of King County and the advantages that can attach to living conditions, including considerations of health, safety and general welfare and the amenties of living which naturally relate to the areas devoted to residential and related purposes, there are established in the RS classification three (3) minimum required lot area standards with respect to each of which different related yards and open spaces are required as set forth herein and, as to location, are identified on the zoning map by the designations RS-15,000, RS-9600 and RS-7200:

(1) the minimum required area of a lot in an area designated as RS-15,000 .....15,000 square feet;

(2) the minimum required area of a lot in an area designated as RS-9600 .....9600 square feet;

(3) the minimum required area of a lot in an area designated as RS-7200 .....7200 square feet.

In a multiple lot subdivision approved subsequent to the effective date of this resolution, the minimum lot area shall be deemed to have been met if the average lot area is not less than the minimum lot area requirement of the area district in which the property is located as identified on the zoning map. In computing the average square foot area of lots in a subdivision not more than twenty-five percent (25%) of the number of lots may contain an area less than the prescribed minimum for the area district, but in no case shall a lot contain less area than as set forth in the following:

(1) In RS-15,000 - 12,000 square feet of lot area;
(2) In RS-9600 - 7200 square feet of lot area;
(3) In RS-7200 - 6400 square feet of lot area;

and provided further that for lots containing more than the minimum lot area required for the area district in which the property is located, nor more than the following areas of such lots may be credited in determining the average lot area:

(1) In RS-15,000 - 18,000 square feet of lot area;
(2) In RS-9600 - 12,000 square feet of lot area;
(3) In RS-7200 - 8,000 square feet of lot area.

Section 403: LOT AREA PER DWELLING UNIT. The lot area per dwelling unit shall be no less than the minimum area of a lot as required for the area district in which the property is located as identified on the zoning map, except that in multiple lot subdivisions approved subsequent to the effective date of this resolution, the lot area per dwelling unit for each individual lot shall be the area of the individual lots conforming to the approved subdivision.

In the case of a permitted transitional two-family dwelling, the lot area per dwelling unit shall be not less than one-half (1/2) of the minimum required area of the lot. If a lot has less than seven thousand two hundred (7,200) square feet, and was of record on the effective date of this resolution, the lot area per dwelling unit for a transitional use shall be not less than three thousand (3,000) square feet.

Section 404: LOT WIDTH. Every lot in an RS zone shall maintain a width of not less than the following:

(1) the minimum width of a lot in an area designated as RS-15,000 . . . . eighty (80) feet;

(2) the minimum width of a lot in an area designated as RS-9600 . . . . seventy (70) feet;

(3) the minimum width of a lot in an area designated as RS-7200 . . . . sixty (60) feet;

Section 405: FRONT YARD. Every lot in an RS zone shall have front yards with a depth of not less than twenty (20) feet except on key lots and transitional lots, this depth may be reduced to fifteen (15) feet.

Section 406: SIDE YARDS. In an RS zone every lot shall have a side yard on each side of the lot, which side yard shall have a width of not less than five (5) feet.

Section 407: HEIGHT. In an RS zone no residential building or structure shall exceed a height of thirty (30) feet. Any other building or structure may exceed such height limit provided each required side yard and open space is increased one (1) additional foot in width for each additional foot in height such building or structure exceeds thirty (30) feet, and provided further that a site occupied by a building or structure having a height greater than thirty (30) feet shall have no property alienated from such site which would reduce the yards and open spaces required or

provided to compensate for the greater height, nor which would reduce the total required minimum area of the site upon which the permitted lot coverage was based. In no case, however, may a building or structure exceed a height of fifty (50) feet, except for church steeples and the like as provided in Section 2402. If a parcel contains an area two (2) or more times, but not more than four (4) times, the minimum required lot area for the area district in which the property is located as identified on the zoning map, then the portion of the parcel committed to the building site, including the additional yards and open spaces provided to compensate for the greater height of buildings, shall be accurately defined as a separate lot by means set forth in the subdivision code for platting or dividing property.

Section 408: PERMISSIBLE LOT COVERAGE. Except as otherwise provided for schools and churches, all buildings, including accessory buildings and structures but not including any open areas used to provide parking spaces or private swimming pools, shall not cover more than thirty-five percent (35%) of the area of the lot. In the case of churches and schools the limitation of lot coverage shall pertain to buildings and structures only, and does not include open air parking areas.

Section 409: PLACEMENT OF BUILDINGS AND STRUCTURES. Placement of buildings and structures on any lot in an RS zone shall conform to the following:

(1) INTERIOR LOTS.

(a) Any building any portion of which contains a dwelling unit or accessory living quarters shall observe a distance from any lot side line and the rear property line of five (5) feet;

(b) the distance between a building containing a dwelling unit or accessory living quarters and any other buildings on the same lot shall be not less than ten (10) feet;

(c) on the rear third of a lot accessory buildings not containing accessory living quarters may be built to the lot side lines and the lot rear line, provided not less than ten (10) feet of the lot rear line shall be free and clear of buildings, and provided further if the lot rears upon an alley, a garage with a vehicular entrance from the alley shall maintain a distance of not less than fifteen (15) feet from the center line of the alley

(2) CORNER LOTS AND REVERSE CORNER LOTS.

(a) Any building containing a dwelling unit or accessory living quarters shall observe a distance from any lot side line and the lot rear line of five (5) feet;

(b) the distance between a building containing a dwelling unit or accessory living quarters and any other buildings on the same lot shall be not less than ten (10) feet;

(c) on the rear third of a corner lot accessory buildings not containing accessory living quarters may be built on the lot interior side line and the lot rear line, provided if the lot rears upon an alley a garage with a vehicular entrance from the alley shall maintain a distance not less than fifteen (15) feet from the center line of such alley;

(d) on the rear third of a reverse corner lot accessory buildings not containing accessory living quarters may be built to the lot interior side line, but no building shall be erected closer to the lot rear line than five (5) feet unless an alley intervenes, in which case accessory buildings may be built to the lot rear line unless the accessory building be a garage with a vehicular entrance directly from the alley, in which case such building shall maintain a distance of not less than fifteen (15) feet from the center line of thealley;

(e) in all cases the width of the required side yard on the side street side shall be observed.

ARTICLE 5

R-D - 3,600 - TWO-FAMILY (Duplex) DWELLING CLASSIFICATION

Section 500: PURPOSE OF CLASSIFICATION. The principal objective and purpose to be served by this classification and its application is to permit a limited increase in population density in those areas to which this classification applies by permitting two (2) dwelling units on a minimum sized lot while, at the same time, by means of the standards and requirements set forth herein, maintaining a desirable family living environment by establishing a minimum lot area and yards and open spaces. A related consideration is to make it possible to more efficiently and economically design and install all physical public service facilities in terms of size and capacity to adequately and permanently meet the needs resulting from a defined intensity of land-use.

Section 501: PERMITTED USES. In an RD-3600 zone only the following uses are permitted and as hereinafter specifically provided and allowed by this Article, subject to the off-street parking requirements and the general provisions and exceptions set forth in this resolution beginning with Article 23.

(1) Any use permitted in an RS zone, provided all such uses shall conform to the conditions set forth for each in the RS classification, except that for dwellings the yards and open spaces required by this classification shall apply.

(2) Day nurseries, provided the following conditions are conformed to:

(a) such use shall be conducted in a dwelling;

(b) not more than fifteen (15) children shall be cared for at any one time;

(c) no required side yard or front yard may be used to provide a play yard or accommodate play equipment;

(d) if more than six (6) children are cared for at any one time, the permitted lot coverage by buildings on the premises shall not exceed thirty-five percent (35%) of the area of the lot;

(e) if more than six (6) children are cared for at any one time, all buildings and structures on the lot shall maintain a distance of not less than twenty (20) feet from any property line that is a common property line with "R" classified property.

(3) A duplex, or a two-family dwelling. If only a single-family dwelling exists on a lot on the effective date of this resolution, any additional dwelling unit shall be attached to and made a part of the building containing the existing dwelling unit.

(4) Accessory buildings, structures and uses, including but not limited to the following:

(a) accessory buildings, structures and uses as set forth in the RS classification, and under the same conditions set forth for each therein, except that where more than one (1) dwelling unit is involved private garages shall be limited to accommodating not more than two (2) cars for each dwelling unit, and an accessory boat house or hangar shall be limited to accommodating not more than one (1) private non-commercial pleasure craft for each dwelling unit on the premises;

(b) if only a single-family dwelling exists on the lot, not more than four (4) lodgers are permitted. If two (2) dwelling units exist on the lot, then not to exceed two (2) lodgers per dwelling unit are permitted.

(5) Signs, as follows:

(a) Name plates not exceeding two (2) square feet in area containing the name of the occupant of the premises;

(b) one (1) unlighted sign not exceeding six (6) square feet in area pertaining only to the sale, lease or hire of only the particular building, property or premises upon which displayed;

(c) one (1) unlighted identification sign not more than twelve (12) square feet in area, provided such sign shall not extend into any required yard or open space on the lot or site.

(6) Uses on transitional lots - one (1) dwelling unit for each two thousand four hundred (2,400) square feet of lot area when the lot or building site upon which such units are located has a side line abutting a lot or lots classified for RM-1800, RM-900, B, C or M purposes whether or not an alley intervenes, but in no case shall the property used for such transitional use consist of more than one (1) lot or be more than ninety (90) feet in width, whichever is the least nor be used to a depth greater than the extent to which the side property line is common with property classified for such heavier uses.

(7) Planned Unit Development as provided in Article 27.

(8) Unclassified Uses as provided in Article 22.

Section 502: LOT AREA. The minimum required area of a lot in an RD-3600 zone shall be seven thousand two hundred (7,200) square feet, provided that in a multiple lot subdivision approved subsequent to the effective date of this resolution the minimum lot area shall be deemed to have been met if the average lot area is not less than seven thousand two hundred (7,200) square feet. In computing the average square foot area of lots in a subdivision not more than twenty five percent (25%) of the number of lots may contain an area less than seven thousand two hundred (7,200) square feet and in no case shall a lot contain less than six thousand four hundred (6,400) square feet of area. For lots containing more than seven thousand two hundred (7,200) square feet of area not more than eight thousand (8,000) square feet of area may be credited in determining the average.

Section 503: LOT AREA PER DWELLING UNIT. In an RD-3600 zone the lot area per dwelling unit shall be not less than three thousand six hundred (3,600) square feet. In multiple lot subdivisions approved subsequent to the effective date of this resolution where lots contain an area less than seven thousand two hundred (7,200) square feet but not less than six thousand four hundred (6,400) square feet, the lot area per dwelling unit shall be one-half (1/2) of the area of the lot. In the case of a permitted transitional use, the lot area per dwelling unit shall be not less than two thousand four hundred (2,400) square feet.

Section 504: LOT WIDTH. Every lot in an RD-3600 zone shall have a width of not less than sixty (60) feet.

Section 505: FRONT YARD. Every lot in an RD-3600 zone shall have a front yard with a depth of not less than twenty (20) feet except on key lots and transitional lots this depth may be reduced to fifteen (15) feet.

Section 506: SIDE YARDS. In an RD-3600 zone every lot shall have a side yard on each side of the lot which side yard shall have a width of not less than five (5) feet.

Section 507: HEIGHT. In an RD-3600 zone no residential building or structure shall exceed a height of thirty (30) feet. Any other building or structure may exceed such height provided each required side yard and open space is increased one (1) additional foot in width for each additional foot in height such building or structure exceeds thirty (30) feet, and provided further that a site occupied by a building or structure having a height greater than thirty (30) feet shall have no property alienated from such site which would reduce the yards and open spaces required or provided to compensate for the greater height, nor which would reduce the total required minimum area of the site upon which the permitted lot coverage was based. In no case, however, may a building or structure exceed a height of fifty (50) feet except for church steeples and the like. If a parcel contains an area two (2) or more times, but not more than four (4) times, the minimum required lot area, then the portion of the parcel committed to the building site, including the additional yards and open spaces compensating for the greater height of buildings, shall be accurately defined as a separate lot by means as set forth in the subdivision code for platting or dividing property.

Section 508: PERMISSIBLE LOT COVERAGE. Except for churches and schools which shall conform to the lot coverage limitations set forth for each in the RS classification, all buildings, including accessory buildings and structures but not including any open areas used to provide parking spaces and private swimming pools on residential lots, shall not cover more than thirty-five percent (35%) of the area of the lot. In the case of a permitted transitional use, the maximum permitted lot coverage shall be fifty percent (50%) of the area of the lot.

Section 509: PLACEMENT OF BUILDINGS. Placement of buildings on any lot shall conform to the following:

(1) INTERIOR LOTS.

(a) Any building containing one or more dwelling units or accessory living quarters shall observe a distance of not less than five (5) feet from any lot side line and the rear property line;

(b) the distance between a building containing one or more dwelling units or accessory living quarters and any other buildings on the same lot shall be not less than ten (10) feet;

(c) on the rear third of a lot accessory buildings not containing accessory living quarters may be built to the lot side lines and the lot rear line, provided not less than ten (10) feet of the lot rear line shall be free and clear of buildings and provided further, if the lot rears upon an alley, a garage with a vehicular entrance from the alley shall maintain a distance of not less than fifteen (15) feet from the center line of the alley.

(2) CORNER LOTS AND REVERSE CORNER LOTS.

(a) Any building containing one or more dwelling units or accessory living quarters shall observe a distance of not less than five (5) feet from any lot side line and the lot rear line;

(b) the distance between a building containing one or more dwelling units or accessory living quarters and any other buildings on the same lot shall be not less than ten (10) feet;

(c) on the rear third of a corner lot accessory buildings not containing

accessory living quarters may be built to the lot interior side line and the lot rear line, provided if the lot rears upon an alley a garage with a vehicular entrance from the alley shall maintain a distance not less than fifteen (15) feet from the center line of such alley;

(d) on the rear third of a reverse corner lot accessory buildings not containing accessory living quarters may be built to the lot interior side line, but no building shall be erected closer to the lot rear line than five (5) feet unless an alley intervenes, in which case accessory buildings may be built to the lot rear line unless the accessory building be a garage with a vehicular entrance directly from the alley, in which case such building shall maintain a distance of not less than fifteen (15) feet from the center line of the alley;

(e) in all cases the width of the required side yard on the side street shall be observed.

ARTICLE 6

RM-2,400 - MEDIUM DENSITY MULTIPLE DWELLING CLASSIFICATION

Section 600: PURPOSE OF CLASSIFICATION. The principal objective and purpose to be served by this classification and its application is to establish areas permitting a greater population density than is allowed in more restrictive classifications and at the same time maintain a residential environment consistent with such greater population density. A related consideration is to make it possible to more efficiently and economically design and install all physical public service facilities in terms of size and capacity to adequately and permanently meet needs resulting from a defined intensity of land-use.

Section 601: PERMITTED USES. In an RM-2,400 zone only the following uses are permitted and as hereinafter specifically provided and allowed by this Article, subject to the off-street parking requirements and the general provisions and exceptions set forth in this resolution beginning with Article 23.

(1) Any use permitted in the RD-3,600 classification provided all such uses shall conform to the conditions set forth in the classification in which they are first permitted, except that for dwellings the yards, open spaces and lot coverage established by this classification shall apply;

(2) Multiple dwelling units;

(3) Day nurseries, provided:

(a) such use shall be conducted in a dwelling;

(b) any play yard or play equipment shall not be located in any required side or front yard;

(c) if more than six (6) children are cared for at any one time, all buildings and structures on the lot shall maintain a distance of not less than twenty (20) feet from any property line that is a common property line with "R" classified property;

(4) Accessory uses, buildings and structures as set forth in the RS and RD-3,600 classification and subject to conditions set forth for each therein;

(5) Signs, as follows:

(a) name plates not exceeding two (2) square feet in area containing the name of the occupant of the premises;

(b) one (1) identification sign not exceeding twelve (12) square feet in area, provided such sign shall not extend into any required yard or open space on the lot or site;

(c) one (1) unlighted sign not exceeding six (6) square feet in area pertaining only to the sale, lease or hire of only the particular building, property or premises upon which displayed;

(6) Uses on transitional lots - one (1) dwelling unit for each eighteen hundred (1800) square feet of lot area when the lot or building site upon which it is located has a side line abutting a lot or lots classified for RM-900, "B", "C" or "M" purposes whether or not an alley intervenes. In no case shall the property used for such transitional use consist of more than one (1) lot or exceed a width of ninety (90) feet, whichever is the least, nor be used to a depth greater than the extend to which the side property line is common with property classified for such heavier uses.

(7) Planned Unit Development as provided in Article 27.

(8) Unclassified Uses as provided in Article 22.

Section 602: LOT AREA. The minimum required area of a lot in an RM-2,400 zone shall be seven thousand two hundred (7,200) square feet, provided that in a multiple lot subdivision approved subsequent to the effective date of this resolution the minimum lot area shall be deemed to have been met if the average lot area is not less than seven thousand two hundred (7,200) square feet. In computing the average square foot area of lots in a subdivision not more than twenty five percent (25%) of the number of lots may contain an area less than seven thousand two hundred (7,200) square feet but in no case shall a lot contain less than six thousand four hundred (6,400) square feet. For lots containing more than seven thousand two hundred (7,200) square feet of area not more than eight thousand (8,000) square feet of area may be credited in determining the average.

Section 603: LOT AREA PER DWELLING UNIT. In an RM-2,400 zone the lot area per dwelling unit shall be not less than two thousand four hundred (2,400) square feet. In multiple lot subdivisions approved subsequent to the effective date of this resolution where lots contain an area less than seven thousand two hundred (7,200) square feet but not less than six thousand four hundred (6,400) square feet, the lot area per dwelling unit shall be not less than one-third (1/3) of the area of the lot. Where a lot contains more than seven thousand two hundred (7,200) square feet of area, there may be one dwelling unit for each two thousand four hundred (2,400) square feet of lot area in excess of seven thousand two hundred (7,200) square feet of area. In the case of a permitted transitional use, the lot area per dwelling unit shall be not less than eighteen hundred (1800) square feet.

Section 604: LOT WIDTH. Every lot in an RM-2,400 zone shall have a width of not less than sixty (60) feet.

Section 605: FRONT YARD. Every lot in an RM-2,400 zone shall have a front yard with a depth of not less than twenty (20) feet. In the case of key lots and permitted transitional lots, the required front yard depth shall be not less than fifteen (15) feet.

Section 606: SIDE YARDS. In an RM-2,400 zone every lot shall have a side yard on each side of the lot which side yard shall have a width of not less than five (5) feet.

Section 607: HEIGHT. In an RM-2,400 zone no building or structure shall exceed a height of thirty-five (35) feet unless so far as any building or structure exceeding such height is concerned, each required side yard and open space is increased one additional foot in width for each additional foot in height such building or structure exceeds thirty-five (35) feet, and provided further that a site occupied by a building or structure having a height greater than thirty-five (35) feet shall have no property alienated from such site which would reduce the yards and open spaces required or provided to compensate for the greater height, nor which would reduce the total required minimum area of the site upon which the permitted lot coverage was based. If a parcel contains an area two (2) or more times, but not more than four (4) times, the minimum required lot area, then the portion of the parcel committed to the building site, including the additional yards and open spaces compensating for the greater height of buildings, shall be accurately defined as a separate lot by means set forth in the subdivision code for platting or dividing property.

Section 608: PERMISSIBLE LOT COVERAGE. All buildings, including accessory buildings and structures but not including private swimming pools or any open areas used to provide parking on residential lots shall not cover more than fifty percent (50%) of the area of the lot.

Section 609: PLACEMENT OF BUILDINGS. Placement of buildings on any lot shall conform to the following:

(1) INTERIOR LOTS.

(a) Any building containing one or more dwelling units or accessory living quarters shall observe a distance of not less than five (5) feet from any lot side line and the rear property line;

(b) the distance between a building containing one or more dwelling units or accessory living quarters and any other buildings on the same lot shall be not less than ten (10) feet;

(c) on the rear third of a lot accessory buildings not containing accessory living quarters may be built to the lot side lines and the lot rear line, provided not less than ten (10) feet of the lot rear line shall be free and clear of buildings and provided further, if the lot rears upon an alley a garage with a vehicular entrance from the alley shall maintain a distance of not less than fifteen (15) feet from the center line of the alley.

(2) CORNER LOTS AND REVERSE CORNER LOTS.

(a) Any building containing one or more dwelling units or accessory living quarters shall observe a distance of not less than five (5) feet from any lot side line and the lot rear line;

(b) the distance between a building containing one or more dwelling units or accessory living quarters and any other buildings on the same lot shall be not less than ten (10) feet;

(c) on the rear third of a corner lot accessory buildings not containing accessory living quarters may be built to the lot interior side line and the lot rear line, provided if the lot rears upon an alley a garage with a vehicular entrance from the alley shall maintain a distance of not less than fifteen (15) feet from the center line of such alley;

(d) on the rear third of a reverse corner lot accessory buildings not containing accessory living quarters may be built to the lot interior side line, but no building shall be erected closer than five (5) feet to the property line if any abutting lot to the rear unless an alley intervenes, in which case accessory buildings may be built to the lot rear line unless the accessory building be a garage with a vehicular entrance directly from the alley, in which case such building shall maintain a distance of not less than fifteen (15) feet from the center line of the alley;

(e) in all cases the width of the required side yard on the side street side shall be observed.

ARTICLE 7

RM-1800 - HIGH DENSITY MULTIPLE DWELLING CLASSIFICATION

Section 700: PURPOSE OF CLASSIFICATION. The principal objective and purpose to be served in this classification and its application is to establish areas permitting a greater population density than is allowed in more restrictive classifications and to permit the providing of accommodations for those who desire to live in a residential atmosphere without the necessity to individually maintain a dwelling unit. A related consideration is to make it possible to more efficiently and economically design and install all physical public service facilities in terms of size and capacity to adequately and permanently meet needs resulting from a defined intensity of land-use.

Section 701: PERMITTED USES. In an RM-1800 zone only the following uses are permitte and as hereinafter specifically provided and allowed by this Article, subject to the off-street parking requirements and the general provisions and exceptions set forth in this resolution beginning with Article 23.

(1) Any use permitted in an RM-2400 zone, provided all such uses shall conform to the conditions set forth in the zone in which they are first permitted, except that for dwellings the yards, open spaces and lot coverage permitted by this classification shall apply.

(2) Accessory uses, buildings and structures set forth in the RS classification except that where more than one (1) dwelling unit is located on the premises private garages shall be limited to accommodating not more than two (2) cars for each dwelling unit, and a boat house or hanger shall be limited to accommodating not more than one (1) private non-commercial pleasure craft for each dwelling unit on the premises.

(3) Boarding and lodging houses

(4) Fraternity and sorority houses

(5) Multiple dwelling units

(6) Open air public parking areas for the parking of automobiles without monetary charge except when operated by, or for, a public parking authority, when the property upon which it is located in an RM-1800 zone abuts upon a lot zoned for "B", "C" or "M" purposes whether or not an alley intervenes, provided:

(a) access to such parking lot shall be only from the business or industrial zoned property it is intended to serve, or from an alley if there be one;

(b) in either such case there shall be installed along the entire length of all street property lines of the lot used for such public parking purposes a continuous fence, hedge or wall five (5) feet in height located no closer to the street property line than ten (10) feet and the area between the fence and the street lot line shall be landscaped and maintained with grass, hardy evergreen shrubs or ground cover;

(c) a solid wall or view-obscuring fence or hedge not less than five (5) feet nor more than six (6) feet in height shall be erected and maintained on any exterior boundary line which is a common property line with "R" classified property when such "R" classified property is used for residential purposes;

(d) the parking area shall be developed as required by Resolution 23316 "Off-Street Parking Plans and Specifications" and no such area shall be used for an automobile, trailer or boat sales area or for the accessory storage of such vehicles.

(7) Rest homes, nursing and convalescent homes, provided:

(a) all buildings and structures shall maintain a distance not less than twenty (20) feet from any lot in an "R" zone;

(b) the accommodations and number of persons cared for conform to state and local regulations pertaining thereto;

(c) that the Health Department shall have approved all provisions for drainage and sanitation;

(d) a solid wall or view-obscuring fence or hedge not less than five (5) feet nor more than six (6) feet in height shall be erected and maintained on any exterior boundary line which is a common property line with "R" classified property when such "R" classified property is used for residential purposes, except that on that portion of such common property line constituting the depth of the required front yard on the "R" classified property such wall, fence or hedge shall be not less than thirty-six (36) inches nor more than forty-two (42) inches in height.

(8) Signs, as follows:

(a) one identification sign not exceeding two (2) square feet in area containing the name of the occupant of the premises;

(b) one single-faced identification sign not exceeding sixteen (16) square feet in area for multiple dwellings and other permitted uses, provided such sign shall not be located in any required yard or open space on the premises, and if the sign is lighted, it shall be stationary and non-flashing;

(c) one double-faced sign or two single-faced signs, not exceeding six (6) square feet of area per face, pertaining only to the sale, lease or hire of only the particular building, property or premises upon which displayed.

(9) Uses on transitional lots - one (1) dwelling unit for each nine hundred (900) square feet of lot area when the lot or building site upon which it is located has a side line abutting a lot or lots classified "B", "C" or "M" whether or not an alley intervenes. In no case shall the property used for such transitional use consist of more than one (1) lot or exceed a width of ninety (90) feet, whichever is the least, nor be used to a depth greater than the extent to which the side property line is common with property classified for such heavier uses.

(10) Planned Unit Development as provided in Article 27.

(11) Unclassified Uses as provided in Article 22.

Section 702: LOT AREA. The minimum required area of a lot in an RM-1800 zone shall be seven thousand two hundred (7,200) square feet, provided that in a multiple lot subdivision approved subsequent to the effective date of this resolution the minimum lot area shall be deemed to have been met if the average lot area is not less than seven thousand two hundred (7,200) square feet. In computing the average square foot area of lots in a subdivision, not more than twenty-five percent (25%) of the number of lots may contain an area less than seven thousand two hundred (7,200) square feet and in no case shall a lot contain less than six thousand four hundred (6,400) square feet. For lots containing more than seven thousand two hundred (7,200) square feet of area not more than eight thousand (8,000) square feet of area may be credited in determining the average.

Section 703: LOT AREA PER DWELLING UNIT. In an RM-1800 zone the lot area per dwelling unit shall be not less than eighteen hundred (1800) square feet. Where a lot contains more than seven thousand two hundred (7,200) square feet of area, there may be one dwelling unit for each eighteen hundred (1800) square feet of lot area in excess of seven thousand two hundred (7,200) square feet of area.

Section 704: LOT WIDTH. In an RM-1800 zone every lot shall have a width of not less than sixty (60) feet.

Section 705: FRONT YARD. In an RM-1800 zone every lot shall have a front yard with a depth not less than twenty (20) feet. In the case of key lots and lots which side upon commercially or industrially classified property, the required front yard depth shall be not less than fifteen (15) feet.

Section 706: SIDE YARDS. In an RM-1800 zone every lot shall have a side yard on each side of the lot which side yard shall have a width of not less than five (5) feet.

Section 707: HEIGHT. In an RM-1800 zone no building or structure shall exceed a height of thirty-five (35) feet unless, so far as any building or structure exceeding such height is concerned each required side yard and open space is increased one additional foot in width for each additional foot in height such building or structure exceeds thirty-five (35) feet in height. A site occupied by a building or structure having a height greater than thirty-five (35) feet shall have no property alienated from such site which would reduce the yards and open spaces required or provided to compensate for the greater height, nor which would reduce the total required minimum area of the site upon which the permitted lot coverage was based. If a parcel contains an area two (2) or more times, but not more than four (4) times, the minimum required lot area, then the portion of the parcel committed to the building site, including the additional yards and open spaces compensating for the greater height of buildings, shall be accurately defined as a separate lot by means set forth in the subdivision code for platting and subdividing property.

Section 708: PERMISSIBLE LOT COVERAGE. If a dwelling, rest home, nursing home or convalescent home is involved, all buildings, including accessory buildings and structures but not including private swimming pools on residential lots or any open areas used to provide parking space, shall not cover more than fifty percent (50%) of the area of the lot. If a dwelling or rest home, nursing home or convalescent home is not involved, then the maximum permissible lot coverage shall not apply.