

CITY OF MOUNTLAKE TERRACE

ORDINANCE NO. 2529

**AN ORDINANCE OF THE CITY OF MOUNTLAKE TERRACE,
WASHINGTON, ADDING A NEW SECTION MTMC 19.30.035 THAT
PROVIDES AN OPTION FOR CALCULATING LOT AREA WHEN
SUBDIVIDING PARCELS WITHIN SINGLE-HOUSEHOLD RESIDENTIAL
ZONING DISTRICTS, REPEALING ORDINANCE NO. 2480 § 3, AND
REPEALING MTMC 19.30.030 AND REPLACING IT WITH A NEW 19.30.030
TO ADD DEFINITIONS AND MAKE MINOR TECHNICAL CLARIFICATIONS**

WHEREAS, the City of Mountlake Terrace (“the City”) currently has two single-household residential zoning districts, RS 7200 and RS 8400, which require a single-household lot to be a minimum of 7,200 or 8,400 square feet, respectively, with certain exceptions; and

WHEREAS, some parcels within the city could be redeveloped if an option were provided in the municipal code to allow subdivision that would result in lots somewhat less than 7,200 or 8,400 square feet in area; and

WHEREAS, a proposal has been made to allow lot area to be calculated such that a subdivision could result in one or more lots having 90% of the minimum lot area otherwise required for the underlying zoning district, provided that all other dimensional requirements are met; and

WHEREAS, proper notification pursuant to the municipal code was made regarding a proposed zoning text amendment that would implement the proposal; and

WHEREAS, the Planning Commission held a public hearing on November 23, 2009, and made a recommendation to the City Council regarding the proposed zoning text amendment; and

WHEREAS, the City Council held a public hearing on January 4, 2010, and determined the proposed zoning text amendment would provide an appropriate option to encourage redevelopment of some residential lots;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNTLAKE TERRACE DOES ORDAIN THE FOLLOWING:

Section 1. Mountlake Terrace Municipal Code Section 19.30.030 is hereby revised and replaced to read as follows:

19.30.030 Dimensional requirements.

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

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

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

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

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

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

5. "Lot line, front" has the same meaning as in MTMC 19.15.130, except that a corner lot shall be considered to have only one front lot line, which is the parcel's property line along the street on which the parcel takes or is expected to take its address.

6. "Property line" means "lot line" as defined in this section.

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

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

C. Dimensional requirements for lots and buildings in RS districts are set forth in the following Dimensional Requirements Table.

Dimensional Requirements Table		
	Residential Zoning Districts	
	RS 8400	RS 7200
Maximum Building Height	3 stories, not to exceed 35 feet	3 stories, not to exceed 35 feet
Front Yard Setback (minimum)	20 feet	15 feet, except that any garage entry that faces the street shall be at least 20 feet from property line
Rear Yard Setback (minimum)	20 feet	15 feet
Side Yard Setback (minimum)	5/10 feet ¹	5/10 feet ¹
Lot Width at Building Setback Line (minimum)	55 feet	45 feet
Lot Width at Street (minimum)	40 feet ²	30 feet ²
Lot Coverage by Structures (maximum)	40% of lot area	40% of lot area
Mean Lot Depth (minimum)	80 feet	70 feet
Lot Area (minimum)	8,400 square feet ³	7,200 square feet ³

¹ For a corner lot as defined in MTMC 19.30.030, the larger number shall be used for any side yard that is adjacent to a street but is not the front yard as defined in MTMC 19.30.030.

² Exception: Flag/panhandle lots shall be a minimum of 12 feet at the street.

³ Exception: Smaller lots may be allowed subject to meeting the requirements of MTMC 19.30.035, 19.30.060, 19.30.070, as applicable, or other specific provisions of this title or Title 17 MTMC.

(Ord. 2480 § 3, 2008).

Section 2. Title 19 of the Mountlake Terrace Municipal Code is hereby amended to add a new Section 19.30.035, "Density and lot area calculations," which shall read as follows:

19.30.035 Density and lot area calculations.

A. No more than one dwelling unit shall be developed on each lot within a RS district, except as otherwise specifically permitted under this title or Title 17 MTMC.

B. Regardless of the minimum lot area required under MTMC 19.30.030, a site may be subdivided within the RS district if each resulting lot would have an area that is at least 90% of the required minimum lot area of the underlying district and would meet all other dimensional requirements of MTMC 19.30.030.C.

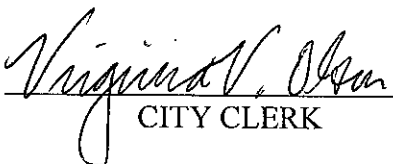
Section 3 Conflicts. All ordinances or parts of ordinances of the City of Mountlake Terrace in conflict herewith, be in the same, are hereby repealed.

Section 4 Severability. If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any section, sentence, clause or phrase of this Ordinance.

Section 5 Summary. This Ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City and shall take effect and be in force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOUNTLAKE TERRACE this 4th day of January, 2010 and signed in authentication of its passage the 4th day of January, 2010.


MAYOR JERRY SMITH

ATTEST: 
CITY CLERK

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

