

Chapter 17.15
RD LAND USE ZONES

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17.15.010 Title.

This chapter shall be called “RD Land Use Zones.”.

17.15.020 Application.

This chapter shall apply to all uses and developments in areas zoned RD.

17.15.030 Purpose.

The RD zone is intended to implement the RD comprehensive plan designation by accommodating lower density residential development in areas that cannot support more intensive forms of development due to factors such as infrastructure constraints, natural hazards, access limitations, existing development patterns, or emergency response times. The primary uses permitted in this zone consist of small residential buildings, such as detached dwellings or duplexes, and related accessory uses. Other uses may also be permitted in limited circumstances when consistent with the goals and policies of the comprehensive plan. The RD zone is intended to create and maintain a pattern of development characterized by small, low lying residential buildings surrounded by open space.

17.15.040 Authority.

This chapter is adopted pursuant to the provisions of chapters 35A.63, 36.70A and 36.70B RCW, and other applicable laws and regulations. (Ord. 1857 § 2 (Exh. B), 2018).

17.15.050 Sub-zones.

The RD zone consists of two subzones as follows:

- A. RD-1. This subzone is a very low density designation that is generally applied to remote or peripheral areas that are difficult to access, suffer from poor emergency response times, or have infrastructure deficiencies that will not be remedied by planned improvements. The RD-1 zone is also appropriate in areas characterized by widespread or severe natural hazard or critical area constraints.
- B. RD-2. The RD-2 subzone is applied to all areas designated “RD” on the comprehensive plan map that are not designated RD-1.

17.15.060 Permitted primary uses.

Buildings, structures, and lots in the RD-1 and RD-2 zones shall only be used for the following, unless otherwise provided for in this title:

- A. Detached dwellings;
- B. Duplex dwellings;
- C. Small boarding houses;
- D. Small utilities.

17.15.070 Permitted accessory uses.

The following buildings, structures, and uses may be authorized as accessory uses. Accessory uses shall only be permitted when incidental and subordinate to a legally established primary use.

A. Normal residential appurtenances. The following uses and structures may be authorized as an accessory use in conjunction with a dwelling: garage, guest cottage, recreation room, storage shed, noncommercial greenhouse, swimming pool, decks, patios, driveway, on-site utilities and utility connections, fences, and solar panels;

B. Keeping of not more than six household pets, four of which may be dogs, kept in the home. This limit shall not include birds, fish or suckling young of pets;

- C. Family day care services;
- D. Foster family care services;
- E. Accessory dwelling units;
- F. Home occupations;

G. Telecommunication micro facility, subject to the following requirements, except as limited by the Telecommunication Act of 1996 as amended:

1. Micro facility shall be located on existing buildings, poles or other existing support structures. A micro facility may locate on buildings and structures; provided, that the interior wall or ceiling immediately adjacent to the facility is not designated residential space.

2. Antennas equal to or less than four feet in height (except omnidirectional antennas which can be up to six feet in height) and with an area of not more than 580 square inches in the aggregate (e.g., one-foot diameter parabola or two-foot by one-and-one-half-foot panel as viewed from any one point) are exempt from the height limitation of the zone in which they are located. Structures which are nonconforming with respect to height may be used for the placement of omnidirectional antennas providing they do not extend more than six feet above the existing structure. Placement of an antenna on a nonconforming structure shall not be considered to be an expansion of the nonconforming structure.

3. The micro facility shall be exempt from design review if the antenna and related components are the same color as the existing building, pole or support structure on which it is proposed to be located.

4. The shelter or cabinet used to house radio electronic equipment shall be contained wholly within a building or structure, or otherwise appropriately concealed, camouflaged or located underground.

5. Micro facilities for a specific wireless provider shall be separated by a distance equal to or greater than 1,320 linear feet from other micro facilities of the same wireless provider. (Ord. 1857 § 2 (Exh. B), 2018).

H. Private parks, playgrounds, open space areas, and community buildings established in conjunction with, and serving, a residential development permitted by this chapter;

I. Urban agriculture.

17.15.080 Conditional uses.

The following uses shall require a conditional use permit:

- A. Horizontally attached dwellings;
- B. Small multiunit buildings;
- C. Small commercial child day care center;
- D. Small meeting facilities;
- D. Small private schools;
- F. Medium utilities;
- G. Accessory buildings with a footprint greater than 800 square feet;

17.15.090 Additional regulations.

A. Manufactured Homes. Manufactured homes may be placed on any lot in an RD zone and regulated in accordance with the same standards and requirements applicable to site built detached homes, except that the following additional regulations shall apply. These standards and requirements do not apply to legally established, nonconforming manufactured homes or manufactured homes placed within a manufactured home park.

1. The manufactured home shall be set upon a permanent foundation, as specified by the manufacturer, and the space between the bottom of the home and the ground shall be enclosed by concrete or an approved concrete product which may be either load bearing or decorative;
2. The manufactured home shall have been originally constructed with and shall now have a composition or wood shake or shingle, coated metal, or similar roof of nominal 3:12 pitch;
3. The manufactured home shall have exterior siding similar in appearance to siding materials commonly used on conventional site-built uniform building code single-family residences;
4. The placement of the manufactured home shall be consistent with all other regulatory requirements generally applicable to new homes.

C. No trailer, recreational vehicle, boat, camping trailer, fifth wheel, camper, van, car, or other similar type of mobile unit that is not a permanent structure attached to the ground, shall be used as a place of habitation or as a dwelling. Only site built structures which comply with all applicable building code requirements and manufactured or modular homes which meet applicable state or federal standards for use as a dwelling unit may be used as a place of habitation or as a dwelling.

E. Junk storage is only permitted outdoors when completely surrounded by a solid, site obscuring fence and not visible from an adjoining street or public right-of-way. Outdoor storage shall also be subject to the following additional restrictions and requirements:

1. Litter, trash, used appliances, used interior furnishings and discarded exterior furnishings and similar items are prohibited outdoors regardless of location.
2. Junk storage is further limited to piled used lumber, yard cleanup equipment and similar types of items; it is not intended to include the storage of any items that would be classified as a nuisance under chapter 8.12 BMC.

F. Where alley access is available, off-street parking spaces and garages shall be accessed from the alley and no curb cuts shall be permitted. This requirement shall apply to all land divisions, the construction of new homes and accessory buildings, and requests for curb cuts to serve existing homes and accessory buildings.

G. Heat pumps or other noise-producing mechanical equipment shall only be permitted within 10 feet of a property line abutting another lot if all equipment ~~shall be~~ equipped with a noise-baffling screen so that there shall be no audible sound at the property line.

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H. New subdivisions or developments that will result in 40 or more lots or dwellings shall include a common open space area for outdoor recreation.

I. Duplexes.

1. Each dwelling unit shall have its own exterior entrance and a covered porch or landing shall be provided. The covered area of the porch or landing shall have a minimum area of 20 square feet and a minimum depth of 3 feet;
2. For duplexes located on corner lots, the primary entrance of each dwelling unit shall face a different street frontage;
3. Flat roofs are prohibited. Roofs shall have a pitch of no less than 4:12;
4. If an attached garage is provided the building wall containing the garage door shall not extend past the building wall containing the dwelling;
4. Except as authorized as part of a cluster development, no duplex shall be permitted on a lot adjoining another lot containing a duplex. This restriction shall only apply to lots that share a common side property line.
5. Trim with a minimum depth of .75 inches and a minimum width of 3.5 inches shall be used to mark rooflines, windows, and doors.

J. Horizontally attached dwellings and small multiunit buildings.

1. Except as authorized as part of a cluster development, horizontally attached dwellings and small multiunit buildings may only be permitted on lots within 1,320 feet (travel distance) of a school, park, bus route, or commercially zoned parcel;
2. Buildings shall be designed by a licensed architect and detailed elevation drawings shall be provided with the conditional use permit application.
3. For horizontally attached dwellings, each unit shall have frontage on a public or private street and shall have its own exterior entrance. Each unit's primary exterior entrance shall face the street and direct pedestrian access to the street shall be provided;
4. Building entrances facing the street shall incorporate a covered porch or landing with a minimum area of 20 square feet and a minimum depth of three feet;
5. A consolidated garbage and recycling area shall be provided and shall be screened from view in accordance with the applicable landscaping standard;
6. The maximum building length shall not exceed 100 feet;
7. Except as authorized as part of a cluster development, buildings shall be limited to two floors or stories;
8. No more than four horizontally attached dwellings shall be permitted in a single building;
9. Horizontally attached units shall incorporate design features that clearly identify each dwelling unit as individual residences such as a change in materials, color, articulation, rooflines, gable orientation, or other similar architectural techniques;

10. Each building shall include architectural design elements, materials, and features that break up the mass of the building and provide greater compatibility with the scale and appearance of surrounding detached residential structures. At a minimum buildings must incorporate at least three of the following design elements:

- a. Modulational along the front building wall at intervals of no more than 30 feet. Each modulation shall step the building wall back or forward by at least four feet;
- b. Changes in the roofline at intervals of no more than 30 feet, such as variations in roof pitch, overhangs, projections, or extended eaves;
- c. Include at least two dormers with a minimum width of three feet;
- d. Include at least two balconies on front building wall. Balconies shall have a minimum depth of 6 feet between the building wall and the balcony railing;
- e. For buildings with a second floor, reduce the area of the second floor so that its area is less than that of the first floor. To receive credit for this design element, the front building wall on the second floor shall be stepped back from the first floor a minimum of two feet. The portion of second floor stepped back from the first floor shall have a minimum width of eight feet. Uncovered, or covered unenclosed, balconies can be used to receive credit for this design element provided they satisfy the minimum dimensional requirements of this provision.
- f. Include trim with a minimum depth of .75 inches and a minimum width of 3.5 inches to mark rooflines, windows, and doors.

K. Accessory Dwelling Units. The following standards shall apply to the accessory dwelling units (ADUs).

1. Type. ADUs may be attached to the primary dwelling or be located in an accessory building;
2. Number. One accessory dwelling unit is permitted for each primary dwelling;
3. Maximum floor area:
 - a. Detached: 1,000 square feet, exclusive of any area used as a garage, carport, or covered patio. In all cases detached ADUs shall comply with the size limits applicable to accessory buildings identified in this chapter;
 - b. Attached: 1,000 square feet or 30 percent of the floor area of the primary dwelling, whichever is less, provided that in all cases at least 500 square feet may be permitted;
4. Design standards.
 - a. Entrances and addressing: Separate entrances shall be provided for the primary dwelling and the ADU. The ADU entrance shall be oriented so that it faces a different direction than the entrance to the primary dwelling. ADUs shall be assigned their own addresses.
 - b. Setbacks: Detached ADUs shall comply with the setback standards applicable to accessory buildings identified in in this chapter.
 - c. Access: Direct pedestrian access shall be provided between the ADU and a street or alley.
5. Tenure and ownership. The ADU must be located on the same lot as the primary dwelling it is associated with and may not be separately sold.

L. Nonresidential uses. The following standards shall apply to schools, meeting facilities, and commercial day care centers, and other nonresidential uses other than utilities:

1. Schools, meeting facilities, and commercial day care centers shall be located on a corner lot and adjoin an arterial street;
2. The total building footprint shall not exceed 2,500 square feet;
3. Parking areas shall not be located between the building and the street and shall be completely screened from view with landscaping and fencing;
4. Outdoor play areas shall be screened from adjacent streets and residences with landscaping and fencing;
5. The lot on which the nonresidential use will be located shall have an area of at least 10,000 square feet;
6. Flat roofs are prohibited. Roofs shall have a pitch of no less than 4:12;
7. The primary exterior entrance shall face the street and direct pedestrian access shall be provided between the entrance and the street.

17.15.100 Development standards.

A. Lot Area and Dimension. The following requirements shall apply to land divisions and boundary line adjustments in the RD zones. Small lot and cluster developments shall be subject to the applicable standards in this chapter.

1. Minimum Lot Area.

- a. RD-1: 10,000 square feet.
- b. RD-2: 6,000 square feet.

2. Minimum lot width: 30 feet.

3. Minimum lot depth: 80 feet.

B. Minimum Setback Requirements.

1. Front: 17 feet.

2. Street side: 17 feet.

3. Side: five feet. Provided, that the total of the two side setbacks shall be at least 15 feet.

4. Rear: 20 feet.

5. Setback Exceptions:

- a. Accessory buildings, small lots, and cluster developments shall be subject to the setback requirements outlined in the applicable sections of this chapter;
- b. When authorized pursuant to this chapter, no property line setback shall apply to the common walls of zero lot line structures or horizontally attached dwellings;
- c. For lots adjoining streets on more than two sides, the street side setback shall be five feet and the total of the two side setbacks need not be more than 10 feet;
- d. All other buildings and structures: see BMC 17.70.080.

6. Minimum Building Separation.

- a. Primary structures: 10 feet, except that when authorized pursuant to this chapter, no separation requirement shall apply between zero lot line structures or horizontally attached dwellings that share a common wall.

- b. Accessory structures: 5 feet.

C. Maximum Building and Impervious Surface Coverage.

1. Building coverage: 35 percent.
2. Impervious surface coverage: 40 percent.
3. For new plats building and impervious surface coverage limits may be averaged across lots within the plat boundaries. When coverage limits are averaged restrictive notes shall be included on the face of the plat identifying the coverage limits applicable to each lot.

D. Maximum Building Height: 35 feet.

E. Accessory buildings and structures shall comply with all of the requirements of this chapter except as follows:

1. Maximum Height: 25 feet;
2. Maximum Building Footprint: 800 square feet, provided that open uncovered decks and patios shall not be subject to this limit and larger buildings may be permitted with a conditional use permit;
3. Maximum rear yard coverage: Accessory buildings and structures shall not cover more than 50 percent of the required rear yard setback area;
4. Minimum Setback Requirements:
 - a. Side: 5 feet
 - b. Street side: 17: feet
 - c. Rear: 5 feet
 - d. Alley: 0 feet

F. Maximum Density. One primary residential building per lot excluding accessory dwelling units. Consistent with the requirements of this chapter, an accessory dwelling unit may be permitted on any lot in addition to a primary residential building. Cluster developments shall be subject to the density limits identified in section BMC 17.15.105.

17.15.105 Cluster developments.

Cluster developments may be permitted through a subdivision or short subdivision process. A variety of building types and site layouts may be authorized and alternative standards for lot width, lot depth, lot area, building and impervious surface coverage, and property line setbacks may be employed. Cluster developments shall comply with all of the requirements of this chapter except as follows:

A. Permitted housing types may include, but are not limited to, detached dwellings, duplex dwellings, horizontally attached dwellings, multiunit buildings, cottage housing, zero lot line development, or a combination of housing types; provided, that no structure or building shall contain more than eight dwelling units.

B. The maximum allowable density of a cluster development may be averaged across the entire site. The maximum permitted density shall not exceed the following limits. Accessory dwelling units shall be excluded from maximum density calculations

1. RD-1: 7 dwellings per acre
2. RD-2: 11 dwellings per acre

C. When the building or impervious surface coverage of individual lots exceeds the permissible limits for the zone in which the development is located, additional open space areas shall be set aside so that the total coverage of development is consistent with the coverage limits prescribed by the underlying zone.

D. The resulting subdivision or short subdivision design shall clearly retain a substantial area of continuous, publicly accessible open space, wetlands, areas adjacent to wetlands, steep slopes, geologically hazardous areas, wildlife habitat areas, or other critical areas. Open space areas may also be used for nonstructural low impact development features, such as bio-retention areas, which mimic natural environmental and hydrologic processes. All such low impact development features shall be extensively landscaped using native vegetation. The following minimum open space requirements shall apply to cluster developments:

1. Special management areas: 75 percent;
2. All other locations: 30 percent.

E. Restrictive plat notes shall be included identifying the approved building types and densities.

F. Open space areas created through a cluster development shall be placed within separate tracts.

G. Restrictive notes shall be included on the face of the plat, or short plat, limiting future use and development of open space tracts to uses and developments that are consistent with the intended purpose of the open space tracts. (Ord. 1857 § 2 (Exh. B), 2018).

17.15.110 Residential small lot.

Residential small lots may be created in any RD zone through a subdivision or short subdivision process. Small lot developments shall comply with all of the requirements of this chapter except as follows:

A. Minimum lot area: 3,000 square feet.

B. Maximum height limit: 25 feet.

C. Minimum roof pitch:

1. Structures with finished living space on only one floor shall have a minimum roof pitch of 4:12.
2. Structures with finished living space on more than one floor shall have a minimum roof pitch of 12:12.

D. Maximum building footprint: 800 square feet, excluding bay windows and uncovered decks, patios, and balconies.

E. Maximum interior floor area: 1,000 square feet, excluding garages, carports, and covered patios or decks.

E. Setback Requirements.

1. Front:

- a. For lots with no alley access or where curb cuts are permitted: 17 feet
- b. For lots with alley access or where curb cuts are prohibited by plat notes: 10 feet

2. Street side: 10 feet.

3. Rear: 10 feet.

4. Side: five feet.

F. Maximum building coverage: 45 percent.

G. Maximum impervious surface coverage: 60 percent.

H. Small lot subdivisions and short subdivisions shall include restrictive plat notes identifying the requirements of this section.

I. Maximum density: One primary residential building per lot.

J. Accessory dwellings shall not be permitted on a lot created through the small lot development process.

17.15.120 Cottage housing. (Reserved)

