



King County
Building & Land Development Division
Parks, Planning and Resources Department
3600 - 136th Place Southeast
Bellevue, Washington 98006-1400

December 6, 1991

TO: Greg Kipp
George McCallum
Jerry Marbett
Gary Kohler
Ken Dinsmore
Lanny Henoeh

Harold Vandergriff
Hilda Hammon
Lisa Pringle
Rich Hudson
Terry Brunner

FM: Jerry Balcom *JB*

RE: Minutes of the December 6, 1991 Code Interpretation Meeting

Present: Jerry Balcom, Hilda Hammon, Harold Vandergriff, George McCallum, Lisa Lee, Kyle Evans, Heidi Koch, Susan Storwick

1. Can a wedding/reception business be allowed under the Home Occupation definition? Is there a limit to the number of people who can be involved in the party? K.C.C. 21.04.470 and 21.21A.020(C)

There is nothing contained within 21.04.470 which precludes a wedding and reception business from operating as a home occupation. 21.21A.020(C) has eight standards which must be met to operate a home occupation. As the use is changing from residential to a commercial use, a change in use permit is required along with any regulations imposed on commercial facilities used for assembly. The occupancy capacity is calculated from the amount of space contained in 20% of the finished living area of the primary residence and the uniform code standards which apply to assembly areas.

2. Does K.C.C. 21.48.250 prohibit an applicant from building more than one house on three, adjacent substandard lots?

Because of confusion in reading and applying this section of the code, a formal interpretation will be written.

3. Is dry-cleaning equipment permitted in the B-C zone? Are there additional restrictions if the dry-cleaning plant is adjacent to a residential use or occupies the same building as a residence? K.C.C. 21.32.020(S) and 21.28.030(H).

Dry cleaning establishments which provide service to the individual are permitted in the B-C zone as stated in 21.28.020(B).



Facilities with coin operated dry cleaning machines are also providing service to the individual and permitted in the B-C zone. Larger scale commercial clothes cleaners and clothes dyeing plants which cater to businesses are first permitted in the M-L zone.

K.C.C. 21.28.030(H) restricts dwelling units in B-C to those which are owner occupied. None of the limitations on uses, 21.28.030, addresses location of a business in relation to a residence. Although not mentioned in the zoning code, there are building requirements in the Uniform Codes regarding separation of uses and fore rated separation walls.

4. Are tractor sales, together with equipment repair and outdoor storage, allowed in the B-C zone? K.C.C. 21.04.335, 21.28.020(A), and 21.28.030(B).

K.C.C. 21.28.020(A) permits retail enterprises excluding the sale of certain items as listed. One of the items excluded is heavy equipment. Heavy-duty equipment is defined in 21.04.335, although the definition is limited to listing types of equipment considered "heavy-duty." "Tractors" are included in the list and are not distinguished by size or function. Members of the group pointed out past division practice was to regulate tractor sale placement on the basis of horsepower of the tractor. The group concluded that such a distinction is not based on any code provision and more importantly is not enforceable in any practical sense. Although tractors range from small lawn tractors (mowers) to large commercial equipment, not all tractors should be considered "heavy-duty equipment." The group generally felt that lawn and garden tractors, and "smaller" agricultural tractors do not constitute heavy-duty equipment. Most also felt that the only practical enforcement standard for this issue are the provisions of 21.28.030 which limit outdoor uses in this zone. With limited exceptions, K.C.C. 21.28.030(B) requires uses in the B-C zone to be conducted totally within an enclosed building. K.C.C. 21.28.030(F) also limits the amount of repairing allowed in the B-C zone. Such repairing is generally to be incidental and limited to repair of the type of commodity sold on the premises. The repair activity also cannot occupy more than 30% of the total floor area.

5. New legislation. The following new legislation was discussed:

Ordinance 101620-School Concurrency, effective December 12, 1991. The main change this ordinance makes to ordinance 9785 are:

- * Concurrency with a three year window.
- * School districts to determine level of service.
- * There is an annual county council review.
- * A school technical review committee (STRC) is established to evaluate the district's analysis and administration process.
- * Adds low income housing as an exemption.

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* The mitigation fee will be retroactive and considered a tax.

Proposed ordinance 91-57-Vesting ordinance. There will be a hearing of the vesting ordinance on December 9, 1991. As it is written, this ordinance defines vesting for building and grading permits. Because of existing case law, it may be expanded to include shoreline substantial development permits and possibly conditional use permits. This ordinance also defines a complete application for other permits.