



King County
Department of Development
and Environmental Services
3600 - 136th Place Southeast
Bellevue, Washington 98006-1400

TO: Chuck Kleeberg
Greg Kipp
Terry Brunner
Harold Vandergriff
George McCallum

Gary Kohler
Lisa Pringle
Lisa Lee
Ken Dinsmore

FM: Jerry Balcom *JB 6/29/93*

RE: Minutes of the June 18, 1993 Regulatory Review Committee Meeting

Present: George McCallum, Terry Brunner, Ken Dinsmore, Gordon Thomson, Henryk Hiller, Greg Borba

1. Does a fire district's construction of a stand-alone tower for hose and ladder training exercises (without live or smoldering fires), as well as a paved area for exercises in laying fire hose and extracting victims from autos, constitute part of a "fire station" or, instead, is it a "public agency training facility"?

The analysis of this issue in the September 4, 1992 Minutes applies here as well. The training facilities are not usual features of a fire station and may have a different level of impact. In order to determine whether training facilities are appropriate for a particular site, those facilities are categorized as uses requiring an unclassified use permit (see K.C.C. 21.44.020(M)). This would be the case whether the training facilities serve one fire district or an entire region.

2. If the list of permitted uses in a particular zone does not specifically refer to the Unclassified Uses or Conditional Uses in K.C.C. 21.44, are those uses permitted in the zone?

In many zones, the list of permitted uses includes "Unclassified uses, as provided in Chapter 21.44" (see, for example, K.C.C. 21.08.040(J)). The term "Unclassified uses" refers here to the title of Chapter 21.44, so it permits both the unclassified uses in 21.44.020 and the conditional uses in 21.44.030 (subject to the issuance of a UUP or a CUP).

If, in addition to "Unclassified uses, as provided in Chapter 21.44" there is a separate listing of conditional uses (see K.C.C. 21.08.060), this permits all the unclassified uses in 21.44.020, all the conditional uses in 21.44.030 plus the separate listing of conditional uses.



If the zone does not list "Unclassified uses, as provided in Chapter 21.44," but does contain a specific listing of certain unclassified uses (see K.C.C. 21.23.030) or a specific listing of certain conditional uses (K.C.C. 21.23.040), then only those specifically-listed unclassified or conditional uses are permitted in that zone.

If the zone does not refer to unclassified or conditional uses at all, then none of those uses are permitted in the zone (see for example, K.C.C. Chapter 21.28).

3. K.C.C. 21.25.040(B) states that for parcels in the G-5 zone containing over five acres, "lot dimensions, coverage, height limits and yards shall be those set forth in KCC 21.20." In K.C.C. 21.20 there are provisions for lot width (21.20.070), front yards (21.20.080), height (21.20.090) and lot coverage (21.20.100). There are also provisions for "placement of buildings" (21.20.110). Do the "placement of buildings" provisions apply to the G-5 parcel under K.C.C. 21.25.040(B)?

The Committee determined that the "placement of buildings" provision differs in subject matter and focus from the provisions relating to "lot dimensions, coverage, height limits and yards" referenced in K.C.C. 21.25.040(B). (However, discussion among Committee members following the meeting indicated that further consideration of this issue is necessary, so it will reappear on the agenda for the next meeting.)

4. Administrative Interpretations.

A draft interpretation relating to horticultural nurseries and landscaping businesses has been circulated among the Business Services, Land Use Services and Environmental Division managers.

5. Legislative update.

The new zoning code (Title 21A) was adopted by the Council on June 7, 1993. However, it will not become effective throughout the County until the conversion process has been completed, probably in late 1994. Until then, except for individual property owners that seek rezones to bring their properties under the new code, Title 21 will continue to apply.

JB:HH

cc: Ann Dold
Greg Borba
Gordon Thomson
Henryk Hiller