



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 7/9/93

RE: Minutes of the July 2, 1993 Regulatory Review Committee Meeting

Present: Lisa Lee, Betty Salvati, Terry Brunner, Gordon Thomson,
George McCallum, Jerry Balcom, Henryk Hiller

1. Further consideration was given to the following issue from the June 18, 1993 meeting:

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 consensus of the Committee (with a dissenting opinion expressed) was that the "placement of buildings" provisions would apply to the G-5 parcel under K.C.C. 21.25.040(B). That section states that any provision in K.C.C. 21.20 containing standards for lot dimension, coverage, height limits and yards is to apply to the G-5 parcel. The "placement of buildings" provision (K.C.C. 21.20.110) does set yard standards, so it would apply.

Moreover, for subdivided lots in the G-5 zone, K.C.C. 21.25.040(D) states that "lot dimensions, coverage, height limits, and yards" are to be those in the RS zone "as set forth in KCC 21.08.100 through 21.08.150." K.C.C. 21.08.150 is the "placement of buildings" provision for the RS zone. This indicates that the terms "lot dimensions, coverage, height limits, and yards" were intended to include the "placement of buildings" standards.



2. K.C.C. 21.50.010 states that except as to the number of required parking and loading stalls, the provisions of Chapters 21.50 and 16.74 do not apply to parking and loading areas "not open to or used primarily by the general public." Does this mean that the provisions of Chapters 21.50 and 16.74 do not apply to resident parking areas for multifamily projects?

The full statement in K.C.C. 21.50.010 must be considered. It states that the provisions of Chapters 21.50 and 16.74 do not apply to parking and loading areas not open to or used primarily by the general public, "which areas and facilities are specifically excepted from said provisions" (K.C.C. 21.50.010, emphasis added). This means that the parking and loading areas are excepted from Chapters 21.50 and 16.74 under K.C.C. 21.50.010 only when there is a specific code provision which so states (either in Chapter 21.50 or elsewhere in the code, such as in the use provisions for a particular zone). Otherwise, the provisions of Chapters 21.50 and 16.74 will apply. This explains why the general parking requirements in K.C.C. 21.50.060, for example, include requirements for multifamily buildings.

An Administrative Interpretation will be prepared that discusses this issue more fully.

3. Legislative update.

- A) New Zoning Code (Title 21A): The ordinance adopting Title 21A went into effect on June 28, 1993. However, the new zoning code does not apply to properties in the county until the conversion process is completed (probably about 18 months from now), unless a rezone is sought under the new code for an individual piece of property. If our supplemental budget request passes, staff training for use of the new code is likely to start in the fall.
- B) Bulk Gas Ordinance: Ordinance 10879, passed on June 14, 1993, permits certain limited bulk gas storage facilities to locate in residential zones. The facility must be one that pipes propane or compressed natural gas directly to individual users.
- C) B-C Zone Retail Uses: Ordinance 10880, passed on June 14, 1993, removes the exclusion on the sale of autos, boats, heavy equipment and similar commodities in the B-C zone. In addition, the ordinance permits the outdoor, on-site display of retail commodities during business hours, provided that all storage of those commodities after business hours be indoors and on-site.

- D) Retirement Homes: Ordinance, 10914, passed on June 28, 1993, clarifies that parking and lot area requirements for retirement homes are based on the total number of living units at the site (sleeping units plus dwelling units).
- E) Addressing: Ordinance 10915, passed on June 28, 1993, amends the process for redesignating and renumbering streets and includes authority for DDES to initiate street redesignations.
- F) Reuse of nonresidential facilities in G-5: The proposed ordinance permitting the reuse of certain nonresidential structures in the G-5 zone for government or nonprofit social service purposes will go before the full Council on July 6, 1993.
- G) Commercial Binding Site Plan and Site Development Permit. The proposed ordinances to create a binding site plan and site development permit process passed out of committee, but discussions with the committee chair are continuing and it may return to committee. One issue is whether parking areas should be included within the building envelope (buildings can later be placed anywhere within that envelope).
- H) Vesting: The vesting ordinance is still pending, but could come before the Council later this summer.

JB:HH

cc: Ann Dold
Greg Borba
Betty Salvati
Gordon Thomson
Henryk Hiller