



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

TO: Bob Derrick
Greg Kipp
Terry Brunner
Harold Vandergriff
Mike Sinsky
Gary Kohler
Lisa Pringle
Anna Nelson
Ken Dinsmore
Ikuno Masterson

FM: Jerry Balcom *JP 11/28/94*

RE: Minutes of the November 4, 1994 Regulatory Review Committee Meeting

Present: Terry Brunner, Laura Casey, Greg Borba, Susan Storwick, Gary Kohler, Ken Dinsmore, Gordon Thomson, Harold Vandergriff

1. Are alterations to wetlands allowed through the variance process? (K.C.C. 21.58.020 and K.C.C. 21A.44.030 (M))

K.C.C. 21.58.020 does not restrict the use of the variance process with regard to wetlands. The new zoning code, however allows a variance only from the wetland buffer (K.C.C. 21A.44.030(M)). The new code is therefore more restrictive with regard to allowing variances from wetland protection requirements. Of course, under either code, the applicant must meet the general requirements for variance approval, which are designed to limit variances to cases of unusual hardship.

2. Does Title 21A require CUP for expansion of an existing nonconforming school bus base? (K.C.C. 21A.32.090)

K.C.C. 21A.32.090 states clearly that a nonconformance may be expanded only subject to the approval of a CUP or SUP, whichever, is required by the zone in which the use would be located. The discussion, however, quickly shifted to K.C.C. 21A.32.030 (B) regarding the determination of status of a nonconformance when there has been a change in the required permit review process, and the extent to which there is an administrative "threshold" for determining how much of an expansion triggers a CUP. The group decided to continue the discussion to the November 18, 1994 RRC meeting which will be attended by the King County PA.