

REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: April 2, 1999

TO: Building Services Division Staff Land Use Services
Division Staff

Lynn Baugh	Mark Carey
Nathan Brown	Lisa Pringle
Pam Dhanapal	Greg Borba
Ken Dinsmore	Lanny Henoch
Chris Ricketts	Gordon Thomson

Greg Kipp, Director
Kevin Wright, Prosecuting Attorney's Office

FM: Sophia Byrd, Code Development Coordinator

Present: John Briggs (PA), Nathan Brown, Sophia Byrd, Pam Dhanapal, Lanny Henoch, Gary Kohler, Harold Vandergriff, Susan Marlin (Recorder)

Issue:

1. **Is a townhouse allowed as part of a short subdivision via the zero-lot-line provisions in K.C.C. 21A.14.030?
Is a townhouse allowed as part of a short subdivision on a single lot without a CUP (21A.08.030)? (Gordon Thomson/Gary Kohler)**

Discussion:

These questions were brought to the RRC as there is currently a development proposal under review to put a townhouse in the middle of two lots in a three lot short subdivision.

K.C.C. 21A.14.030 cannot be used to determine whether a use is allowed.

K.C.C. 21A.08.030.B.12 reads, "A conditional use permit is not required for townhouse units on lots in a subdivision designed for townhouse units."

The question then discussed was if this condition in the code should have included a short subdivision.

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The state definition distinguishes between subdivision and short subdivision. K.C.C. 19.04.320 defines "Subdivision" as the division or redivision of land into two or more lots for the purpose of sale, lease or transfer of ownership, except as provided by the short subdivision of two to four lots."

A Conditional Use Permit (CUP) would allow for further review.

Conclusion:

Following additional research, the determination is that we cannot define "subdivision" as used in K.C.C. 21A.08.030.B.12 to include "short subdivision" or other land division processes. The definition of subdivision in the RCW and in K.C.C. 19.04.320 makes a clear distinction between subdivision and short subdivision. Townhouses are not allowed with a short subdivision unless with a Conditional Use Permit.

It might be appropriate to amend the code to allow townhouses within a subdivision, short subdivision or binding site plan designed for townhouse use. Code Development staff will research further.

SB:sm