



King County
Department of Development and Environmental Services
900 Oakesdale Avenue SW
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REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: September 6, 2000

TO: Building Services Division Staff Land Use Services
Division Staff

Chris Ricketts	Joe Miles
Nathan Brown	Greg Borba
Beth Deraitus	Lanny Henoch
Pam Dhanapal	Lisa Pringle
Ken Dinsmore	Gordon Thomson

Caroline Whalen, Deputy Director
Kevin Wright, Prosecuting Attorney's Office

FM: Harry Reinert, Special Projects Manager

Present: Tim Barnes (PA), Pam Dhanapal, Priscilla Kaufmann,
Becky Martin (DNR),
Lisa Pringle, Harry Reinert, Susan Marlin (Recorder)

Issue:

1. **Can RA-2.5 and RA-5 zoned property receive development credits from the Transfer of Development Credits (TDC) Program if they are transferred from a TDC sending site located within the Rural Forest District, even if the TDC sending site did not qualify under the Rural Forest District criteria in K.C.C. chapter 21A.55? (Priscilla Kaufmann)**

Discussion:

The question was raised as to whether K.C.C. 21A.55.150E is a criteria for qualifying a sending site or if the transfer rules apply only to an approved sending site if it is developed after the residential development credits have been removed. While this was not the original question brought to the committee, it is relevant because it would affect what properties qualify as a rural forest district sending site.

The Interagency Review Committee (IRC), which qualifies sending sites, has been reading K.C.C. 21A.55.150E to mean that a sending site must be able to encumber at least fifteen acres of land in forestry in order to qualify as a rural forest district sending site under the TDC Program. One reading of K.C.C. 21A.55.150E, presented at the RRC meeting, is that the fifteen acres is unrelated to the qualification of a property as a Rural Forest District sending site. K.C.C. 21A.55.150E reads "Following the transfer of residential development credits from either rural or urban sending sites..." which may mean that this section of code sets rules for further subdivision of the property, not criteria for qualifying a sending site. If there is agreement on that reading of K.C.C. 21A.55.150E, the code does not appear to have a minimum size limitation for a rural forest district sending site.

There was little discussion on the original question brought to the committee, although the group appeared to be leaning toward agreeing that RA-2.5 and RA-5 zoned property could receive development credits transferred from the Rural Forest District even if the site did not qualify under the criteria.

Conclusion:

The RRC did not come to a final conclusion since it was agreed that further research is needed. A meeting will be scheduled among those people within the Department of Natural Resources (DNR) who administer the TDC Program to discuss this issue prior to it being rescheduled with the RRC.

HR:sm

cc: Tim Barnes, Prosecuting Attorney's Office
Pete Ramels, Prosecuting Attorney's Office
Becky Martin, DNR, Water and Land Resources Division