



King County
Department of Development
and Environmental Services
900 Oakesdale Avenue Southwest
Renton, WA 98055-1219

REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: October 10, 2002

TO: Building Services Division Staff	Land Use Services Division Staff
Chris Ricketts	Joe Miles
Jim Chan	Greg Borba
Pam Dhanapal	Lisa Pringle
Ken Dinsmore	
Stephanie Warden, Director	
Jason King, Deputy Director	
Harry Reinert, Special Projects Manager	
Tim Barnes, Prosecuting Attorney's Office	

FM: Harry Reinert, Co-Chair

Present: Greg Borba, Jim Chan, Lisa Pringle, Ken Dinsmore, and Harry Reinert.

1. What criteria are used to determine whether an on-site recreation area required by K.C.C. 21A.14.180 is centrally located as required by C.4 of that section? Should a code amendment be proposed to adopt these criteria? If not, should the criteria be adopted as a public rule or guidance document?

Background

In February 2001, the King County Council adopted amendments to the Zoning Code implementing the 2000 King County Comprehensive Plan. These amendments included changes to the provisions governing requirements for recreational facilities that must be provided as part of certain kinds of residential development. See K.C.C. 21A.14.180 - .200.

K.C.C. 21A.14.180C.4 now requires that any recreation space located outdoors that is not part of a storm water tract shall "be centrally located with good visibility of the site from roads and sidewalks." This provision was added by the February 2001 amendments implementing the 2000 comprehensive plan.

At its December 12, 2001 meeting, the Regulatory Review Committee discussed this provision. The Committee concluded that the provisions of K.C.C. 21A.14.180C mixed prescriptive and flexible provisions that required the exercise of discretion by the department.

It also concluded that this meant that a centrally located recreation area did not necessarily have to be located at the geographic center of the development.

Representatives from the Master Builders have asked the department what criteria are used to evaluate whether a facility is centrally located. They have also asked the department to consider whether the ordinance could be amended to incorporate these criteria or if a public rule or administrative interpretation could be adopted.

Discussion

K.C.C. 21A.14.180C establishes general standards that a development proposal must meet. These requirements apply to a wide variety of development proposals. They can apply to projects with as few as four units and up to subdivision, townhouse, or apartment developments with hundreds of units. These sites where these projects are proposed present a range of site characteristics. Because of this variety of developments and sites, it is not advisable to propose criteria through a code amendment. These would tend to be prescriptive and would not allow the flexibility necessary to address the variety of circumstances these projects present. Adopting similar standards through a public rule would present similar problems.

Staff responsible for implementing the recreational space requirements have an informal criteria they use in evaluating development proposals. These criteria could be incorporated into a customer information bulletin. The bulletin would provide assistance to applicants and staff. Applicants would know what the department will be looking for. It will also lead to greater consistency during the review process. A bulletin also allows the use of examples and graphics. The department has issued a number of information bulletins that serve a similar function for other aspects of the zoning code.

Conclusion

Criteria for implementation of the recreational space requirements of K.C.C. 21A.14.180C should be developed and included in a customer information bulletin. The Committee does not recommend that these criteria be adopted as a public rule or recommended as code amendments.