



King County
Department of Permitting
and Environmental Review
35030 SE Douglas St., Ste. 210
Snoqualmie, WA 98065-9266
206-296-6600 TTY Relay: 711
www.kingcounty.gov

Regulatory Review Committee - Minutes -

Meeting Date: July 26, 2018
Minutes finalized: August 22, 2018

TO: Jim Chan, Interim Director
Randy Sandin, Interim Assistant Director
Kevin LeClair, Project/Program Manager and RRC Co-Chair
Devon Shannon, Prosecuting Attorney's Office

Wally Archuleta Chris Ricketts
Sheryl Lux Steve Roberge
Ty Peterson

FM: Christine Jensen, Legislative/Policy Analyst and RRC Co-Chair

Present: Wally Archuleta, Scott Smith, Steve Roberge, Kim Claussen, Kevin LeClair, Ty Peterson, Devon Shannon, Randy Sandin, and Sheryl Lux.

- 1. Request for Code Interpretation concerning K.C.C. 21A.14.040.B.7.a and K.C.C. 21A.24.180.D and whether agricultural activities that currently occur within critical areas and buffers can continue to occur in a resource tract to be created as part of a proposed clustered residential subdivision in the Rural Area (RA) zone.**

Review of this code interpretation has been postponed at the applicant's request. This item may be revisited at a future date, pending further direction from the applicant.

- 2. Concerning K.C.C. 21A.08.060.B.8 and whether a private stormwater management facility serving a proposed commercial development on a CB (Commercial Business) and R-4 (Residential, four dwelling units per acre) split-zoned parcel could be located on the residential portion of the parcel.**

Background

Parcel 0522039015 is a vacant property located within Vashon Rural Town and has CB-P-SO and R-4-SO split-zoning.¹ Other properties directly adjacent to this parcel are zoned R-1 (Residential, one dwelling unit per acre) and are currently developed with one single-family home on each parcel.

The property owner (Vashon Ciderworks) is proposing to develop a cidery business (Dragon's Head Cider) on the Community Business-zoned portion of the parcel.² In order to address drainage needs of the proposed commercial development, Department of Permitting and Environmental Review (DPER) staff have inquired whether a private stormwater management facility (PSWMF) could be utilized if the PSWMF is located on the undeveloped R-4 portion of the property.

Discussion

The King County Code allows PSWMFs as a permitted use in all zones, subject to development condition K.C.C. 21A.08.060.B.8. If a PSWMF serves a development on commercial or industrial lands, this development condition requires the facility to be located on commercial or industrial lands, unless the facility has an approved "shared facility drainage plan."

The 2016 King County Surface Water Design Manual (SWDM) defines shared facilities as: "a drainage facility designed to meet one or more of the requirements of KCC 9.04.050 for two or more separate projects contained within a basin. Shared facilities usually include shared financial commitments for those drainage facilities." A shared facility of this nature requires a plan or agreement that must be reviewed and approved by the County.³ Development of shared facility plans may occur through the Master Drainage Plan, plat screening, or commercial permit processes.

The Vashon Ciderworks parcel's split zoning is uncommon in unincorporated King County. Its zoning allows for both a commercial development project and a separate medium-density urban residential development project on the same property. Given this, a PSWMF could be designed to accommodate both the current proposed cidery business on the CB portion of the parcel and the future potential residential development on the R-4 portion of the parcel (potentially four units per acre). Such a design would align with the definition of a shared facility and the intent of the SWDM and K.C.C. provisions.

¹ P-suffix condition VS-P29 related to restricted uses for CB zoned properties, and Special District Overlay SO-140 related to groundwater protection.

² PRE 16-0294

³ SWDM Reference 4-D

Conclusion

A PSWMF designed for the proposed cidery business on the CB portion of Parcel 0522039015 and the future residential development on the R-4 portion of this parcel would be considered a shared facility. A shared facility drainage plan need to would be reviewed and approved by the County, which could occur during commercial permit process for the proposed cidery. If the plan is approved, the shared PSWMF would be allowed to be located on the R-4 portion of the parcel.