



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

TO: Chuck Kleeberg
Greg Kipp
Terry Brunner
Harold Vandergriff
George McCallum

Gary Kohler
Lisa Pringle
Lisa Lee
Ken Dinsmore

FM: Jerry Balcom *JB 4/20/94*

RE: Minutes of the April 15, 1994 Regulatory Review Committee Meeting

Present: Jerry Balcom, Terry Brunner, Ken Dinsmore, Lisa Lee, George McCallum, Susan Storwick, Harold Vandergriff, Gordon Thomson

1. What constitutes maintenance, repair, modification or replacement for the purposes of K.C.C. 21.54.030 (G)?

This issue was raised because of the recent adoption of amendments (Ordinance 11273) to the sensitive areas general exemptions provisions. The committee agreed that work within the improved area is covered by the provision, consistent with similar language used in the new zoning code (K.C.C. 21A.24.030). For road work in particular, work within side slopes, cuts, and road shoulder would be covered. Work within the unimproved right-of-way, road widening, or widening of the road prism, however, would not be covered.

2. Is a variance required to build an eight foot high fence on an entering sight distance easement? K.C.C. 21.48.160.

Yes, if the "entering sight distance easement" is located within the required yard or setback area of a lot. K.C.C. 21.48.160 (B) states: "In any zone a wall or fence not more than six feet in height may be located and maintained on any part of a lot..." Regardless of whether the fence is planned within an easement, the height restriction applies by virtue of the zoning of the easement. Note also that K.C.C. 21.48.160 (F) does not allow the location of a fence within the right-of-way.

3. Legislative Update

A. Ordinance 11273, amending certain provisions of the sensitive areas code in K.C.C. 21.54 and K.C.C. 21A.24 was signed by the executive on April 9, 1994 and will go into effect on April 19, 1994. Copies of the ordinance and a

summary of the amendments will be circulated to managers as well as to the minutes/interpretations notebook holder (which includes all sections in the Department).

B. An ordinance addressing mobile home park site plan expiration is being drafted by the prosecuting attorney's office and council staff. The ordinance would allow an expired MHP site plan to be resubmitted and evaluated under the regulations it was originally submitted under. The ordinance would therefore allow an expired but resubmitted site plan to vest under older requirements.

C. An ordinance making technical amendments to the landscape provisions for Title 21A has been assigned to GMHE. The ordinance sets forth standards for landscaping for townhouses on single lots. The ordinance has not yet been scheduled on the GMHE agenda.

D. An ordinance amending K.C.C. 16.82.050, defining the phrase, "existing public park," to mean "any real property managed by a public agency and intended to be used by the public, previously maintained by the agency as a park or has been developed as a park pursuant to a properly issued permit," has been transmitted to the Council. The ordinance addresses an issue raised in the January 22, 1993 RRC meeting regarding grading exemptions for normal and routine maintenance of public parks.

cc: Susan Storwick
Gordon Thomson

JB:GT