



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

## REGULATORY REVIEW COMMITTEE - MINUTES -

MEETING DATE: April 21, 1995

TO: Greg Kipp  
Terry Brunner  
Harold Vandergriff  
Mike Sinsky  
Lisa Pringle  
Anna Nelson  
Ken Dinsmore

FM: Jerry Balcom *B 4/26/95*

Present: Gary Kohler, Betty Salvati, Harold Vandergriff, Rick Bautista, Henryk Hiller,  
Jerry Balcom

1. This question concerns the impervious surface standard for utility facilities in the RA, UR and R zones. KCC 21A.12.030(B)(5) states that the impervious surface standards for "nonresidential uses in residential zones shall comply with KCC 21A.12.120 and .220." However, KCC 21A.12.120 refers only to setbacks and .220 states that it applies "except for utility facilities..." Does this mean that the impervious surface standard for utilities is found in the table in KCC 21A.12.030(A), or does it mean that the facility is not subject to any impervious surface standard?

The Committee could not reach a clear consensus on this issue. Some members felt that KCC 21A.12.030(B)(5) provides additional, relaxed standards for certain nonresidential uses in residential zones, and if utilities are excepted from those additional standards (in KCC 21A.12.200) they would still be subject to the standards that otherwise apply in the zone. Other members felt that the standards for nonresidential uses in residential zones apply *instead of* the standards that would otherwise apply in the zone, and if utility facilities are excepted from those alternative standards there would be no lot coverage limits for those facilities.

It was decided that a formal Administrative Interpretation is needed to address this issue. In addition, a code amendment will be proposed to clearly provide relaxed impervious surface standards for utility facilities.



2. KCC 21A.12.030(B)(11) allows extra building coverage "for buildings related to agricultural or forestry practices." What uses constitute "agricultural or forestry practices"?

Title 21A does not contain a single "agriculture" use or a single "forestry" use. Instead, two of the Resource Land Uses appear under the heading "Agriculture" (Growing and Harvesting Crops; Raising Livestock and Small Animals), and two other Resource Land Uses appear under the heading "Forestry" (Growing and Harvesting Forest Products; Forest Research) (KCC 21A.08.090). As a result, the additional building coverage is allowed for those four uses as well uses that are accessory to them. The applicant must establish that the building is for one of those uses in order to be allowed the additional coverage. If the building ends up not being used in that way, it is a matter for Code Enforcement.

It was noted that Title 21A does not list building types as land uses. A greenhouse, for example, is not a use; the use is what goes on inside the greenhouse. As a result, a "greenhouse" alone is not sufficient to get the additional building coverage in KCC 21A.12.030(B)(1). The additional coverage can only be permitted if the use of that particular structure will fall within one of the Agriculture or Forestry categories in KCC 21.08.090.

3. Legislative update.

- A) The proposed ordinance to relax the alteration standards for coal mine hazard areas (95-243) was not passed out of the GMH&E Committee based on DDES staff testimony. An attempt to come up with language acceptable to all concerned is taking place.
- B) The proposed ordinance to permit golf driving ranges in Rural and Residential zones with a CUP (95-282) passed out of the GMH&E Committee on April 19 and will go before the full council shortly.

JB:HH

cc: Bob Derrick  
Tom McDonald  
Mark Carey  
Ikuno Masterson  
Pam Dhanapal  
Henryk Hiller