



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

## REGULATORY REVIEW COMMITTEE - MINUTES -

MEETING DATE: June 16, 1995

TO: Greg Kipp  
Gary Kohler  
Harold Vandergriff  
Mike Sinsky  
Lisa Pringle  
Anna Nelson  
Ken Dinsmore  
Pam Dhanapal

FM: Jerry Balcom *JB 6/19/95*

Present: Anna Nelson, Ken Dinsmore, Pam Dhanapal, Nancy Brown, Henryk Hiller,  
Jerry Balcom

1. KCC 21A.24.310(E)(2) provides an exemption from the steep slope alteration limits for the approved regrading of a slope that was created by previous legal grading. The exemption goes on to state that if the slope remains 40% or steeper "following site development," it shall be subject to all alteration limits. Does this mean that construction can occur once on a 40% or steeper slope after the regrading, but the slope will thereafter be subject to the steep slope alteration limits?

No. The exemption only permits the regrading of a slope that had been previously, legally graded. If the regrading results in a slope that is 40% or steeper, the limitations on steep slope alteration will continue to apply. If, on the other hand, the regrading results in a slope that is less than 40%, that slope can then be developed as otherwise permitted by the code. The second sentence of the exemption in KCC 32A.24.310(E)(2) simply ensures that regraded slopes that are 40% or steeper remain subject to the alteration limitations in KCC 21A.24.310.

It was noted that under Title 21A, buffer width requirements are the only sensitive area standards from which an applicant can obtain a variance (KCC 21A.44.030(M)). As a result, an applicant seeking to construct on a 40% slope would have to obtain a reasonable use exception unless the proposal is otherwise exempt from sensitive area requirements (see KCC 21A.24.070(B), 21A.24.050, 21A.24.060).

**2. Legislative update.**

- A) The uniform code amendments ordinance is likely to be transmitted to the County Council in the next few weeks. The amendments themselves will be codified this year, rather than being in an attachment to the ordinance.
- B) Ordinance 11797, extending fencing requirements to above-ground, prefabricated swimming pools, was signed by the Executive on June 1, 1995, and is now in effect.

JB:HH

cc: Bob Derrick  
Tom McDonald  
Mark Carey  
Ikuno Masterson  
Nancy Brown  
Randy Sandin  
Steve Bottheim  
Henryk Hiller