

## REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: July 12, 1996

TO: Bob Derrick  
Greg Kipp  
Tom McDonald  
Mark Carey  
Gary Kohler  
Lisa Pringle

Pam Dhanapal  
Ken Dinsmore  
Harold Vandergriff  
Terry Brunner  
Anna Nelson  
Mike Sinsky

FM: Jerry Balcom

Present: Jerry Balcom, Priscilla Kaufmann, Pam Dhanapal, Roz Glasser, Anne Knapp,  
Tom Fitzpatrick

- 1. Can a roof be added to a legal nonconforming horse exercise area in the R-4 zone if it meets the density and dimension provisions of K.C.C. 21A.12 and the animal regulations of K.C.C. 21A.30? Is the new structure considered a modification of the nonconformance? (K.C.C. 21A.32.080) Is the new structure considered an expansion of the nonconformance? (K.C.C. 21A.32.090) (Anna Nelson/Pam Dhanapal)**

The example used to illustrate the question is a property zoned R-4 with an existing house and several animal shelters, all of which meet the setback requirements of the zone. The property is non-conforming because the owners engage in raising large livestock, which is no longer an allowable use in the R-4 zone (K.C.C. 21A.08.090). The property may also contain a greater number of large animals than would be allowed per K.C.C. 21A.30.040. Therefore the property is non-conforming because of the use, not the structures. The applicant would like to place a 4,200 square-foot roof over a portion of an existing riding arena.

A riding arena is not a separate land use, but a covered riding arena is regulated when associated with a stable, which is an allowable use in the R-4 zone. A stable is defined as " a structure or facility in which horses or other livestock are kept for: A. Boarding; B. Training; C. Riding lessons; D. Breeding; E. Rental; or F. Personal use (K.C.C. 21A.06.1220)." If a covered riding arena exceeds 20,000 square feet a conditional use permit is required and is subject to the provisions of 21A.30.030. Raising livestock is not defined in Title 21A, but the committee agreed that any land use proposal that would expand the ability to " raise" livestock would constitute an expansion of the nonconforming use.

The committee concluded that covering the existing riding arena did not constitute an expansion or modification of the non-conforming use of raising large livestock and that a conditional use permit is not required. The property owner would not be allowed to exceed the number of animals that were existing on the property when the use became non-conforming.

Finally, the committee noted that there are inconsistencies between code provisions permitting stables and those governing the raising of livestock. These discrepancies should be investigated in future code updates. In addition, a correction is needed to footnote number 14 on page 08-12 to replace 21A.30.030 with 21A.30.040.

**2. East Sammamish Community Planning Area P-suffix P9. - Northwest Pipeline states that:**

**" In order to implement CI-13, the following P-suffix condition shall be applied to tax lot No. 222506-9027-09:**

**A. Any redevelopment of this site shall be limited to pipeline utility and/or school bus base uses.**

**B. Extraordinary measures should be taken to remove oils and chemicals including, if necessary, coalescer plates or other technologies."**

**Northwest Pipeline currently maintains a telecommunications tower on the site. The tower is to be relocated on the same parcel to allow construction**

**of a school bus base. Can OneComm Corporation, a telecommunication company, add equipment to operate their enhanced specialized mobile radio system onto the Northwest Pipeline telecommunications tower? Can OneComm construct an 11-foot by 20-foot prefabricated concrete equipment shelter next to the tower? (Karen Scharer/Anne Knapp)**

No to both questions. The P-suffix condition is very clear that the site is limited to pipeline utility and/or school bus base uses. OneComm would need to apply for a rezone to change the P-suffix or wait for the community plan update.

The committee noted that there may be an inconsistency between this P-suffix limitation and the general philosophy of K.C.C. 21A.26 (Development Standards - Communication Facilities) which encourages consolidation of communication facilities.

### **3. Legislative update**

#### **In Progress**

The 3rd Quarter 1996 ordinance package is expected to be transmitted to the Executive next week. The package contains ordinances addressing the following issues: 1) consistent the use of the term "residential zones" in Title 21A; 2) standards for pedestrian and bicycle access and circulation; 3) automobile service and repair as a permitted use in the Neighborhood Business zone; 4) off-site parking for attached and group residences; 5) definitions of resources accessory and municipal water production to allow structures for resource education, maintenance, and storage on-site; 6) review processes and criteria applicable to modifications or expansions of existing uses established through previous land use permits; and 7) standards relating to zoo animal breeding facilities.

The Vashon Town Plan will go before the Council for possible adoption on Monday, July 15, 1996. A last minute issue related to limitation on uses must still be worked out.

One Ordinance related to the P-suffix conversion has been rewritten and sent back to the Clerk of the Council for review. Once that has been approved by the

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Clerk, the three ordinances related to P-suffix conversion will be scheduled for Committee Review.

A meeting is scheduled next week between Council staff and DDES staff to discuss Proposed Ordinance 96-65 which would adopt and make King County amendments to the 1994 Uniform Codes. The ordinance is expected to go before the GMH&E Committee some time in September.

**Council Action**

Substitute Ordinance No. 96-404 (amending K.C.C. 21A.08.050) passed the King County Council on July 8, 1996 and was sent to the Executive for signature. This ordinance relaxes restrictions on churches in the rural zones by allowing churches in the RA-10 zone if there is no expansion of the sewer service outside the Urban Growth Area.

JB:pk

cc: Priscilla Kaufmann, Code Development Planner  
Anne Knapp, Planner II, Land Use Services Division  
Roz Glasser, Code Development Planner  
Tom Fitzpatrick, Planner III, Land Use Services Division