

# Regulatory Review Committee (RRC) Minutes

**Meeting Date: December 4, 2024**  
Minutes finalized: January 23, 2024

**TO:** Jim Chan, Division Director  
Mark Rowe, Deputy Division Director  
Jina Kim, Senior Deputy Prosecuting Attorney  
Tom Campbell, Code Enforcement Product Line Manager  
Tracy Cui, Residential Product Line Manager  
Ty Peterson, Commercial Product Line Manager  
Scott Smith, Development Engineer

**FM:** Robin Proebsting, Legislative/Policy Analyst and RRC Chair

Attendees: Camille Beasley, Joe Pursley, Scott Smith, Tom Campbell, Kim Barker, Tracy Cui, Warren Clauss, Jina Kim.

## **1. Code interpretation CINT24-0009, regarding the land use classification of cricket facilities under the King County Code**

This item was discussed by the RRC. The discussion and conclusion are outlined in the Permitting Division Director's code interpretation decision document and will not be repeated here.

## **2. Concerning lot clustering provisions and standards that may be modified**

### Indexes

Subjects: Clustering

Code: 21A.12.030, 21A.14.040

### Discussion

Recent projects under review by the Permitting Division have raised the question of whether lot width standards can be modified when lot clustering pursuant to K.C.C. 21A.14.040 is proposed.

Lot clustering is defined in K.C.C. 21A.06.196 as: "development of a subdivision at the existing zoned density that reduces the size of individual lots and creates natural open space for the preservation of critical areas, parks and permanent open space or as a reserve for future development."<sup>1</sup> The use of the term "size" in this definition implies that any dimension pertaining to the size of a lot, including area and width, could potentially be reduced when clustering is proposed.

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<sup>1</sup> K.C.C. 21A.06.196 [[LINK](#)]

Standards for lot clustering are found in K.C.C.21A.14.040 and include limits on the number of lots and proposed lot size, landscaping requirements, and open space tract requirements within subdivisions utilizing clustering. The standards speak to lot acreage, but not lot width.

The densities and dimensions table for residential and rural zones in K.C.C. 21A.12.030 notes that "minimum lot area" can be waived pursuant to subsection B.13<sup>2</sup>, but there is not comparable language for the "lot width" row of the table. The code treats minimum lot area separately from lot width and specifically exempts minimum lot area for clustering proposals while it is silent on lot width. The omission is presumed to be intentional. Additionally, when the code was amended in 2002, "minimum lot area" replaced "lot size minimums" and made no changes to lot width standards. This further supports the interpretation that minimum lot area and lot width requirements are to be applied differently for clustering proposals.

### Conclusion

Lot width cannot be reduced through use of the code's lot clustering provision.

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<sup>2</sup> K.C.C. 21A.12.030.B.13 " The minimum lot area does not apply to lot clustering proposals as provided in K.C.C. chapter 21A.14, except in the Rural Town of Fall City between December 1, 2023, and January 2, 2025." [\[LINK\]](#)