



King County
Department of Permitting
and Environmental Review
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REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: May 14, 2015
Minutes finalized June 10, 2015

TO: Jim Chan Molly Johnson
Wally Archuleta Chris Ricketts
Sheryl Lux Steve Roberge
Ty Peterson Steve Bottheim

John Starbard, Director
Randy Sandin, Product Line Manager, Resource and RRC Co-Chair
Devon Shannon, Prosecuting Attorney's Office

FM: Lisa Verner, Legislative Coordinator and RRC Co-Chair

Present: Devon Shannon, Lisa Verner, Steve Roberge, Molly Johnson, and Wally Archuleta.

1. May residential building permits be issued for lots created by the subdivision process that are substandard by today's code?

Background

Staff asked the RRC to address whether a building permit for a residence may be issued on a lot that is smaller in width (25') than the current code requirement and that has been created through the subdivision process. Many of these narrower-than-today's-standards lots occur in the White Center area. In the past we have issued building permits for such lots.

Discussion

KCC 21A.12.100 Lot area - minimum lot area for construction. Except as provided for nonconformances in K.C.C. 21A.32:

A. In the UR and R zones no construction shall be permitted on a lot that contains an area of less than 2,500 square feet or that does not comply with the applicable minimum lot width, except for townhouse developments zero-lot-line subdivisions, or lots created prior to February 2, 1995 in a

recorded subdivision or short subdivision which complied with applicable subdivision or short subdivision laws;

B. In the A, F or RA zones:

1. Construction shall not be permitted on a lot containing less than 5,000 square feet; and
2. Construction shall be limited to one dwelling unit and residential accessory uses for lots containing greater than 5,000 square feet, but less than 12,500 square feet.

(emphasis added)

A building permit may be issued for a legal lot in the R zone that is not as wide as current standards when the lot can meet the other criteria, when the lot is not being created or modified and when the lot was created by the subdivision process prior to February 2, 1995. In this case, the lot under discussion is a buildable site.

Conclusion

Building permits may be issued for lots in the R zones legally created by the subdivision process prior to February 2, 1995. Such lots are buildable sites and must meet all the other criteria.