



King County  
Building & Land Development Division  
Parks, Planning and Resources Department  
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FM: Jerry Balcom *JB 12/31/92*

RE: Minutes of the February 28, 1992, Code Interpretation Meeting

1. Can the "restoration" mitigation standards in K.C.C. 21.54.290(B)(1) be used when a utility pipeline is constructed through a wetland but there is no code violation?

Technical Services considers the construction of a utility pipeline through a wetland to typically represent only a temporary alteration, since the wetland continues to exist and function after the pipeline is in place. As a result, the "enhancement/ replacement" mitigation standards seem too demanding for the limited impact that occurs (see K.C.C. 21.54.290(B)(2)). However, the less demanding "restoration" standards apply only when the alteration constitutes a violation of the sensitive areas code chapter (see K.C.C. 21.54.290(B)(1)(a)). To apply the "restoration" standards to the utility pipeline, where there is no code violation, would go beyond an interpretation of the provision. A code amendment of Section 21.54.290(B)(1)(a) would be needed to use the restoration standards when public utility pipelines are to temporarily alter a wetland but there is no code violation.

2. In applying for a temporary, medical-hardship permit, does K.C.C. 21.09.020(B)(4)(a) specify in which dwelling the individual requiring daily care lives? Can the invalid live in the permanent rather than the temporary dwelling?

Section 21.09.020(B)(4)(a) does not specify in which dwelling the care giver or the individual needing care must live. The applicant must demonstrate to the manager's satisfaction that an individual with a medical condition requiring daily care will live in one of the two dwellings.

3. Further clarification regarding landscaping of telecommunication sites.

Consultation with the prosecuting attorney confirmed that the landscaping standards established in the Communication Facilities Ordinance, K.C.C. 21.80.060, are the standards to be used in reviewing a permit for a telecommunication site,



rather than the general landscaping provisions found in K.C.C. 21.51. Because the standards in Section 21.80.060 are so general, landscaping must be determined on an individual basis. The permit reviewer may use K.C.C. 21.51 as an example of appropriate landscaping. However, K.C.C. 21.51 cannot be used exclusively to make a determination as to the appropriateness of proposed landscaping.

4. Does the entire parking area which is required for an off-street parking facility need to be paved?

Two issues are presented here: (1) whether a parking area must be paved with asphalt, and (2) whether the entire area must be paved. The 1982 parking standards generally require that the entire parking area be surfaced with either asphalt or gravel (as illustrated in Figure 5 of the parking standards), depending on the frequency of use (King County Specifications for Off-Street Parking (1982), Section (V)(A)). Those parking areas used five days per week must be paved with asphalt or an equal approved by the Department of Public Works. For parking areas used more than 30 days per year but less than five days per week, the parking standards require gravel or an equal approved by Public Works. For these parking areas, then, any alternative to asphalt or gravel must be considered an "equal" to those surfaces. That standard would apply whether the applicant seeks to surface part or all of the parking area with the alternative surface material.

For uses that require use of their parking facilities less than 30 days per year, an exception to the asphalt or gravel surfacing requirements may be made, but, again, any surface other than asphalt or gravel (whether covering all or part of the parking area) must be approved by Public Works.

The use of more than one type of surface for a parking area (such as part gravel and part asphalt, for example) may occur in the context of shared parking facilities, where one of the uses needs parking less frequently than the other. Since shared parking facilities may reduce the parking requirements for the uses involved (K.C.C. 21.50.050), the allocation of spaces and layout of the parking area may require more intensive scrutiny. The review of parking facility layout and surfacing should take place in the site plan review phase.

JB:STS:ib

cc: Ann Dold  
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