

REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: September 13, 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

1. **K.C.C. 21A.02.040(D) states that " when more than one part of this title applies to the same aspect of a proposed use or development, the more restrictive requirement shall apply." Would this apply to conflicts between Title 21A and a P-suffix condition established pursuant to K.C.C. 21A.38.030? Is a P-suffix condition which establishes a maximum allowable setback, which is less than the minimum setback required by K.C.C. 21A.12.160, considered a more or less restrictive standard? See attached copy of the Vashon Town Core P-suffix. (Anna Nelson)**

Since a setback restricts the use of a portion of a site, the more restrictive standard would be the regulation requiring the largest setback. In the conflict between K.C.C. 21A.12.160 and the Vashon Town Core P-suffix, Title 21A would require a larger setback and would, therefore, be the more restrictive standard.

However K.C.C. Title 21A does not address how conflicts should be addressed between Title 21A and a P-suffix condition established pursuant to K.C.C. 21A.38.030.

K.C.C. 21A.38.030(D) states that P-suffix conditions shall not be used to reduce the minimum requirements of Title 21A. However the Vashon Town Core P-suffix reduces the required setback established by K.C.C. 21A.12.160. DDES will seek legal advise on how the

department should implement adopted P-suffix conditions which are in conflict with K.C.C. 21A.38.030(D).

The committee suggested a code amendment to K.C.C. 21A.12.160 which would allow limited construction and/or development to occur within the portion of the street setback required for future construction of a half street or arterial. The allowable construction and/or development would be limited to landscaping, signs, or structures which could be easily moved.

2. **What are "multiple-dwelling developments" as referenced in K.C.C. 21A.14.210 related to storage space and collection points for recyclables? (Anna Nelson)**

The committee agreed that any time more than one dwelling unit is placed on a lot the development would be considered a "multiple-dwelling development." However the committee felt that the storage space and collection points for recyclables requirements in K.C.C. 21A.14.210 were probably not intended to be applied to all multiple-dwelling developments especially the small scale ones (i.e. one dwelling and one accessory dwelling). The committee recommended that Code Development should look at an amendment to K.C.C. 21A.14.210 that would establish an appropriate threshold. In preparing this code amendment the research should include consultation with the King County Solid Waste Division and private industry recycling companies.

3. **Is there a street frontage landscaping requirement along a private access easement which would meet the definition of a "street" ? (K.C.C. 21A.06.1245, 21A.06.1250, and 21A.16.050) (Anna Nelson)**

Landscaping is required along street frontages per K.C.C. 21A.16.050. A street frontage is defined as "any portion of a lot or combination of lots which directly abut a public right-of-way." Previous code interpretations have determined that "public" means anything that is not private. (See Minutes from 4/5/96 and 6/23/95 meetings.) Therefore a public right-of-way is any right-of-way serving more than one property owner. The consensus of the group was that any access easement which meets the definition of a "street" would be considered a "public right-of-way" and would therefore have a street frontage requiring landscaping pursuant to K.C.C. 21A.16.050.

4. Legislative update

Council Action

Proposed ordinances 96-458 relating to variances and 96-457 relating to recyclables, which were transmitted in the 1996 2nd Quarter package, have passed out of the Growth Management, Housing and Environment Committee (GMH&E). These will now be sent to the full Council.

Council generated ordinance 96-669 relating to medical hardships, passed out of GMH&E Committee. The amendments to this proposed ordinance made in committee were designed to coordinate with the recently adopted ordinance amending the impervious surface requirements for medical hardships.

In Review

The following ordinances are under review with the GMH&E Committee:

- 96-694 relating to plat extensions;
- 96-65 adopting the uniform codes and making local amendments;
- 96-96-263, 96-260 and 96-261 all relating to the Phase 2 Zoning Code Conversion;
- 96-153 relating to accessory use;

The following ordinances were introduced on September 16, 1996:

- 96-699 relating to the term "residential zones;"
- 96-701 relating to bicycle and pedestrian access and circulation;
- 96-700 relating to automotive services in the NB zone;
- 96-702 relating to municipal water production facilities;
- 96-704 relating to zoo breeding facilities;
- 96-703 relating to nonconforming uses.

JB:pk

cc: Priscilla Kaufmann, Code Development Planner
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