



King County
Department of Development and Environmental Services
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REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: June 28, 2000

TO: Building Services Division Staff Land Use Services
Division Staff

Chris Ricketts
Nathan Brown
Beth Deraitus
Pam Dhanapal
Ken Dinsmore

Mark Carey
Greg Borba
Lanny Henoch
Lisa Pringle
Gordon Thomson

Caroline Whalen, Deputy Director
Kevin Wright, Prosecuting Attorney's Office

FM: Lisa Pringle, Planner IV (Interim Code Development
Coordinator)

Present: Dave Baugh, Steve Bottheim, Nathan Brown, Ken
Dinsmore, Beverly Ferrato,
Lanny Henoch, Lisa Pringle, Chris Ricketts, Susan Marlin
(Recorder)

Issue:

1. **Is a duplex considered "minor development?" Is a duplex considered a "single-family residence?" (K.C.C. 21A.24.075, Modification or waiver of sensitive area requirements -- urban lots) (Steve Bottheim)**

Discussion:

K.C.C. 21A.24.075 refers to "minor development" in the first paragraph. The situation is that an applicant would like to build a duplex on a parcel and wants to know if the duplex is considered a minor development, thus allowing it to be considered for modification or waiver.

K.C.C. 21A.24.075 states that "The purpose of this section is to provide an alternative to the variance, and exception processes for minor development. A further purpose of this section is to minimize impacts to sensitive areas by allowing minor modifications of the zoning code which allow single family residences on existing, legal urban lots without requiring a variance or exception."...

The group determined that the meaning of "minor development" is not clear and is not defined in the code. Historically, the sensitive areas staff has applied the section only to single family residences. Although the meaning of "minor" is not clear, the second sentence in the first paragraph refers to single family. The word "further" adds confusion as to whether it is a second issue or a clarification of the first sentence.

Conclusion:

The group concluded, based on the criteria, that the intent of K.C.C. 21A.24.075 is toward single family residences only and that the code should be amended to reflect that. This conclusion was seconded by the Prosecuting Attorney's Office.

Issue:

2. **Do all "development proposals" located on property containing sensitive areas or buffers require a Notice on Title, even if they do not increase the footprint, such as permits for commercial and residential interior remodels, mechanical and fire systems, decks and signs? (K.C.C. 21A.24.170) (Chris Ricketts)**

Discussion:

This question was raised during the development of the Department's express permit processing program. The concern is the time and cost involved for sensitive areas review of small projects and how to streamline the process.

K.C.C. 21A.24.170A states "The owner of any property containing sensitive areas or buffers on which a development proposal is submitted, except a public right-of-way or the site of a permanent public facility, shall file a notice approved by King County with the records and elections division."...

K.C.C. 21A.06.310 defines development proposal as "any activities requiring a permit or other approval from King County relative to the use or development of land."

If the definition includes any permit from DDES, it was asked if it could be modified through an amendment of the Public Rules Chapter 21A-24; Sensitive Areas: Notice on Title.

Conclusion:

The group determined that the definition of "development proposal" means anything for which a person needs a permit from DDES. As the code is currently written, a Notice on Title is required to be filed and a code amendment would be necessary to allow an exemption. It was also determined, in consultation with the Prosecuting Attorney's Office, that amending the rule will not resolve the issue and, in order to do so, the code must be amended to clarify for which types of permits Notice on Title is needed.

cc: Tim Barnes, Prosecuting Attorney's Office