

REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: October 10, 1997

TO: Building Services Division Staff

Lynn Baugh
Chris Ricketts
Pam Dhanapal
Terry Brunner
Ken Dinsmore
Priscilla Kaufmann

Land Use Services Division Staff

Mark Carey
Lisa Pringle
Marilyn Cox
Lanny Henoch
Gordon Thomson

Greg Kipp, Deputy Director
Michael Sinsky, Prosecuting Attorney's Office

FM: Sophia Byrd, Code Development Coordinator

Present: Sophia Byrd, Priscilla Kaufmann, Gordon Thomson, Lanny Henoch, Gary Kohler, Terry Brunner, Ken Dinsmore

1. Can different zoned adjacent lots be combined into a single lot to utilize the provisions of K.C.C.21A.12.200 (Lot Divided By Zone Boundary)? (Gary Kohler)

K.C.C.21A.12.200 (B)(2) allows for a residential density transfer from a higher density zone to a lower density zone subject to limitations. The limitations address impacts to lower density adjoining properties. However, there is no explicit limitation on boundary line adjustments to create a single lot. Boundary line adjustments are addressed in K.C.C. 19.08.010 (F) and RCW 58.17.040 (6). A boundary line adjustment may therefore be approved, and any subsequent request to transfer density within the lot may be considered under the limitations imposed by K.C.C.21A.12.200 (2) (a through f). The Committee determined that the explicit reference to the term "lot" limits application of the provision to "a physically separate and distinct parcel, which has been created pursuant to K.C.C. Title 19." (K.C.C. 21A.06.725)

The Committee also noted a conflict within the provision. Subsection B (1) states: "any residential density transfer within the lot shall only be allowed from the portion with the lesser density to that of the greater residential density." However, subsection B(2) states: "residential density transfer from the higher density zone to the lower density zone may be allowed..." The Committee recommended a code amendment to clarify subsection B(1).

3. Legislative Update

First reading of Proposed Ordinance 97-607 (McKenna), related to definitions of "structure," "berm," and "retaining wall," amending fence height provisions to allow retaining walls, rockeries and berms in setback. This ordinance originally was part of DDES' first quarter transmittal. McKenna pulled it out as a separate ordinance to try to get faster action from GM Committee. The language is exactly the same as we submitted.

SB:sm

cc: Gary Kohler, Planner, Land Use Services Division