



King County
Department of Development
and Environmental Services
3600 - 136th Place Southeast
Bellevue, Washington 98006-1400

TO: Bob Derrick
Greg Kipp
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Harold Vandergriff
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Gary Kohler
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Mike Sinsky

FM: Jerry Balcom *J.T. for J.B.*

RE: Minutes of the August 26, 1994 Regulatory Review Committee Meeting

Present: Terry Brunner, George McCallum, Mike Sinsky, Sheri McKee, Rick Bautista, Gordon Thomson

1. Which setbacks (and other bulk standards) are required for the expansion of a nonconforming structure? K.C.C. 21.52.050 (B)

K.C.C. 21.52.050 (B) states: "Structural alterations which involve an increase in floor area, and any enlargement of a nonconforming building not otherwise permitted by this section may be authorized only by approval of a conditional use permit." It is therefore the responsibility of the zoning adjustor to determine the appropriate setbacks and other bulk requirements. Although the bulk standards for the zone in which the use is first permitted, or the bulk standards for the zone in which the use is currently located may be relevant to the adjustor's decision, there is nothing in the code to suggest that these standards are required. The adjustor's decision on bulk standards therefore rests on a finding of compatibility as set forth in K.C.C. 21.58.040.

2. Is a "minor communication facility" which accommodates two-way radio communications as well as cellular communication allowed pursuant to Appendix A-1 (page 985-9) or Appendix A (page 985-8) in K.C.C. 21.80.320?

No. Appendix A-1 sets forth review criteria solely for communication facilities for the transmission or reception of cellular radio signals. Appendix A covers all other communication facilities, including two-way radio communication. A code amendment is therefore required to allow two-way radio facilities in conjunction with cellular facilities under the Appendix A-1 process.

cc: Rick Bautista
Gordon Thomson

JB:GT

