



King County

Department of Development
and Environmental Services
900 Oakesdale Avenue Southwest
Renton, WA 98055-1219

REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: January 13, 2006

TO: Building Services Division Staff
Mike Dykeman, Manager
Chris Ricketts
Jim Chan
Pam Dhanapal

Land Use Services Division Staff
Joe Miles, Manager
Lisa Dinsmore
Randy Sandin
Jeri Breazeal
Steve Bottheim

Stephanie Warden, Director
Harry Reinert, Special Projects Manager and RRC Co-Chair
Cass Newell, Prosecuting Attorney's Office

FM: Harry Reinert, Co-Chair

Present: Steve Bottheim, Jeri Breazeal, Pam Dhanapal, Lisa Dinsmore, Joelyn Higgins, and Harry Reinert

- 1. Does a chemical injection facility to be constructed as part of a sewer conveyance system qualify as a "support structure" in determining whether the facility is an allowed alteration under K.C.C. 21A.24.045?**

Background

King County Wastewater Division proposes to construct a chemical injection facility to address sulfide generation within the sewer conveyance system. The proposed location for the facility is in a critical area or critical area buffer, adjacent to an existing sewer pump station.

Discussion

K.C.C. 21A.06.1350 defines "utility facilities" to include "wastewater pipelines, lift stations, pump stations, regulator stations, and odor control facilities." The chemical injection facility meets the definition of a utility facility. A "utility corridor" is defined as the strip of land containing utilities and the area necessary to maintain those utilities. K.C.C. 21A.06.1348.

K.C.C. 21A.24.045 establishes the circumstances under which activities are allowed alterations within critical areas and critical area buffers. In aquatic areas and wetlands and their buffers, new utility facilities are allowed alterations for pipelines, cables, wires and their support structures subject to a number of conditions. (K.C.C. 21A.24.045D.34.)

The term "support structure" in this context refers to physical supports, such as towers and poles, not to structures that may support the operation of the facility. The proposed chemical injection facility is not a support structure for purposes of this condition. Therefore, construction of the proposed chemical injection facility is not an allowed alteration. It would, instead, be subject to the provisions of K.C.C. 21A.24.070 which provides for approval of alteration exceptions.

Conclusion

A chemical injection facility that is proposed to be added part of a sewer conveyance system is not a support structure under K.C.C. 21A.24.045D.34. The facility does qualify as a utility facility and, if located within an aquatic area or wetland or their buffers, would be reviewed as an alteration exception under K.C.C. 21A.24.070.

2. May a motor home that meets the minimum dimensions of a mobile home be used as a temporary construction residence under K.C.C. 21A.32.060?

Background

An applicant for a building permit proposes to use a motor home as a temporary construction residence. The motor home meets the dimensional standards in the definition of a mobile home or a manufactured housing.

Discussion

"Mobile home" and "manufactured home" are defined terms in the zoning code. See K.C.C. 21A.06.755 and 21A.06.732, respectively. The definitions establish minimum dimensions and other requirements. Mobile homes and manufactured homes meeting federal Department of Housing and Urban Development requirements are considered to meet these definitions. The manufactured home definition provides that a recreational vehicle cannot be a manufactured home. No similar restriction applies to a mobile home. The definition of recreational vehicles includes motor homes. K.C.C. 21A.06.960.

K.C.C. 21A.32.160 allows for a temporary construction residence to be located on a property with a building permit. The temporary residence must be a mobile home. The temporary residence is allowed if there is a building permit for a permanent dwelling and is allowed for 12 months, with one 12 month extension.

Motor homes are licensed by the state as a type of motor vehicle and are defined as "motor vehicles originally designed, reconstructed, or permanently altered to provide facilities for human habitation, which include lodging and cooking or sewage disposal, and is enclosed within a solid body shell with the vehicle, but excludes a camper or like unit constructed separately and affixed to a motor vehicle." RCW 46.04.305.

A motor home may have some of the same physical attributes as mobile homes and manufactured homes. However, it is not required to meet the energy code or the electrical codes. It does not have a permanent connection for sewage disposal or for water supply. It is also not designed to be located on a permanent foundation.

The building code establishes standards for the siting of mobile homes and factory built commercial structures and coaches. See K.C.C. 16.04.940 - .970. A motor home does not meet these requirements.

Conclusion

A motor home may not be used as a temporary construction residence under K.C.C. 21A.32.060.

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