



King County
Building & Land Development Division
Parks, Planning and Resources Department
3600 - 136th Place Southeast
Bellevue, Washington 98006-1400

TO: Greg Kipp
Terry Brunner
Harold Vandergriff

Kyle Evans
George McCallum
Gary Kohler

Lisa Pringle
Lisa Lee
Ken Dinsmore

FM: Jerry Balcom *JB 1/27/93*

RE: Minutes of the January 15, 1993 Code Interpretation Meeting

Present: George McCallum, Laura Casey, Ramon Locsin, Jerry Balcom, Finn Krogstad, Steve Bottheim, Lisa Pringle, Henryk Hiller, Gordon Thomson, Harold Vandergriff, Ken Dinsmore, Mark Mitchell, Terry Brunner

1. **Maintaining existing lawns and landscaping within a sensitive area is exempt from clearing permit requirements (K.C.C. 16.82.050(15)(b)(1)). Is this activity subject to SAO regulation?**

There is currently no SAO exemption for the maintenance of existing lawns and landscaping within a sensitive area. As a result, SAO restrictions would apply to the activity whether or not the grading code requires a clearing permit. Proposed Ordinance 92-675, which was recently passed out of the County Council's Growth Management Committee, would exempt from SAO regulation those activities that are exempt from clearing permit requirements. The proposed new zoning code has a similar exemption.

- 2A. **If a roadway runs through a required sensitive area buffer, must the portion of the buffer area that lies across the road from the sensitive feature be maintained as buffer even if (because of the roadway) it provides minimal biological or hydrological functions?**
- B. **In general, is a buffer required if it will not perform any biological or hydrological functions?**

The SAO establishes minimum required buffer areas for wetlands, streams, landslide hazard areas and steep slopes (K.C.C. 21.54.220(A), 21.54.250(A), 21.54.270(A), 21.54.310(A)). The landslide hazard and steep slope provisions each permit some reduction in buffer size under certain circumstances (K.C.C. 21.54.220(A), 21.54.250(A(2))). Other than those specified reductions, however, a variance or specific SAO exception would be needed to reduce any required minimum buffer areas (see K.C.C. 21.54.050, 21.54.060). This would be the case whether or not the buffers perform any biological or hydrological functions.



A code amendment will be proposed to take account of situations in which part of the required minimum buffer performs no biological or hydrological functions because of an intervening barrier.

3. A request has been made for clarification of the group's December 11, 1992 conclusion regarding K.C.C. 21.58.020(C). Under that section, an SAO variance must be "the minimum necessary to accommodate the permitted uses." Specifically, can staff propose reducing the size of the proposal itself (such as a residence) in order to lessen the sensitive area intrusion?

A formal interpretation will be written for K.C.C. 21.58.020.

4. Small animal clinics are permitted in the GR zone under K.C.C. 21.25.020(C)(5). Kennels are permitted in that zone only with a CUP (K.C.C. 21.44.030(H)). What are the limitations on boarding or keeping animals at a small animal clinic in the GR zone without obtaining a CUP for a kennel?

Small animal clinics and kennels are defined in a mutually exclusive way (see K.C.C. 21.04.490, 21.04.520). For a small animal clinic, any boarding of animals or other activities (such as use of animal runs) must be connected with the operation of the clinic. For example, animal runs may be used for rehabilitative purposes and boarding may be needed for recovery or similar purposes. Any boarding or other activities that are not part of the clinic's treatment of animals would not be permitted under the "small animal clinic" use.

5. Legislative update.

The final council committee meeting on the proposed new zoning code will take place on February 3, 1993.

The proposed ordinances to create a new commercial site review process (93-10) and to provide a binding site plan procedure for the division of commercially and industrially zoned property (93-11) have been sent to council committee.

JB:HH

cc: Ann Dold	Laura Casey
Tom McDonald	Madelyn Troxclair
Herb Haines	Finn Krogstad
Mark Mitchell	Gordon Thomson
Ramon Locsin	Craig Smith
Steve Bottheim	Henryk Hiller