TO:  Greg Kipp  Kyle Evans  Lisa Pringle
     Terry Brunner  George McCallum  Lisa Lee
     Harold Vandergriff  Gary Kohler  Ken Dinsmore

FM:  Jerry Balcom  1/27/93

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

Present:  George McCallum, Laura Casey, Ramon Locsin, Jerry Balcom,
        Finn Krogestad, Steve Bottehin, 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(A2)).
   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 used be 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