



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 10/13/92*

RE: Minutes of the October 9, 1992 Code Interpretation Meeting

Present: George McCallum, Harold Vandergriff, Ken Dinsmore, Luanne Coachman, Gordon Thomson, Jerry Balcom, Henryk Hiller, Lisa Lee, Jim Ballweber, Terry Brunner, Kyle Evans

1. Is a Native American tribe's occasional gathering by hand of medicinal plants in a wetland area subject to the Sensitive Areas Ordinance?

This question raises issues regarding what constitutes a "land use" and what constitutes a sensitive area "alteration." The consensus of the group was that there is ambiguity on both issues, but that the occasional gathering by hand of medicinal plants is an activity so limited in intensity that it does not constitute either a wetland "alteration" that would be subject to SAO regulation (K.C.C. 21.04.047, 21.54.260) or a "land use" requiring authorization in a particular zone (K.C.C. 21.46.020).

However, upon reflection, there is no ambiguity in these areas. "Alteration" expressly includes "cutting, pruning, limbing or topping, clearing, relocating or removing vegetation" (K.C.C. 21.04.047), and "use" is defined as a "type of activity . . . to which land is devoted" (K.C.C. 21.04.910). As a result, this question will be reconsidered at the next meeting.

2. Legislative Update.

- a. Ordinance 10578, enacted on October 5, 1992, permits bulk retail businesses with "limited wholesale sales" in the B-C zone. Wholesale sales are "limited" when they constitute less than 100% of the business's sales. Since the wholesale sales must be part of a bulk retail business, they will be "limited" by virtue of the fact that retail sales will also be occurring.



- b. Two proposed ordinances will have Determinations of Non-Significance published on October 14, 1992: one permitting certain bulk gas storage facilities in residential zones, and the other clarifying that lot area and parking standards for retirement homes are based upon the total number of living units at the site (dwelling units plus sleeping units).
- c. The ordinance to correct the subsection numbering error for wetland buffer averaging has been transmitted to the council.
- d. The ordinance to clarify the definition of "clearing" activities and to exempt from SAO restrictions those clearing activities that are exempt from clearing permit requirements (Proposed Ordinance 92-675) is scheduled to be considered by the GMHE later this month.

JB:HH

cc: Randy Sandin  
Jim Ballweber  
Jon Pederson  
Ann Dold  
Luanne Coachman  
Laura Casey  
Steve Bottheim  
Gordon Thomson  
Henryk Hiller