



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

June 8, 1992

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

FM: Jerry Balcom 

RE: Minutes of the March 27, 1992 Code Interpretation Meeting

Present: Jerry Balcom, Terry Brunner, Gloria Chow, Ken Dinsmore, Nancy Hopkins, Mark Mitchell, Gordon Thomson, Harold Vandergriff, Dean Wilson.

1. Excavation or dredging below the ordinary high water mark is permitted in the Conservancy Shoreline Environment only "to mitigate conditions which endanger public safety or fisheries resources." KCC 25.24.140(A); 25.16.290(I). Must the conditions to be mitigated be pre-existing?

No consensus was reached. An interpretation addressing this issue will be written.

2. Can a use which was validly established without a conditional use permit prior to the effective date of Title 21 expand its facilities without applying for a CUP?

A major structural change or major change in use would require application for a CUP under KCC 21.06.120 (Limitation of land use). An unresolved question is what level of modification would trigger a CUP?

3. Is a summer food program proposed by a day care operator on a vacant, AR-zoned lot a "day nursery" for the purposes of KCC 21.04.280 (definition of day nursery) and KCC 21.21A.040(D) (day nurseries in the AR zone)?

The program as proposed would constitute a "day nursery." Under KCC 21.21A.040(D), day nurseries in the AR zone are subject to the provisions for day nurseries in the RS zone under KCC 21.08.040(K).



**4. Other matters.**

A code amendment is required to resolve the inconsistency which exists between KCC 21.54.180(B) and WAC 173-158-070(1)(b). The issue needs further discussion with Don Gauthier, however, and will appear on the April 3, 1992 agenda.

cc: Gordon Thomson  
Henryk Hiller

JB:GT:ib