

REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: September 5, 1997

TO: Building Services Division Staff	Land Use Services Division Staff
Lynn Baugh	Mark Carey
Chris Ricketts	Lisa Pringle
Pam Dhanapal	Marilyn Cox
Terry Brunner	Gordon Thomson
Ken Dinsmore	
Priscilla Kaufmann	

Greg Kipp, Deputy Director
Michael Sinsky, Prosecuting Attorney's Office

FM: Sophia Byrd, Code Development Coordinator

Present: Pam Dhanapal, Gordon Thomson, Harold Vandergriff, Mike Sinsky, Brenda Wood

1. Does K.C.C. 21A.08 allow the use of an agricultural irrigation pond for waterskiing? (Steve Boyce/Betty Capehart)

This item was deferred pending discussion with Randy Sandin, who has been involved with this application for several years.

2. K.C.C. 21A.08.060B8 states in part that private stormwater management facilities in commercial/industrial zones, or shared facilities, not located on the lot they are designed to serve shall be located on a lot with the same or "more intensive" zoning. While the former zoning code (Title 21) was organized as more and less intensive uses, Title 21A does not employ this concept. How do we address the use of the phrase "more intensive" in this section of the code? (Harold Vandergriff)

This issue came to the RRC's attention via a letter regarding a particular project proposal. However, it also is matter of general concern.

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Discussion: The group agreed that the phrase was not intended to be used in Title 21A, and in the context of Title 21A, is not defined. However, legally, the existence of the phrase in the code presumes that it is meant to be there and must be given meaning. The group discussed giving meaning to the phrase based on its use in Title 21. However, in the particular case referenced above, Title 21 did not allow any other uses in the zone in question and provided no guidance as to which of the two zones would be considered the more intensive.

Decision: The group agreed unanimously that DDES should pursue a code amendment to correct this problem. Regarding the particular case at hand, the group agreed that Sophia Byrd should respond to the letter by suggesting the applicant pursue alternative means to achieve his goal of shared stormwater facilities.

3. Legislative update

Neither GM nor HPP Committees met this week, and the Council did not take any action on DDES-related items. DDES supplemental budget passed out of the Budget Committee and is on the Council agenda September 8. GM Committee staff are beginning to review the first quarterly package from 1997, and will submit any questions or concerns to Sophia Byrd and Priscilla Kaufmann. The code enforcement legislative task force is meeting again September 11.

4. Procedural Issues

The group discussed whether to rotate facilitator/recorder roles and reached consensus that Sophia Byrd will normally serve as facilitator and Gordon Thomson will serve as recorder, with no rotation. The group also agreed that it would like to retain a system of informal voting, and would like to see any strong dissent reflected in the minutes. The group also discussed the development of "operations" guidelines for the Committee. Mike Sinsky volunteered to review the appropriate format (e.g. rule, policy, procedure) for such a document.

SB:sm

cc: Steve Boyce, Planner, Land Use Services Division
Betty Capehart, Planner, Land Use Services Division
Harold Vandergriff, Zoning Technician, Building Services Division