

REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: October 24, 1997

TO: Building Services Division Staff

Lynn Baugh
Chris Ricketts
Pam Dhanapal
Terry Brunner
Ken Dinsmore
Priscilla Kaufmann

Land Use Services Division Staff

Mark Carey
Lisa Pringle
Marilyn Cox
Lanny Henoch
Gordon Thomson

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

FM: Sophia Byrd, Code Development Coordinator

Present: Sophia Byrd, Laura Casey, Ken Dinsmore, Lanny Henoch, Priscilla Kaufmann, Gordon Thomson

1. Is a "utility facility" the same as a "utility" for the purposes of placement within a wetland buffer under K.C.C. 21A.24.330 E? (Laura Casey)

"Utility facility" is defined under K.C.C. 21A.06.1350. However, there is no definition for "utility." K.C.C. Chapter 21A.24 (Sensitive Areas) makes references only to "utility(s)." "Utility" is defined as follows by The American Heritage Dictionary (3rd Edition): "A Public Utility. A commodity or service, such as electricity or water, provided by a public utility."

Utilities are therefore considered to include utility facilities. Because there is concern with the implications of locating utility facilities within the wetland buffer, a code amendment is being pursued.

2. Is a surface water conveyance and outfall allowed to be constructed in a stream buffer under K.C.C. 21A.24.370 (E)(1)? (Laura Casey)

No. K.C.C. 21A.24.370 (E)(1) allows discharge of surface water through a stream buffer from a conveyance system. However, the conveyance system itself (e.g. pipe, swale, etc.) is not allowed. Unlike the wetland buffers provisions (K.C.C. 21A.24.330 (H)(4)) which specifically allow for the location of conveyance systems within the wetland buffer, the stream buffer section includes no such provision.

Previous minutes (see August 21, 1992) and the Examiner's decision on the plat of Morford Park (April 8, 1994) state the same restriction on conveyance systems within the stream buffer under the former zoning code sensitive area provisions (K.C.C. Chapter 21.54), which are substantively identical to the current requirements under K.C.C. 21A.24.

Because there are instances in which it is advisable to place conveyance systems within the stream buffer, a code amendment is being pursued.

3. Use of a Park Trailer as a temporary dwelling (K.C.C. 21A.32.170) (Priscilla Kaufmann)

This issue was addressed at the June 27, 1997 RRC meeting. At that time the committee determined that park trailers were suitable for temporary dwellings. However, the committee also noted that there "may be certain life/safety" issues which would make them inappropriate for long term use. Since that meeting, Building Services Division has consulted with the Washington State Department of Labor and Industry (L&I). According to L&I, park trailers are designed for "seasonal use" and do not possess the structural integrity of a mobile home. L&I advised against allowing park trailers to be used for medical hardships, particularly since the County has no way to determine how long the trailer would be in use. Also, in the event of injury resulting from the damage or destruction of a park trailer due to a severe storm event, the County could be held liable. The committee reversed its decision of June 27, 1997 and decided that park trailers are not suitable for medical hardship use.

SB:sm

cc: Laura Casey, Site Development Services
Bill Turner, Code Enforcement