

REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: October 31, 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: Greg Borba, Sophia Byrd, Ken Dinsmore, Lanny Henoch, Priscilla Kaufmann, Jeri Strickland, Gordon Thomson

1. Shoreline Master Program versus Zoning Code - Which presides in the case of conflict? (Jeri Strickland)

Deferred pending discussion within Land Use Services Division.

2. Are recreational uses allowed as an accessory use to a church? (Greg Borba)

Churches are a permitted use or conditional use in K.C.C. 21A.08.050. Accessory uses for churches are listed in part in the definition of "church" (K.C.C. 21A.06.185) which refers to "accessory uses in the primary or accessory buildings such as religious education, reading room, assembly rooms..." In the Committee's minutes of September 25, 1992, in reference to the former zoning code (Title 21), a determination was made that accessory uses were not limited to the list of accessory uses in the Code. Given that Title 21A treats accessory uses for churches in a manner similar to Title 21, the Committee arrived at the same determination. The Committee also determined

that for churches which require a conditional use permit (CUP), the CUP process is the appropriate tool to address the impacts of the accessory uses.

3. Are large trucks considered “heavy equipment” for the purpose of defining a home occupation? (Ken Dinsmore)

No. K.C.C. 21A.30.080(H) limits the weight capacity of “vehicles” used for home occupations to one ton. However, no such limitation exists for home industries per K.C.C. 21A.30.090. The home industry use also requires a conditional use permit (CUP). The CUP process would address the compatibility issues associated with locating a large truck on residential property. The definition of home industry (K.C.C. 21A.06.605) states that use is a “...service or fabrication activity ...which occurs in a dwelling unit or accessory building....” This might limit the location of a heavy truck on residential property. However, the CUP is the appropriate tool to address this issue in detail.

SB:sm