

REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: August 28, 1998

TO: Building Services Division Staff Land Use Services
Division Staff

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| Lynn Baugh | Mark Carey |
| Chris Ricketts | Lisa Pringle |
| Pam Dhanapal | Marilyn Cox |
| Ken Dinsmore | Lanny Henoch |
| Priscilla Kaufmann | Gordon Thomson |

Greg Kipp, Deputy Director
Kevin Wright, Prosecuting Attorney's Office

FM: Sophia Byrd, Code Development Coordinator

Present: Greg Borba, Sophia Byrd, Jim Chan, Pam Dhanapal, Tom Fitzpatrick, Dave Sandstrom, Gordon Thomson, Steve Townsend, Bill Turner, Susan Marlin (Recorder)

Issue:

1. **How do we enforce significant tree provisions after final plat approval? (K.C.C. 21A.38.230) (Jim Chan)**

Discussion:

An earlier discussion was held by the committee on June 12 regarding the definition of Significant Tree which was repealed from the Zoning Code in 1994 by Ordinance 11255 (landscaping development regulations). The committee agreed the definition needs to be added back to K.C.C. 21A.06. The definition read: "Significant tree: an existing healthy tree which, when measured four feet above grade, has a minimum diameter of:

- A. Eight inches for evergreen trees, or
- B. Twelve inches for deciduous trees."

The definition will be added via the Minimum Site Disturbance Ordinance which is scheduled to be transmitted later in 1998.

The group discussed what the code requires when it refers to "retention plan" and how the Department can enforce the retention of significant trees. K.C.C. 21A.38.230 does not require protecting significant trees, however, if a significant tree is taken down, it must be replaced. A significant tree inventory (retention plan) is required for review. The question is how does one demonstrate compliance with the plan and how does the Department enforce the plan.

Conclusion:

It was suggested that the inventory be added to the site plan documents as an attachment and perhaps be recorded with the short plat. The inventory may then be used by the land use inspectors checking preliminary approval.

Sophia will check with the Prosecuting Attorney's Office about recording retention plans and reviewing the section as a whole.

**2. The following questions were asked to be discussed: (Mary Davis)
(K.C.C. 21A.06.555; K.C.C. 21A.08.040A)**

a) Should a driving range be allowed as an accessory use to a golf course on a noncontiguous parcel? If so, should there be a geographical relationship to the golf course, e.g. within a half mile of the golf course site? Would the driving range have to be owned or legally controlled by the golf course owner?

b) Should a driving range be permitted outright in Rural, Urban Reserve, and Urban Residential zones or other zones?

c) Should the code be amended to change the definition from "Golf Course Facility" to "Golf Facility?"

Conclusion:

The committee discussed golf course facilities and agreed on the following in response to the above questions:

- a) No; not an issue.
- b) No; leave it as a Conditional Use (CUP).
- c) Correct the land use table from "Golf Facility" to "Golf Course Facility."

3. Legislative Update

- The Sensitive Areas code proposed ordinance is still in the Executive's Office.
- The Land Segregation proposed ordinance (Title 19) is still in the Executive's Office.
- The School Impact Fees proposed ordinance was forwarded to the Executive on August 26 but has not yet been transmitted to Council.
- The ESA (Endangered Species Act) Fees proposed ordinance was forwarded to the Executive on August 21 and will soon be before the Budget Committee.
- The Fire Sprinklers proposed ordinance is pending in the Housing Committee.
- A Coal Mine Hazard Areas proposed ordinance was drafted by Council and is scheduled for discussion with the Growth Management Committee.
- Councilmember Kent Pullen introduced two proposed ordinances that would require additional customer service efforts by DDES. The Department is reviewing these to be prepared to present any concerns when the legislation is discussed in committee.

SB:sm