

TITLE 21 COMMITTEE MEETING NOTES

11-1-07

Chapter 12 Issue Response Paper

The Committee came to order at 9:40 a.m. All three committee members were present as well as staff and members of the public. Mary Jane Michael was also present to discuss Ms. Selkregg's outreach plan.

The Committee began its work with a discussion with consideration of Ms. Selkregg's outreach suggestions. Ms. Michael remarked that we could prepare a document which generally outlined what is happening under the new code. Ms. Selkregg suggested preparation of summaries of the changes in the proposed code. Mr. Coffey suggested a chapter by chapter report with references to code sections so that citizens can become informed on those issues which they are concerned about. This idea seemed to be an acceptable way to get into this outreach process. Ms. Selkregg suggested using that method with emphasis on those issues which are controversial, new, widely supported or objected to, of great public interest.

Mr. Coffey suggested that we do this for the chapters currently under review (4, 5 and 6) and then follow up with another similar effort for the chapters still to be reviewed (3, 7 & 14). Tom Nelson suggested that we do this for all of the chapters, those provisionally approved, those currently being reviewed by the Committee and those yet to be reviewed.

Ms. Ossiander asked about the economic analysis. Ms. Hammond says we are very close to having this analysis in early December. This will be too late for the PNZ review of chapters 4, 5 & 6 although the Assembly will have this information when it deliberates these chapters. Mr. Coffey asked if it might be possible for PNZ to have a subsequent review of these chapters after the economic analysis is done. Mr. Nelson stated this would delay the process by about a month.

Ms. Selkregg then asked about the scope of the economic impact analysis and whether there is an attempt to quantify the effect of not adopting the proposed code. Mr. Nelson responded to the inquiry addressing the scope of the analysis.

Mr. Coffey asked about the time line for the outreach documents and the delay which this process can result in. Depending upon the scope of work the extent of delay and the ability to inform the public further could result in delay or could mean that the public will not get the information before the PNZ hearing.

Ms. Ossiander stated that we may have an "agreement" on how to proceed.

- 1) A detailed document dealing with the 3 chapters which are coming before PNZ for public hearing (3, 7 and 14).
 - a. This document will state the purpose of the chapter and the issues in the chapters with code references which will allow the public to investigate the issues of concern to them.
 - b. It will advise them of the Title 21 committee meeting schedule, the PNZ schedule, the Assembly Schedule.
 - c. Reference to the economic impact analysis.

- 2) An overview document covering the entire process and the substance of all of the chapters already done, those under review and those to be reviewed in the future.
 - a. A time line document which might be incorporated into the overview document.
 - b. Reference to the economic impact analysis.
 - c. Report on when the title 21 Committee, PNZ and the Assembly will consider various chapters.
 - d. Cross references between old and new code where appropriate

This “agreement” is in dispute among the committee members. Ms. Selkregg wants further delay to review her suggested process. Mr. Coffey believes that the outreach already done by the staff is sufficient. Ms. Ossiander stressed that the documents are being prepared by the administration and will ultimately reflect their desires.

The Committee then began its discussion of the issue response document on chapter 12.

Issue #1....clarifications were made regarding self storage units

Issue # 2...clarification regarding “de facto conditional use” or uses “predating the effective date of the title which lack an approved conditional use permit” was made and a clarifying amendment was suggested.

Issue # 3....clarification was given about the terms “conditional use” and “principal use”.

Issue # 4: The committee suggested that any governmental takings that result in a nonconformity should require the governmental entity to provide legal documentation of that nonconformity to the property owner.

Issue # 5: The committee agreed to add “and electrical” under 21.12.010F.1.c Maintenance and Repair in order to make the section more comprehensive.

Issue # 6: Replacement Cost 12.21.010 G on page 4. AGC suggested that the owner should come up with the appraisal/estimate. The MOA relies on development services for review which has nationally accepted schedule of costs. The committee requested more information about current process.

Issue # 7 and # 8: There is some confusion about the difference between the terms “manufactured home” and “mobile home”, and about different zoning requirements for single and two family structures vs. mobile homes. (21.12.020) If one understands the difference between mobile homes and manufactured homes these provisions are clear.

Issue # 9: Change Of Use 21.030 B.1 on page 5. This is a typo which will be corrected.

Issue # 10: Change of Use. 21.12.030 B.2. The provisions of this section establish the idea of a superseding use (already in code) which means that the non-conformity may not continue.

Issue # 11 Damage or Destruction 21.12.030 C. pages 6 (bottom) and 7. The committee had no problem with the staff position.

Issue # 12: Approval Criteria 21.12.033 C.2.a. page 7. This comment deals with making the approval conditioned on making the building compatible with allowed uses.

Issue # 13: Approval Criteria 21.12.030 C.2.c. and d. page 7. The issue is “what standards” and where are they found. It depends on the standard being discussed. It may be traffic. It may be utilities. According to some, the offsite requirements may be too restrictive.