TO: Chuck Kleeberg  Gary Kohler  
    Greg Kipp           Lisa Pringle  
    Terry Brunner       Lisa Lee      
    Harold Vandergriff  Ken Dinsmore  
    George McCallum     

FM: Jerry Balcom

RE: Minutes of the January 21, 1994 Regulatory Review Committee 
Meeting

Present: Jerry Balcom, Terry Brunner, Pam Dhanapat, George 
McCallum, Betty Salvati, Gordon Thomson

1. Are setbacks from structures which accommodate a mix of uses 
calculated differently depending on the different uses, or 
from the structure as a whole? (K.C.C. 21.18.020 (D) (1), (E) 
(3), (F) (3), (G) (3), and (H) (2)

The regulatory review group reached consensus, agreeing that 
the setback is calculated from the entire building/structure. 
Using structures which house horses and livestock in the SE 
zone as an example, the group found that all references 
are to structures and buildings, and not to individual uses. 
For example, K.C.C. 21.18.020 (E) (3) states: "Any 
building, pen, or structure used to house, confine or feed 
such animals shall not be located closer than thirty-five feet 
to any boundary property line nor closer than forty-five feet 
to any building containing a dwelling unit or accessory living 
quarters on the same premises." As a general rule, the group 
also recognized that it would be impractical to establish a 
setback(s) based on a mix of uses which might be contained 
within a structure. To calculate a setback based on a mix of 
uses within a structure would be tantamount to treating 
individual rooms within the structure as structures 
themselves. This is clearly not the intent of the zoning 
code. As a point of information, it was noted that the 
on site setbacks from residences were originally established 
in the zoning code based on Health department concerns. The 
new zoning code (Title 21A) does not require these setbacks.

JB:GT