REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: June 18, 1999

TO: Building Services Division Staff, Land Use Services
Division Staff
   Lynn Baugh, Mark Carey
   Nathan Brown, Lisa Pringle
   Pam Dhanapal, Greg Borba
   Ken Dinsmore, Lanny Henoch
   Chris Ricketts, Gordon Thomson

Greg Kipp, Director
Kevin Wright, Prosecuting Attorney’s Office

FM: Sophia Byrd, Code Development Coordinator

Present: Sophia Byrd, Janene Collins (PA), Pam Dhanapal, Gordon Thomson,
Harold Vandergriff

Issue:
1. What is our authority to require development conditions
   for administrative permits (e.g. short plats) that do not
   require SEPA review, based solely on Comp Plan policies?
   Specifically, what is our authority to require a wildlife
   study for a SEPA exempt short plat based on the Comp Plan
   policy NE-606, which states: "The identification of
   species which need protection shall occur one time during
   the development review process. This work shall be
   completed as established in a single set of study
   guidelines." (Gordon Thomson)

Discussion:
The Committee determined that we currently have no authority to
require wildlife studies for short plats exempt from SEPA.
Wildlife study guidelines, as referenced by Comp Plan policy
NE-606, exist for SEPA projects but not for actions exempt from
SEPA. There are no development regulations that directly
implement this policy, although Title 19 purpose statement
contains vague references to implementing Comp Plan policies.
Conclusion:
The Comprehensive Plan does not require wildlife studies for short plats exempt from SEPA. This issue will be forwarded to staff currently working on the Comp Plan 2000 update. Janene Collins, from the Prosecuting Attorney's Office, will research to see applicable case law and advise.