

**COMMUNITY DEVELOPMENT SERVICES
STUDY SESSION
MINUTES**

DATE: March 19, 2007

COMMISSIONERS PRESENT: Chairman Alan Crankovich, Vice Chairman David Bowen, Commissioner Mark McClain

CDS STAFF PRESENT: Director Darryl Piercy, Assistant Director Allison Kimball, Administrative Assistant Mandy Weed, Planner II Joanna Valencia, Planner II Scott Turnbull, Planner I Noah Goodrich, Planner I Mike Elkins

OTHERS PRESENT: PW Director Brandon Drexler, PW Planner II Christina Wollman. See attached sign in sheet for members of the public in attendance.

TOPIC:	<ol style="list-style-type: none"> 1. One Time Splits: Policy Clarification 2. CDS Building Code Policies: Items 1-16 3. Appeal Fees 4. Suncadia Conditions of Approval: Identified Housekeeping Items
DISCUSSION:	<ol style="list-style-type: none"> 1. Piercy stated that he wanted to go over the one time split provision for policy clarification. Piercy read KCC 17.29.040 regarding the lot size requirements and stated that the provision within the code and gave history on how it was created in the first place and further read KCC 17.31.040 Commercial Ag Zone which has the exact same language. Piercy asked Valencia to give some history on the one time splits. Valencia gave history that spoke to the resolution and the Ag Lands Sub Committee. Valencia stated that 1983 was when the first one time split was spoken to and Ordinance 95-13 was when they started seeing changes. Valencia stated that Ordinance 96-15 created the counties Commercial Ag Zone and it states one time splits would be allowed within the zone. Piercy stated that it was to keep viable ag lands and the one time split provision was to be used only one time. Piercy further clarified that if you come out of Commercial Ag you go into Ag-20. Piercy stated that the intention of the one time split was to preserve farmland and went over the history of administrative segregations and how they were being used to break down 100 acres into 25 individual lots by using the one time split on the newly created parcels and then in the Commercial Ag Zones, further splitting into 30 individual lots. Piercy stated that this process does not lend itself to preserving farmland as over 6,000 lots have been created smaller than the 20 acres in size within the 20 acre zoning. Piercy stated that this leads to a misrepresentation of actual densities once you look at them in reference to how they actually are on the ground. Dave Nelson commented that they are no longer able to do this after the board eliminated the shuffle so they are no longer allowed to go below 20 acres in the rest of the pieces-

once they have taken their threes then they are done. Lathrop stated that intervening ownership was also one of the normal ways of looking at this in the past, but this language doesn't say you are using up your one time split by taking only one piece off of the parent parcel. Piercy questioned when the date was for the starting of this process as we have been using the September 2005 date and that is date in which we are applying the code from. Erwin stated that they (the farm bureau) strongly disagrees with our interpretation or they would have discussed this earlier. Commissioner Bowen stated he would like to preserve being able to split off the 3 acres off of the 20 and then they would be done. Commissioner Bowen also stated that he is more interested in the business of farming rather than the preservation of farmland. Piercy stated that it is easy to implement that, but it isn't consistent with calling it a 20 acre zone. Huston commented that triggers have to be built in as it was all just done on paper without transportation grids etc. Commissioner McClain asked how this works to preserve farmland. Lathrop stated that last year we went from higher to lower densities. Cruse stated that there needs to be a provision for farmers to have offspring's be able to take over the family farm. Commissioner Bowen said that is what the provision was written in for originally. Weaver said he doesn't think we need to sacrifice as much land as we are to get the densities.

2. Piercy stated that in weekly meetings at CDS they have discussions on how issues that have come up the previous week and how the code should apply to certain circumstances and would like to know how the board would like to be involved and at what level. Piercy went over the regulator-meter location for snow and ice protection policy (see handout). Commissioner McClain said he would like to see these be more formal rather than at the Monday Study Sessions by including members of the community and the builders. Commissioner Crankovich clarified that it would be brought to the board after meeting with the public. Piercy stated that is correct. Commissioner McClain stated that he would also like to see something attached to them that shows public buy-in like meeting publications etc.
3. Piercy stated that the appeal fees are on study session because at the time of the fee adoption we did not show anything for fee recovery for appeals. Commissioner McClain said that we should follow the same process as on the others and try and get a 50% cost recovery. Commissioner Crankovich said that it may force people out of a legitimate appeal if the fees are too high. Piercy stated that the average appeal costs the county around \$2,500. Commissioner Bowen said to look at it as part of the annual review starting with the budget process.
4. Piercy stated that he wanted to look at sections outlined up to section 11 today in the Suncadia Conditions of Approval. Piercy went through changes within the document as outlined, see handout. Piercy stated that 5.1 (c) would require review and direction by the Board as it is a significant change. Lathrop stated that technically there should have been some things that should have been brought up that haven't as in the past Paul Bennett would just "wave it on" and Lathrop stated that they would like to fix that by giving notification to the CDS Director and to the BOCC for their review if they decide that they would like that option.

	<p>Lathrop stated that another example is the type of materials used in the core. Piercy stated that deviations are noted in staff reports for both the BOCC and the Planning Commission. Piercy stated that we could do a blanket approval as long as they meet county requirements. Commissioner Bowen stated some of the strikeouts take out some of the accomplishments which in turn take away from the history. Commissioner McClain asked if the BOCC is the right body to do this review. Piercy stated that he and representatives from other departments could also sit down and hash it out and bring forward recommendations to the BOCC. Lathrop stated that Suncadia is about 1/3 of the way through the platting process. Commissioner Bowen stated that the work group approach seems appropriate to him. Piercy stated that he agrees there are better ways to approach this and they will go over them in group settings and bring things forward to the BOCC.</p>
ACTION:	<ol style="list-style-type: none">1. None2. None, will bring to Board after meeting with the public.3. None, look at appeal fees with annual review of all fees.4. None, look at conditions in group setting.