

REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: May 21, 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: Jim Chan, Lanny Henoch, Gordon Thomson, Harold Vandergriff, Pete Ramels (PA)
(Gordon Thomson led the meeting in Sophia Byrd's absence.)

Issue:

1. A 4-lot short plat is requested that is within the original boundary of a final recorded PUD (Planned Unit Development). The PUD has restrictions (an open space tract) that encompass the property. PUD code provisions no longer exist. What process, if any, is available to address the restriction on the property and the pending short plat application? (Gordon Thomson)

Discussion:

There was consensus within the group that the application to short plat the property encumbered by the open space restriction is in violation of the PUD. The discussion focused on whether the former PUD provisions in K.C.C. 21.56.120 would have allowed alteration of final PUD assuming Title 21 were still in effect. K.C.C. 21.56.120 allowed for "minor adjustment" in conjunction with issuing building permits on a PUD. Such minor adjustments did not include the creation of additional lots. It was also pointed out that K.C.C. 21.56.030(H) approval of the PUD final plan "constitutes a limitation on the use and design of the site."

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Conclusion:

The general consensus was that no process has ever been available to alter a final recorded PUD, and that a code amendment is required to allow for such alteration. However, the Prosecuting Attorney's Office is considering the issue and will advise the Department.

SB/GT:sm