

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 Henoeh
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.

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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.

SB:sm