

**Specific CP and Code Comments
Zoning**

Comment	Page	Response
Correct definition of Off-road vehicle use area/trail for consistency with zoning term.	N/A	Amendments to 14.04.020 are proposed (see attached).
Correct UGA descriptions in 14.16.030 Table of Land Use Districts.	N/A	Corrected language recommended (see attached).
14.16 Clarify role of State in off-road vehicle use areas.	p. 1581	The use of the term ‘as authorized by the State’ as it relates to the proposed code changes for Off-road vehicle use areas was an inadvertent error. The only zone requiring special authorization by the State is SF-NRL due to the primary purpose of the zone being forestry. The state Department of Natural Resources oversees Forest Practices. Applicants in SF-NRL seeking permit approval for an Off-road Vehicle Use Areas/Trails are required to receive authorization from DNR to ensure compatibility with Forest Practice regulations. The Department recommends that the term ‘as authorized by the State’ be stricken from the proposed language in 14.16.120 RFS, 14.16.130 SRT, and 14.16.320 RRv.
Add Seasonal Roadside stands under 300 feet as permitted use to zones with SRS over 300 feet currently allowed (14.16.300-.320).	N/A	SRS under 300 feet were inadvertently omitted in several zones. This use should be listed as a Permitted Use use in all zones with SRS over 300 feet allowed as HE Special Use. Amendments to add Seasonal Roadside Stands under 300 square feet to 14.16.300, .310, and .320 are recommended.
The Rural Reserve and OSRSI zones should be amended to allow shooting clubs.	p. 1771	This comment appears to relate directly to the Frailey Mountain shooting range project. Permits for this shooting range have been approved under applicable comprehensive plan policies and zoning regulations in effect at the time of application. The Department does not see a need at the present time to modify code provisions for OSRSI or RRv as they relate to shooting clubs or shooting ranges.
Omit SCC 14.16.700 Special Use Matrix section as it does not exist.	p. 1581	A Zoning Use Matrix has been developed and will be distributed at the meeting on the 19th.

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The purpose of the proposed requirement in 14.16.710(1)(e)(ii) that ADUs within a primary dwelling not have interconnected spaces is unclear and may prevent realistic additions of ADUs to existing residences.	p. 1683	The proposed amendments to this section are not intended to prevent or restrict the existence of ADUs, but is instead meant to serve as a method by which to distinguish an ADU from a single-family residence with multiple kitchens or living areas. Currently, there is no threshold for determining what constitutes an ADU (when it is located within a residence) versus merely a unique residence; this results in confusion for staff and applicants. The proposed language gives clear guidelines for determining when a separate living space within a residence is considered an ADU.
14.16.850(7) New language regarding split-zoned lots penalizes landowners.	p. 1581	It was not the intended purpose of the original provisions to allow more development rights to owners of split-zoned properties than those with certified, single-zoned lots, which is the case with the existing language. The Department continues to see the proposed amendments as valid to rectify an existing, undesirable inequity.
Impacts of new 'lot aggregation' regulations	p. 565	The commenter's concerns regarding the current lot certification regulations actually more closely describe old lot aggregation provisions. Under the previous aggregation regulations contiguous, substandard lots in common ownership were required to be combined up to the minimum lot sizes. If lots were not in common ownership development was allowed on each lot individually. In the zones identified in this letter the new rules are essentially the same as the previous aggregation regulations. If a lot does not meet the standards for development, aggregation based on ownership is required. It is not known whether the new rules increase, decrease, or equal those development rights allowed under aggregation. It would seem that at least in the NRL zones the number of buildable, substandard lots will be less.

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14.16.880 Clarify expansion restrictions to non-conforming structures when associated with a non-conforming use.	p. 114	Non-conforming structures and non-conforming uses are separate issues and as so are regulated under different code provisions. The proposed new language clarifying provisions for additions to non-conforming structures in no way affects the existing regulations relating to non-conforming uses. Expansions of non-conforming uses are regulated pursuant to 14.16.880(2)(a) (see also Section V, B, Issue #1 in the Department Response Memo dated August 1, 2006).