

Theresa Rice

From: Diane Berry on behalf of PCD
Sent: Wednesday, September 07, 2011 12:47 PM
To: Kathy Cook; Libby Hudson; Theresa Rice
Subject: FW: Planning Commission & City Council Shoreline Master Plan

Already ccd to Ryan.

From: Wayne Daley [<mailto:daleydesign@seanet.com>]
Sent: Wednesday, September 07, 2011 12:13 PM
To: Council; PCD
Cc: Ryan Ericson
Subject: Planning Commission & City Council Shoreline Master Plan

To All:

It has been brought to my attention by a land use attorney that we are using a term in reference to non-conforming that is incorrect. The issue of non-conforming only relates to the structure on a parcel of land. The land itself is not non-conforming. When we refer to this issue along the shorelines we need to make sure that our reference is to the building and not the property itself. This has major impacts in relation to insurance and sale of the properties. If the building is non-conforming a property can be sold and financial institutions will make loans for the sale of the property which includes a non-conforming structure.

Wayne Daley