

Minutes of Meeting
Community Development Update
June 22, 2015
1:00 p.m.

The Kootenai County Board of Commissioners met to discuss Community Development updates. Commissioner Green and Commissioner Eberlein were present. Chairman Stewart joined the meeting at 1:11 p.m. Also in attendance were Community Development Director David Callahan, Prosecuting Civil Attorney Pat Braden, Planner III Justin Seier, Code Compliance Officer II Roxy Webb, and Deputy Clerk Sandi Gilbertson.

A. Call to Order: Chairman pro tem Green called the meeting to order at 1:05 p.m.

B. Changes to the Agenda: None.

C. Old Business: There was no old business.

New Business:

1) Consideration to reverse a past Departmental policy that administratively combines parcels into a single building lot when the parcels have been conveyed on a single deed.

Mr. Callahan explained to the Commissioners that there are some 44 policies and procedures in Community Development that date back to 1990. All of them have been signed by the then Director of the department and the then Board of Commissioners except for this one unsigned policy that administratively combines parcels to a single building lot when the parcels have been conveyed on a single deed. This particular policy was enacted in 2008 by then Director Scott Clark. Mr. Callahan explained that the problem is that when a landowner combined the parcels they were left with only one lot and they had given up a legally created parcel. The landowners said that they did not mean to combine and thought they still had two parcels. (Chairman Stewart joined the meeting at 1:11 p.m.) Mr. Callahan said he would like to come back with a new policy that the Director and the Board would sign. The Board agreed that they would approve drafting of a new policy interpretation.

2) Consideration of a contract to hire Lisa Key for work related to the Hauser ACI amendment.

Mr. Callahan presented an authorization for professional services in the amount of \$11,970 for Lisa Key (David Evans and Associates) to proceed with work regarding the Hauser Area of City Impact renegotiation. Ms. Key supplied a document that outlined the consulting scope and labor estimate. Mr. Callahan said he would still be heavily involved with the project. The Commissioners agreed and asked that Community Development bring this forward to a business meeting for signing of the contract.

3) Consideration of establishing a new Development Code Interpretation/Policy to clarify the number of personal storage units allowed on a vacant lot, and possibly providing for a different (more permissive) standard for the Bonanza Ranch subdivision.

Mr. Callahan presented this item which would generate a new policy. He added that the reason for a new policy is that there are some lots in the County but especially in the Bonanza Ranch subdivisions where there are limited building opportunities. At times, lot owners will put several 200 square foot or less building sheds on these lots since that size structure does not trigger a building permit.

There are provisions in the current code that if it is a vacant lot and a property owner wants more than 200 square feet building, a special notice permit would be required. Mr. Callahan said that property owners do not want to go through the expense of doing the required leech field analysis for the special notice permit. Mr. Callahan said the question is would the Board be willing to entertain approving a special notice permit without having to go through the expense of the analysis.

As far as the numerous 200 square foot or less sheds on a lot, Mr. Callahan said the building code does state there should be only one personal storage unit on a lot. Also, the building code states you can have no more than 35% in structures on a lot.

Commissioner Green said his direction would be to interpret the code as written and what is existing would be grandfathered. Mr. Callahan said he would write it up as a policy and bring it back to the Board. The Board agreed for it to be brought back to them once a draft policy is written.

4) Public Hearing procedures and the use of the Internet and other electronic devices.

Mr. Callahan said he wanted to give a brief overview of public hearing procedures and use of the Internet or other electronic devices during meetings. He said that with today's technology, a person could inadvertently look up something on a device during a hearing. Mr. Braden added that the governing body should only be looking at the materials supplied for that hearing. If something is looked at, it should be declared and a copy made to the record.

5) Revised work program for the Comprehensive Plan Update

Mr. Callahan said that he and Planning Commissioner David Levine worked up a revised work program for the comprehensive plan update. There are two parts – one a rewrite project plan proposal and a comprehensive rewrite goal review template. Mr. Callahan said the Planning Commission would review existing goals to see if the goal is still valid and does it fall under the County's responsibility. He continued saying once a consultant (to be funded in the draft budget) was hired, the consultant would use their expertise in refining the goals and doable actionable policies and objectives.

The Board gave their approval to continue with the revised work program.

6) Promotion of Michael Ulrich from Planner I to Planner II

Mr. Callahan explained that he would like to promote Michael Ulrich to a Planner II given the scope of his work for the department. The Board agreed unanimously for the promotion of Mr. Ulrich and directed staff to proceed with a status change form and also to retire the Planner I position.

7) Discussion of whether to leave the “Rand Wichman” (shorelines) amendment in the Interim Code

Mr. Callahan said that the shoreline amendment is the only controversial item in the draft interim code. The Coeur d’Alene Lakeshore Association asked that the “Rand Wichman” shoreline amendment be put in the draft and the Board instructed Community Development to add in the interim draft code. Mr. Callahan said that staff has come up with a version that could be more middle ground. Mr. Braden explained that when this ordinance was first adopted back in the late 90s, there was a complete prohibition on development within the 25’ called at that time the “undisturbed natural vegetation buffer.” He added that it went that way until probably around 2008. Because of a Supreme Court decision, it then went to a type of prohibition with exception. Mr. Braden said the proposed shoreline amendment goes to simply permission and unregulated but a possible alternative would be permission with standards.

Commissioner Green emphasized that whatever language in the draft code for the shoreline development there will be much discussion. He proposed running the interim code and the shoreline amendment separately but at a parallel time.

Commissioner Eberlein said he believed that Mr. Callahan could modify that section to be mostly acceptable to both parties. Commissioner Eberlein and Chairman Stewart said they wanted it to be included in the interim draft code.

D. Public Comment: There were no public comments.

There being no further discussion of agenda items or public comment, Chairman Stewart adjourned the meeting at 2:35 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

By: _____
Deputy Clerk

David Stewart, Chairman