

**MINUTES
KOOTENAI COUNTY HEARING EXAMINER
PUBLIC HEARING**

**JANUARY 7, 2016
KOOTENAI COUNTY ADMINISTRATION BLDG.
ROOM 1**

**HEARING EXAMINER
SHARON MOHR**

**STAFF PRESENT
MEL PALMER
DAVID CALLAHAN
KATHRYN FORD**



**MINUTES
PREPARED BY:**

KATHRYN FORD
Recording Secretary



**MINUTES
REVIEWED BY:**

MEL PALMER
Planner



SHARON MOHR
Hearing Examiner

The Official Record of Public Hearing is on a CD recording available at the Kootenai County Community Development.

Sharon Mohr called the meeting to order at 6:00 p.m.

The Hearing Examiner explained that the purpose of the public hearing is to take testimony on the items that appear on the agenda.

The Hearing Examiner will review the testimony presented and make written recommendations to the Board of County Commissioners, who will make the final decision.

The hearing was adjourned at 6:28 p.m.

HEARING EXAMINER MINUTES
JANUARY 7, 2016

CASE NO. ZON15-0008

Type: Zone Change, a request by Ron Moen, to change the zoning classification of a parcel totaling approximately 68.27 acres from Agricultural to Light Industrial zone. The majority of the parcel is located within the Shared Tier Area of City Impact boundaries. The subject Parcel Number is 51N05W-29-3300, consisting of approximately 68.274 acres. The parcel is described as: NW4 LYING SW OF BNRR RW EX RW EX W 30 FT EX E 611.12 FT in Section 29, Township 51 North, Range 05 West, B. M., Kootenai County, Idaho. The parcel is located east of N. Pleasant View Road and south of W. Prairie Avenue and the Kootenai County Solid Waste facility.

Staff Presentation: Mel Palmer, Planner, introduced the application stating the majority of the parcel is located within the Shared Tier Area of City Impact (ACI) boundaries and has the Comprehensive Plan designation as Transitional. The agencies and public comments were solicited with no major concerns. Panhandle Health District (PHD) guidelines are required for non-domestic wastewater and would be regulated by PHD. An agency comment from the Department of Environmental Quality (DEQ) (PA-6) was received after the staff report was distributed and entered into the record as HE 1000. The site was posted and based on the signed affidavits in the file, the public notice requirements have been met.

Applicant Presentation: Tom Fischer, Applicant Representative, stated he was the realtor for Mr. Moen and his property is for sale with interested buyers if the zone were Light Industrial which is similar to surrounding parcels. Also, of business sites were constructed landscape berms could be used as buffers for transition and the area would have a less traffic impact for Light Industrial uses than residential. Ron Moen, Applicant, added the Light Industrial zone will be a good transition or buffer between the Post Falls Transfer Station and railroad to the northeast and the residential housing.

Exhibit: HE 1000 – DEQ comment (PA-6) submitted by Mel Palmer.

Public Testimony: Comment Sheets submitted: 4, Applicant/Representatives - 4; In Favor - 0, Neutral - 2, Opposed – 0. The names and address of the individuals speaking or submitting comments are part of the record. The Public Testimony referencing the application had comments regarding:

- Concerns on business traffic using Grange Avenue to the south for access

Applicant Rebuttal: Tom Fischer, Applicant Representative, stated the Post Falls Highway District has the authority to approve or deny any road access to the site once a plan for permit is applied for and in review.

There being no further comments from the public, testimony was closed on this item at 6:11 p.m. The Hearing Examiner, Sharon Mohr will review this case and submit her written report to the Board of County Commissioners within two weeks.

Submitted by,

Kathryn Ford, Recording Secretary

HEARING EXAMINER MINUTES
JANUARY 7, 2016

CASE NO. ZON15-0009

Type: Zone Change, a request by Scott Lewis, to change the zoning classification of a parcel consisting of approximately 17 acres from Agricultural to Commercial. The subject Parcel Number is 52N04W-35-9400, and is described as: S2 W OF HWY 95 & E OF CO RD, in Section 35, Township 52 North, Range 04 West. B. M. Kootenai County, ID. A portion of the site is currently being developed as a Mini Storage and Rental Warehouse facility, under an approved Conditional Use Permit (Case No. CUP14-0004). Access to the project site is from N. Vernon J. Baker Road.

Staff Presentation: Mel Palmer, Planner, introduced the application stating the public agencies solicited for comment are familiar with the site since they had reviewed it for a Mini Storage and Rental Warehouse facility Conditional Use Permit. She added the existing CUP is allowed as an outright use in the requested Commercial zone. Ms. Palmer submitted public agency (PA-6) and public comment (P-2) for the record. The site was posted and based on the signed affidavits in the file, the public notice requirements have been met.

David Callahan, Director, added there would be no new requirements of the current CUP, the CUP would not get removed but the new zoning would replace it.

Applicant Presentation: Scott Lewis, Applicant, addressed the Hearing Examiner stating this site is a small family ownership business participating in the community with an approved Conditional Use Permit. The entire parcel could be utilized and this request would not be unreasonable since it is no longer in use as agricultural. He added this parcel is a buffer zone between the mining site to the west and highway expansion to the east and does not adjoin any other agricultural lands. The site would cluster light industrial uses together, is conforming with surrounding uses and is the best use of the property since they are land locked. There would be very little burden on public services, minimal water, traffic and electricity usage. Mr. Lewis reviewed the Comprehensive Plan conformity goals of the area.

Exhibits: HE 1000 – Kootenai County-Building comment (PA-6) submitted by Mel Palmer.
HE 1001 – Public comment submitted late (P-2) submitted by Mel Palmer.

Public Testimony: Comment Sheets submitted: 2, Applicant/Representatives - 2; In Favor - 0, Neutral - 0, Opposed – 0. The names and address of the individuals speaking or submitting comments are part of the record.

Applicant Rebuttal: None.

There being no further comments from the public, testimony was closed on this item at 6:28 p.m. The Hearing Examiner, Sharon Mohr will review this case and submit her written report to the Board of County Commissioners within two weeks.

Submitted by,

Kathryn Ford, Recording Secretary