

*City of Kootenai*  
**MEETING MINUTES**  
**DATE:** February 21, 2018  
**TIME:** 6:00 p.m.

**Workshop Meeting**

**Members Present:** Mayor Lewis; Councilman Sundquist, Councilwoman Bauer, and Councilman Schock, and Councilman Macha.

**Staff Present:** City Clerk, Ronda L. Whittaker, City Planner, Clare Marley

**Others Present:** City Resident, Marvella Bjorkquist.

Clare advised Council that she had presented them with a schedule for the workshop as attached. She went on with her presentation.

**A. Update on Comprehensive Plan mapping work** – Clare advised that a draft of the City’s base map had been created using GIS layers importing the latest aerial imagery that included corrected mapping errors; she advised that the zoning map would stay as it currently is until the City determines if/when rezoning revisions were needed. She also advised that any mapping amendments would also need to be entered into the new map.

**B. Comprehensive Plan(Plan)** – Clare advised that the City use the same designation naming within the Plan as well as in the City’s Zoning Code. She continued to summarize some of the proposed changes that needed to be updated within the Plan such as: an update of, to date, graphics and illustrations, historical photographs, City overview, new process section, latest City development and community studies, community vision section with latest community review survey, land use patterns, the addition of the new Hazards section, update on school section, update on population with 2010 census and latest estimates, update on economic development to reflect major changes and recovery and housing to show latest growth trends. She advised Council that her studies indicated a steep population trend upward 54% in one decade and 100% in two decades, with a relatively young population averaging 33.7 median age years with the County at 45.8 years of age. Also that the housing is predominately single-family and that the City had one of the lowest housing vacancy rates in the County. She stated that she was happy with the City’s recovering economy.

She summarized the Plan’s current Designations. She suggested that the County’s zoning within the City’s Area of City Impact (ACI) were not in compliance with the Plan. She suggested that the City review its zoning guidelines and consider adjusting potential zoning areas within the ACI to accommodate potential annexation. She also suggested that the City look at its Commercial, Commercial/light Industrial and Industrial areas. She expressed her concern that residential uses were allowed (limited) within the City’s Commercial area, but was not mentioned in the Plan. She went on to advise that the Downtown Commercial area was not specifically listed in the City’s Plan Map, but was designated within the City’s Zoning Code. She stated that the City’s Industrial Zone was identified as strictly production/manufacturing in the Plan and that the City may want to consider broadening the range of uses to allow for coffee shops, retail and such associated with manufacturing and other uses. She stated that a lot of times Commercial/light industrial areas turn into professional office areas and suggested that the City also include that into their Plan. Clare expressed her concern that the City had not allowed large marketing centers within the commercial and industrial areas of the City. Council stated that they really did not know why the Plan had been set up that way but that it would certainly be a way to bring employment into the City.

**C. Zoning Code** – Clare explained that Council had prioritized items that needed to be attended to within the City’s Zoning Code during the last workshop. She advised that the City had chosen to address the City’s fencing measurements and setbacks at first priority. She advised that the City’s Building code update exempts fences up to 7 feet to account for finals, etc., and suggested that the City update the City’s zoning

code to the same measurement to give the consideration to add caps, finals, etc. Council agreed that the City's Code it would be wise to amend the Code to allow for a maximum of 7 feet to include any decorative attachment such as, caps, finals, planters, etc., but that the 4 feet from the front corners of the house not be amended. Councilman Schock brought cul-de-sac issues to the topic. As the twenty-five foot setback requirements are on a more curved radius within a cul-de-sac than a typical property has. Council agreed that there needed to be a more defined definition of the setback regulations for properties within a cul-de-sac. There was a discussion about maybe having a case by case exemption to the typical setback requirements. Clare was concerned that it may be a burden to Council as there were many properties located within cul-de-sacs. There was discussion that maybe angled or radio sites be engineered to what the City will allow. Clare stated that she would do some additional research as to how other cities may address this issue. Councilman Schock asked how far forward can the fence within a cul-de-sac be? He recommended that there be wording that if a fence encroaches into the City's right-of-way that it would be removed if the City found it necessary to do so. There was discussion as to what types of fencing are allowed such as barbed wire fencing? It was determined that further research is needed and that it would be in the City's best interest to define fence materials that could be used within designated areas.

**Variance and Special Use Procedures** - Clare advised that the current City Code was missing procedures on agency/staff review time and process and advised that this issue be addressed and added to the City's Code. Council agreed.

**Zone Change Procedures** - Clare advised that there was a need to identify who can apply and what agency/staff review time was necessary. Council agreed.

**Junk/Junk Yard** – Clare advised that the City needed to define what was allowed or not. And also define what procedures would be in order. Council agreed.

**Day Cares** – Clare advised that the City's Code should mirror State regulations when it comes to the amount of children allowed before a center is required to obtain a State license. She advised that the City also needed to clarify the process for in-home daycare review. Council agreed that this Code needed to be revised.

**Non-conforming Structure Standards** – Clare brought to Council's attention that the City's Code overlooks standards for grandfathered structures. Council agreed that the Code needed to be site specific with clarity; total loss needs to come into conformance. There was discussion as to whether a variance would be in order so that small lots could be considered.

**Street Parking** – Clare stated that the City's current Code prohibits parking on traveled road beds of defined streets and requires the City to post no parking signs for defined streets as well as declares obstruction of streets by vehicles that impair free flowing traffic, and snow removal allowing authority giving the snow removal crew to tow away and impound such vehicles; with an infraction penalty not to exceed \$300.

She summarized State Code and Local authority. She explained that the State gives local authority to Care, supervise and control public streets within the city limits, cause them to be kept open, in repair and free from nuisance, control and limit traffic on streets, control and limit encroachments and all obstructions from sidewalks, curbs, gutters and crosswalks at the expense of the person placing them there, regulate parking, traffic laws once traffic devices are installed, adopt by reference any part of Idaho Code 49(Motor Vehicles), and adopt ordinance for removal of junk, abandoned, inoperable vehicles from highways or private property giving local officers duty to enforce regulations.

She expressed her concern that enforcement cannot be given for any streets that do not have traffic devices or signage installed. She advised that the City Code did need to be revised to give the City more strength.

She summarized what other cities are doing such as: snow routes, limited parking hours as posted or pavement markings, limited parking areas, as posted, special snow conditions, deadlines for removal authorization to immobilize or impound, infraction tickets, extraordinary conditions allow immediate action (Danger, traffic impediments, crimes, hazards, snow removal.)

Councilman Schock stated that he had reviewed the city of Ponderay's parking code and found the city prohibits parking on its streets within two feet of the public right-of-way and did not allow double parking. He advised that he had driven throughout the City and found no parking signs all the way up Humbird St., two on Hope St. and none north of Second St. from Hope St. to Main St. and Third St. to Main St. It was confirmed that there was signage in some place that Code did not indicate and none at some places where Code says they are supposed to be. There was a discussion about the need of having a traffic study in order to put up additional no parking or stop signs.

It was determined that the City have more input from the City's Engineer. Clare advised that the City revise the Code to allow for movement for placing additional signage. Councilman Sundquist stated that he would feel more comfortable if a traffic study was completed so that the City had some factual information if signage was questioned. Councilwoman Bauer stated that maybe the City could impose parking only on one side of a street. Councilman Sundquist stated that the City should improve parking requirement to allow for safe and unimpeded traffic flow. There was discussion about the safe passage for emergency vehicles. Clare confirmed that 20 feet was the minimum allowance for emergency vehicle passage, which would need to be considered if a traffic study was needed. It was confirmed that an emergency vehicle needed at least 12 feet of clearance. City resident, Marvella Bjorkquist, asked if the City could just put a city wide no parking on the streets; maybe with a time limit. Sundquist stated that the City be careful as it is public property therefore the City needed to insure that factual information lead its decisions to set parking regulations. Clare advised that there may be grant monies to help with a traffic study. Councilman Schock asked if the City would get a ball-park quote for a City wide traffic study. Ronda stated that the City look at using some of the General Fund Future Project funds to support the study. Councilman Schock stated that he was making a map of City signage.

**Comprehensive Plan Community Review** – Clare asked Council if they had any ideas of how it would like to get the community involved in the Comprehensive Plan revisions. Clare recommended that the City have an open house with a showing of some historical information when the City's playground was completed. Council agreed. Councilman Sundquist suggested each Councilmember bring at least one person to the event.

No action was taken or decisions were made during the workshop.

Meeting adjourned at 7:50 p.m.

Submitted by:  
Ronda L. Whittaker  
City Clerk/Treasurer





CITY CODE & COMP PLAN UPDATES FOR 2018  
- FOLLOW UP DISCUSSION

**KOOTENAI CITY COUNCIL      ● FEBRUARY 21, 2018      ● PUBLIC MEETING**

Provided by: Clare Marley, AICP, Kootenai City Contract Planner, Ruen-Yeager & Associates, Inc.

Topic	DISCUSSION
<b>Comp Plan map</b>	<ul style="list-style-type: none"> <li>● Staff completed first step: Create base maps for discussion/review</li> <li>● Base comp plan map shows areas of discussion</li> <li>● Base zoning map prepared in GIS layers</li> <li>● Next step to review current comp plan map against latest developments</li> <li>● Are amendments warranted?</li> </ul>
<b>Comp Plan schedule</b>	<p>Determine when and how to conduct open house/community meeting</p> <p>Discuss methods for gathering input through web site or other means</p>
<b>Comp Plan update</b>	Review status of draft update
<b>Zoning codes</b>	
<b>Fencing</b>	<p>Follow up discussion: In October, reviewed reasons for fencing update. Since that time:</p> <ul style="list-style-type: none"> <li>● Building code update exempts fences up to 7' to account for caps, finials, etc.</li> <li>● Consider whether to update city code to 7' where currently 6'.</li> <li>● Discuss problems with current setback regulation measured from house placement.</li> <li>● Consider vision triangle</li> <li>● Review draft ordinance to determine whether it covers what we need</li> </ul>
<b>Day Cares</b>	<p>Listed as high priority to address state/local code discrepancies.</p> <ul style="list-style-type: none"> <li>● Idaho Code requires daycare facility license for 7 or more children</li> <li>● Kootenai allows home daycare up to 12 children (no hearing)</li> <li>● Childcare centers listed as "licensed" for 13 or more and requires state license and special use permit</li> <li>● Need to clarify process for in-home daycare review</li> </ul>
<b>Variance and special</b>	Listed as high priority

<b>use procedures</b>	<ul style="list-style-type: none"> <li>• Missing procedures on agency/staff review time and process. States a hearing will be scheduled “whenever it can be accommodated by the schedule...”</li> </ul>
<b>Zone change procedures</b>	<p>Listed as high priority. Need to identify who can apply and what agency/staff review time is necessary</p> <ul style="list-style-type: none"> <li>• City Council may initiate amendments to title (8-3C-1). Can anyone else?</li> <li>• City Council can initiate map amendments. Landowners can also apply</li> </ul>
<b>Administrative procedures</b>	<p>Listed as high priority. Missing administrative procedures for non-hearing actions (like administrative zoning permits)</p> <ul style="list-style-type: none"> <li>• Title 8, Chapter 3 contains administrative actions, but doesn’t specify process</li> </ul>
<b>Non-conforming structure standards</b>	<p>Listed as high priority. Current code overlooks standards for grandfathered structures. If structure burns down or someone wishes to update/remodel, code is silent on standards and suggests must either meet current code or obtain variance. Was this intended?</p>
<b>Future considerations</b>	<p>Creating land use and standards tables for ease of use</p>
<b>Parking</b>	<p>Title 6 discussion</p>