

*City of Kootenai*  
**MEETING MINUTES**  
**DATE:** October 17, 2018  
**TIME:** 6:00 p.m.

**Workshop Meeting**

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

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

**Others Present:** None were present

Clare advised Council that she had presented them with a schedule for the workshop as attached. She went on with her presentation. Clare stated that she was picking where Council left off in 2017. She this workshop was scheduled to see what needs to be done this year. She summarized some of the issues that were addressed last year such as; the City's Zoning Map, the Day Care Code; she advised Council that the City received nice email from the State thanking the City for the care that they took for updating its Code and Fencing Code. She stated that the City's open house was not well attended and did not have much traction. She advised that she and Lisa had worked on draft fee schedule and updated building codes to reflect State building codes. She stated that the replacement map advisory was already in the Comprehensive Plan (Plan) which is nice because the City can update the map without having to update the entire Plan.

**Zoning Map** – Clare advised that the new aerial imagery for the Map picked all new parcel data. She stated that potential developments within the City may not be completed for a year to a year and a half and that Council could come back to the Map and approve the additions later. She advised that the color scheme was now more visible but subdued so that all underlined imagery is visible. She reminded Council that the City had 11 zones of which 4 were not used or shown on the original map. She advised that that needed to be corrected on legend of the Map. She stated that GIS imagery has improved over the years. Clare advised that the old Map did not pull the City's boundaries to the edge of its properties and advised that that be corrected; unless that was the intention of Council at the time the Map was created. Councilman Sundquist stated that he didn't think that it was the City's intention to have the boundaries shortened or to overlap. Council agreed that the suggested changes be completed. Council agreed that the partial green/red was not the intention. Clare advised that the property at 101 Boise was zoned ½ green and ½ purple and that a potential buyer asked for a rezoning. She advised that she understood that the buyer was working with the property owner on this and the approval was contingent of the zoning change. She advised that the sale fell through and the City needs to confirm the zoning change with the property owner. Mayor Lewis stated that she understood that the area was originally supposed to be all purple. Clare stated that the map would be adjusted appropriately.

**Working with the County/GIS and State** - Clare advised that the County's zoning map was shown on top of City which is confusing as people think that the City is under County Code for zoning regulations. She advised that she was working with GIS and the State Tax Commission to fix the errors. The County map now says to call Kootenai City Hall for Zoning Regulations within the city of Kootenai. She stated that the City's Zoning Map was GIS compliant and GIS has offered to host the City's map on their site. Councilwoman Bauer asked if there was a cost. Clare said that she would confirm the zoning is correct and that there was no cost. Council agreed that it would be good practice to allow GIS to host the City's map as long as there was no cost and they assure all is correct. Mayor Lewis asked if 101 Boise

property did not want the zoning change could it be rezoned again. Clare confirmed that once the map boundaries are corrected that that option would not be available.

**Other considerations** - Councilman Schock confirmed that zoning widths could be shown on the map. Councilwoman Bauer inquired if the undeveloped area east of McGhee Road could be rezoned to single family. Clare stated that that process would require a change to the Map and the Plan, which would require a public hearing. Councilwoman Bauer expressed her concern with the area being over developed and potential traffic hazards. Clare stated that the idea was that multi-family zoning fit better with that edge of commercial area. It was agreed that the City speak with the property owner and consider it later.

**Comprehensive Plan** – Clare confirmed that the open house was not successful. She advised that there may be other strategies one being that LOR suggested a door to door survey with residents. She asked Council to consider LOR's offer if it still exists or any other strategies they could think of. She stated she had already updated some text within the Plan, added new graphics, updated transportation indicating that SPOT services the community, updated population changes and trends and the Plan map, then the City became busy with other issues and it is now time to revisit the Plan.

**ACI** - Clare suggested that the next step would be to review the current Plan map against latest developments. There was discussion about the Area of City Impact and potential annexation opportunities. Councilman Sundquist confirmed that the changes would comply with State statute. Clare confirmed that they would. She advised that it looked like the Jefferies Drive area of the ACI was zoned as rural/suburban and was a dense area that was a potential for annexation. She advised that the area is set at rural requiring 1 acre lots. Jefferies Drive was developed as 1/4 to 1/3 acre lots and suggested Council consider a change that fits the area. One option would be to zone the area as single family residential. She advised that if the changes were made during the Plan update then the City would not have to amend the map later. Councilman Sundquist stated that the intention of the City was that north of Jefferies Drive would be the suburban transition zone; we do not want the Jefferies Drive issue to continue.

**City Borders** - Clare stated that all zones should be fixed to extend the properties to the City borders. Councilman Sundquist stated that the City did not intend the overlap of Neighborhood Office and Commercial zoning at the 101 Boise property; it should all be Commercial. He indicated that it was an error as at the time the City did not have access to better digital reference and it needed to be cleaned up. Council agreed.

**Commercial Designation** - Clare advised that the Plan's Commercial designation did not include storage units and that that needed to be fixed as there are storage units in that zone. Council agreed.

**Downtown Commercial Designation** - Clare stated that the Downtown Commercial Zoning area was not discussed within the Plan and needed to be addressed. There was discussion about what the City really wanted for the property South of Hwy 200 that was designated as Downtown Commercial.

**Commercial Light Industrial Designation** - Clare stated that the commercial light industrial designation within the Plan had no reference to office professional uses or residential uses and advised that there are offices and residential uses in existence. Council agreed that the text should be updated as it is in the City's zoning code.

**Industrial Designation** - Clare advised that the Plan's Industrial zoning designation allows for just industrial and manufacturing; what if café or other use was proposed. The Plan should be revised to allow other uses which may be allowed by special use procedures. She advised

that the Plan allows for housing retail, restaurants etc. which differs from the City's Zoning regulations that only allows each property one use. Light industrial/commercial zoning regulations were proposed. Councilman Sundquist stated that the intention of the City was that the area should be designed to be pedestrian accessible, shops etc. limiting truck traffic. Council advised Clare to look at some options that would allow for duplicate uses. Clare advised that she thought that light commercial/light industrial be introduced to that area with an allowance of multiple uses and maybe a requirement for special uses. Councilwoman Bauer suggested an elevation in standards for development; no sheet metal, etc. Clare stated that it could be controversial and a challenge. She suggested that the City get the community involved. Clare advised Council to look at other zoning examples. Council agreed.

**Other proposed Changes** - Clare advised that administrative procedures need to be updated. Junk yards and flanking street needed to be defined. She also indicated that she needed to update site plan review requirements, non conforming structure standards in regard to grandfathered structures. She asked Council to confirm their decision that if a structure burns down, the rebuild needs to meet current standards. Council agreed that was their intent. She advised that the City's sign regulations needed to be updated to meet the U.S. Supreme court decision that a sign cannot treat one class differently than another and must only have major content. Council agreed. Clare stated that she would like to create a land use and standards table for ease of use. Council agreed to have her create the table and agreed that there was no need for Sterling Codifiers to change each chapter to indicate the table. The table could refer to extended information within the Code. Clare asked if there were any other suggestions for Plan changes. She advised that the Plan could catch up to census when it is available in 2021. Councilman Schock asked Clare to look into the zoning section for setbacks and fencing requirement. Councilwoman Bauer asked if parking requirements for residential could be considered. They are not wide enough to park two cars. It was agreed that this may be a culvert permit issue. They asked Clare to bring back the parking/culvert discussion. Councilman Sundquist stated that any changes do not disrupt stormwater issues.

Workshop adjourned at 7:30 p.m.

Submitted by:  
Ronda L. Whittaker  
City Clerk/Treasurer



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

TOPIC	DISCUSSION	RANK
<b>Variance and special use procedures</b>	Missing procedures on agency/staff review time and process. States a hearing will be scheduled "whenever it can be accommodated by the schedule..."	High
<b>Replacement zoning map</b>	Draft map and resolution presented to Council. Staff to update with suggestions from City. Resolution and map to be scheduled to regular meeting when update completed.	High
<b>One use/one parcel</b>	Consider whether Council wishes to amend requirement: "Permitted Uses: Only <b>one</b> principal structure, with accessory structures as allowed, shall be permitted per lot. Uses that are permitted shall include..."	
<b>Zone change procedures</b>	Need to identify who can apply and agency/staff review process. <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> <li>• Need to add comp plan amendment procedures</li> <li>• Need to provide standards for consideration, per Idaho Code</li> </ul>	High
<b>Administrative procedures</b>	Missing administrative procedures for non-hearing actions (like administrative zoning permits) <ul style="list-style-type: none"> <li>• Title 8, Chapter 3 contains administrative actions, but doesn't specify process</li> </ul>	High
<b>Non-conforming structure standards</b>	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? At previous workshop, Council indicated they did not want to extend grandfathered rights to structures destroyed by fire or other means. If lost/destroyed, new structure must meet current code. IS THIS A CORRECT SUMMARY OF COUNCIL INTENT?	High
<b>Future considerations</b>	Creating land use and standards tables for ease of use. Density, setback, and uses.	
<b>Other</b>	<ul style="list-style-type: none"> <li>• Accessory dwelling units and tiny homes. Minimum house size?</li> <li>• Missing definitions for "flanking street," "junk/junk yards," "structures"</li> <li>• Neutral content sign code update</li> <li>• Update site plan review requirements, which are currently rather inclusive, no matter the size of a commercial/industrial project</li> <li>• Accessory residential buildings limits to 1,500 square feet (roof or floor area?), does size of lot matter?</li> <li>• Other Council/Mayor/Staff suggestions?</li> </ul>	

TOPIC	DISCUSSION	RANK
<b>Comp Plan map</b>	Staff completed first step: Create base maps for discussion/review <ul style="list-style-type: none"> <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> </ul>	
<b>Comp Plan schedule</b>	Determine whether City wishes to seek grant assistance for community comp plan participation. Whether to conduct future open house/community meeting with different methods to gather interest.	
<b>Census 2020</b>	While the upcoming census will provide great, updated information on this growing city, the results will not be available until April 2021.	