



KOOTENAI COUNTY

BOARD OF COMMISSIONERS

Meeting Minutes

Community Development

March 16, 2023

9:00 A.M.

451 N. Government Way, Administration Building, Meeting Room 1A/B

The Kootenai County Board of Commissioners: Chairman Duncan, Commissioner Brooks, Commissioner Mattare met to discuss the following agenda items.

Staff present were Community Development Director, David Callahan, Planner II, Amy Hilland, Planner III Vlad Finkel, Civil Deputy Prosecuting Attorney Pat Braden, Deputy Clerk Jennifer Conner and Administrative Manager Reba Grytness.

A. CALL TO ORDER: Chair Duncan called the meeting to order at 9:00a.m.

B. CHANGES TO THE AGENDA (Action)-None

C. CHAIRMAN'S OPENING REMARKS-None

D. POLL FOR CONFLICTS OF INTEREST (Action)-None

E. DELIBERATIONS (Action)

1. ZON21-0002 Kellner CZDA- Director David Callahan brought forth the CZDA that was requested by the Board for approval and signature. Commissioner Mattare made the motion to approve. Commissioner Brooks seconded the motion.

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| Commissioner Brooks | Aye |
| Commissioner Mattare | Aye |
| Chair Duncan | Aye |

2. CUP22-0013 Black Rock Marina Boat Storage-Planner III Vlad Finkel, shared a PowerPoint presentation regarding a request by Black Rock Marina to establish a warehouse boat storage facility located on the southwest side of Kootenai County along Highway 95 across from the Kootenai County Landfill with access off Bolan Street. The property is 10 acres in size and exists of one lot which includes a legal description including portions of other lots based on the boundary line adjustments. The parcel is zoned rural with a comp plan designation of Country. The plan is for 3 buildings approximately 12,000 feet in size that will not be open to the public and will be solely operated by Black Rock Marina Staff. There will be no offices or restroom facilities or water on site. Traffic to the facility will primarily be in the Spring and Fall when the boats will be taken to and from the marina. There is no problems with access off of Bolen Road to the subject property. Agency comments showed no concerns with the proposal. Public comments had 1 neutral and 2 in opposition with concerns about traffic, facility hours, road maintenance, lighting, landscaping, fencing and compatibility. Recent owners bought their properties with the understanding that they would be in a strictly residential neighborhood and there would be CCnRs depicting this. The CCnRs were never recorded. The Hearing Examiner as well at Community Development Staff are recommending approval.

Commissioner Brooks asked what the reasonable hours for access would be. Mr. Finkel responded that there is a recommendation that it be from 6:00a.m. to 10:00p.m.

Commissioner Mattare asked when the request for this permit was placed. Mr. Finkel stated the pre-application was on February 1, 2022 and the CUP request was submitted in November, 2022 with a majority of the residential purchases done in between that time. Mattare asked if the seller was misrepresenting by suggesting the CCnRs would be in place. Mr. Finkel did not want to conclude what transpired out of respect for the applicant and the original developer. The individual that is requesting this is a land use attorney and stated he had a contractual agreement stating the current owners of the lots or the subsequent owners would not contest the project moving forward.

Commissioner Mattare asked who is paying for the installation of the road and is there a maintenance agreement for the road in place. Finkel confirmed it would be the original developer, Mr. Crowe, who is responsible for making the road and at this time there is not a road maintenance agreement between the owners. There is nothing in the code that requires staff to direct implementation of a road agreement for project approval. The Board can put this condition on the applicant only as a stipulation but not on other property owners. Chair Duncan would like to see some type of maintenance responsibility from the applicant. Commissioner Mattare agreed that the neighbors shouldn't be burdened with this type of road use by applicant without some type of road maintenance agreement.

Commissioner Mattare moved that deliberations be continued to a date uncertain to allow staff to acquire more information from the applicant. Commissioner Brooks seconded the motion.

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| Commissioner Brooks | Aye |
| Commissioner Mattare | Aye |
| Chair Duncan | Aye |

F. BUSINESS (Discussion)-

1. Notice Sign deposit fees-David Callahan discussed the idea of charging applicants a deposit fee for signs at the time of pre-app to cover the cost of signs that are not returned or damaged. It's a waste of staff time to retrieve these signs. He would like to charge for the sign and the materials that go on it including the stake. If the sign is not brought back the deposit will be kept. The signs may run from \$30 to \$50 dollars. Staff will look into actual costs. Civil Deputy Prosecuting Attorney Pat Braden, stated this would have to go through regular public deliberations or a business meeting.

Direction was given to bring the subject back up on a Business Meeting.

G. ADJOURNMENT- Chair Duncan adjourned the meeting at 9:33a.m.

Jennifer Locke, Clerk

By: Reba Grytness
Reba Grytness, Deputy Clerk



BOCC: Leslie Duncan, Commissioner - Signed 3/21/2023
Chairman, Leslie Duncan

