

WORKSHOP MINUTES

KOOTENAI COUNTY  
PLANNING AND ZONING COMMISSION

NOVEMBER 16, 2023 1:30 P.M.

**Planning Commissioners:**

Paul Glader  
David Levine  
John Malloy  
Cheri Zao - Absent  
Leander James  
Madeline David  
David Dean

**Staff Members:**

David Callahan  
Ben Tarbutton  
Pat Braden  
Amy Hilland  
Vlad Finkel  
Jennifer Conner

MINUTES

PREPARED BY:



Jennifer Conner  
Deputy Clerk

MINUTES

REVIEWED BY:



Madeline David  
Chair



The Planning and Zoning Commission is an advisory board  
to the Board of County Commissioners.

Workshop Minutes  
November 16, 2023

**Call to Order:**

Chair David called the November 16, 2023 workshop to order at 1:37 PM.

**Roll Call of Planning and Zoning Commissioners:**

Present: Commissioners David, Dean, Glader, James, Levine, and Malloy

Absent: Commissioner Zao

**Community Development Staff in attendance:**

Director David Callahan, Planning Manager Ben Tarbutton, Planner Vlad Finkel, Planner Amy Hilland, and Deputy Clerk Jennifer Conner

**Also in attendance:**

Civil Deputy Prosecuting Attorney Pat Braden

**Changes to the Agenda:**

Chair David asked if there were any changes to the agenda. No changes to the agenda were requested. Chair David reordered the agenda items to allow Mr. Wichman's item to be handled first.

**Approval of November 2, 2023 Workshop Minutes:**

Chair David asked for approval of the workshop minutes for November 2. A motion to approve was made by Commissioner Levine and seconded by Commissioner Dean. All voted aye by a voice vote and the motion passed.

**Workshop Agenda Items**

1. ORA23-0002 Exempt Family Division of Land
  - a. Rand Wichman, representing the landowner petitioner, explained the changes to the proposed ordinance which prompted the Board of County Commissioners to remand it to the Planning Commission for rehearing.
  - b. Mr. Wichman responded to questions from the Commissioners and clarified some points. The Commissioners discussed the potential ramifications of adopting this code amendment and possible ways to mitigate negative impacts.
  - c. After discussion, Civil Deputy Prosecuting Attorney Pat Braden made two edits to the proposed ordinance to address, with specificity, the meaning of the term "owner" and to allow for building permits during the 5-year waiting period to correct safety or nuisance problems.
  - d. The Planning Commission Public Hearing on this issue is scheduled for December 14, 2023, at 1:30 PM.
  
2. Possible amendment to 8.4.401 of the Land Use and Development Code: Temporary or intermittent use of Recreational Vehicles (RV)
  - a. Community Development Director Callahan explained the difficulty of enforcing the Temporary or Intermittent Use of Recreational Vehicles code is in part caused by Kootenai County's ordinance not containing a definition of the term "intermittent".
  - b. Community Development is suggesting the definition "Temporary or intermittent use of an RV shall be limited to a period of not more than ninety (90) consecutive days, followed by a period of non-use of at least thirty (30) consecutive days. Temporary or intermittent use of an RV shall not exceed one hundred eighty (180) days in a given calendar year."
  - c. Community Development asks that the Planning Commission consider the problems caused by the use of Recreational Vehicles as permanent housing for further discussion at upcoming workshops.

Workshop Minutes  
November 16, 2023

3. Continued discussion of revised code amendments to prevent serial minor subdivisions
  - a. Planning Manager Tarbutton explained that existing 20 acre exempt divisions (tan areas on the map under discussion) would be subject to subsequent minor subdivision rules, option 2, if enacted. This would deter the rush to record subdivisions prior to the rule going into effect.
  - b. Commissioners discussed several topics including the problems of shell company ownership of parcels included in serial minor subdivisions and the problems of road degradation when serial minor subdivisions are used to circumvent sufficient infrastructure.
  - c. Planning staff emphasized that presently major subdivision approval is often quicker than that of minor subdivisions.
  - d. The Planning Commission will continue this discussion at the next workshop.

**Announcements:**

The next workshop will be held on Thursday, November 30, 2023 at 1:30 PM

The Public Hearing for ORA23-0002 Exempt Family Division of Land will take place Thursday December 14, 2023 at 1:30 PM.

The workshop adjourned at 4:07 PM.