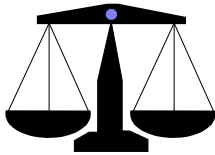


**MINUTES  
KOOTENAI COUNTY HEARING EXAMINER  
PUBLIC HEARING**

**MAY 17, 2018  
KOOTENAI COUNTY ADMINISTRATION BLDG.  
ROOM 1**

**HEARING EXAMINER  
STEVEN FRAMPTON**

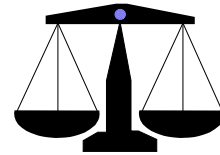
**STAFF PRESENT  
MEL PALMER  
DAVID CALLAHAN  
KATHRYN FORD**



**MINUTES  
PREPARED BY:**

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**KATHRYN FORD**  
Recording Secretary



**MINUTES  
REVIEWED BY:**

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**MEL PALMER**  
Planner



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**STEVEN FRAMPTON**  
Hearing Examiner

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

**Steven Frampton 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. Agenda Item III-B. was heard before Item III-A due to the public in attendance.

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 7:25 p.m.**

HEARING EXAMINER MINUTES  
MAY 17, 2018

**CASE NO. ZON08-0005**

**Type: Zone Change – CZDA Amendment, a request by Jesse Goetz and Jesse Goetz Family Limited Partnership to amend the Conditional Zoning Development Agreement.** Specifically, the request is to change the following: 0.1), Remove the 10-year expiration date, to allow no expiration date and 0.4), Allow a maximum density of 3 residential units per acre instead of 2 as currently exists. No other changes are proposed in this matter. The parcel numbers are: 50N05W-12-5470; 50N05W-12-5500; 50N05W-12-6095 and 50N05W-12-6100. Parcel 50N05W-12-5470 is described as: TAX #4451 EX TAX#S & EX PLTD PTN, NW-SW EX TAX#S & EX PLTD PTN & EX RW; Parcel 50N05W-12-5500 is described as: TAX #12732; Parcel 50N05W-12-6095 is described as: TAX #13830 EX RW [IN S2-SW]; and Parcel 50N05W-12-6100 is described as: TAX #23751 [IN S2-SW]. All parcels are located in a portion of Section 12, Township 50N, Range 05W, B. M. Kootenai County, Idaho. (*Mel Palmer-Planner*)

**Staff Presentation:** Mel Palmer, Planner, introduced the application referencing a presentation stating the site is south of the Spokane River surrounded by subdivisions in the Post Falls area. The Greensferry Water District has expressed concerns about water availability and potential septic tanks near the well. Ms. Palmer requested clarification regarding the narrative stating residential “units” per acre. She added all legal and public noticing have been met.

**Applicant Presentation:** Rand Wichman, Applicant Representative, stated the expiration clause for this CZDA is coming up in January. They would like an amendment to remove the clause and increase the density from 2 to 3 residences per acre. The term units is just a difference in terminology and to be consistent they will use residences as stated in the current CZDA. He added if this amendment were approved then at the time of any future development submittal all agencies would comment regarding the details and viability.

**Exhibits:** HE 1000 – Presentation submitted by Mel Palmer.

HE 1001 – Late public comments submitted by Mel Palmer.

HE 1002 – Updated Draft Conclusions of Law submitted by Mel Palmer.

**Public Testimony:** Comment Sheets submitted: 18 plus 1 group (11), Applicant/Representatives - 1; In Favor – 0 plus petitions, Neutral - 0, Opposed – 17 plus group speaker. The names and address of the individuals speaking or submitting comments are part of the record.

- Current CZDA of 2 homes per acre is appropriate
- A change to 3 homes is 50% increase and that is a significant increase in density
- Traffic is a concern currently with narrow streets and no sidewalks
- Wildlife will become more impacted
- Resources will be strained
- No reasonable justification for the increase
- Quality of aquifer and quantity of water
- More discussion needs to be done with PHD and DEQ on building over the recharge areas
- Increased density is subjecting the river to pollution

**Applicant Rebuttal:** Rand Wichman, Applicant Representative, stated he was sympathetic to the folks in the neighborhood. With areas developing small treatment plants are being considered. He added the extension request is more important than the additional density and partial approval would be acceptable.

There being no further comments from the public, testimony was closed on this item at 7:25 p.m. The Hearing Examiner, Steven Frampton will review this case and submit his written report to the Board of County Commissioners within two weeks.

Submitted by,

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Kathryn Ford, Recording Secretary

HEARING EXAMINER MINUTES

MAY 17, 2018

**CASE NO. CUP17-0003**

**Type: Conditional Use Permit, a request by Timberline Adventures,** to amend and modify an existing Conditional Use Permit as was originally approved in Case No. CUP13-0001 for a Privately-Owned Recreational Facility. The Parcel Numbers are: 49N03W-11-7300, 49N03W-11-4900 and 49N03W-11-5200. The Parcels are described as: **49N03W-11-7300** – LT 6, LT 7 EX RW, N2-SE EX TAX #22786 EX RW, TAX #22785 EX RW [IN LT 8 & NE-SW] in Section 11, Township 49 North, Range 03 West B. M. Kootenai County, Idaho; **49N03W-11-4900** – TAX #22783 [IN LT 8 & NE-SW] in Section 11, Township 49 North, Range 03 West B. M. Kootenai County, Idaho; and **49N03W-11-5200** – LT 8 EX TAX #S, NE-SW EX TAX #S, TAX #22786 IN NW-SE in Section 11, Township 49 North, Range 03 West B. M. Kootenai County, Idaho. (*Mel Palmer-Planner*)

**Staff Presentation:** Mel Palmer, Planner, introduced the application referencing a presentation. She added the application was to add amenities and additional acreage to the existing privately-owned zipline. Agencies with jurisdiction had no issues except East Side Fire District had concerns on the new proposed access which have been addressed in the Conditions of Approval. Ms. Palmer concluded the proposed conditions replace those in the original Conditional Use Permit if approved.

**Applicant Presentation:** Rand Wichman, Applicant Representative, stated the current site conditions make it difficult to access since the approved parking did not fit the area so they went to Plan B which was shuttling the public in from the Coeur d'Alene Resort. This amendment will include a safer access and more amenities in the future for recreation adventure. Mr. Wichman explained the current process in receiving guests at the site and compared it to the less complicated future plans. The new plans require road improvements on the site and an easement for emergency access.

**Exhibit:** HE 1000 – Presentation submitted by Mel Palmer.

**Public Testimony:** Comment Sheets submitted: 6, Applicant/Representatives - 3; In Favor - 0, Neutral - 1, Opposed – 2. The names and address of the individuals speaking or submitting comments are part of the record.

- Great use for the area
- Clarification on the access for emergency services

**Applicant Rebuttal:** Rand Wichman, Applicant Representative, clarified that the emergency access was for the purpose of emergency service providers to only have access. This would not be used for Timberline customers. He would be agreeable if emergency access was defined and stated in the recommendation.

There being no further comments from the public, testimony was closed on this item at 6:21 p.m. The Hearing Examiner, Steven Frampton will review this case and submit his written report to the Board of County Commissioners within two weeks.

Submitted by,

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Kathryn Ford, Recording Secretary