



KOOTENAI COUNTY BOARD OF COMMISSIONERS

AMENDED AGENDA

JANUARY 16, 2020, THURSDAY, 9:00 A.M.

KOOTENAI COUNTY ADMINISTRATION BUILDING, Boardroom
451 GOVERNMENT WAY, COEUR D'ALENE, IDAHO

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. CHAIRMAN'S OPENING REMARKS
- IV. POLL FOR CONFLICTS OF INTEREST
- V. DELIBERATIONS (Action Items)
 - A. **Case No. MSP19-0008, Lone Mountain Estates 6th and 7th Addition**, a request by JT Holdings, LLC, for preliminary approval of a two phased Major Subdivision consisting of 41 residential lots on an approximately 247 acres in the Rural zone. The subject parcels were recently boundary line adjusted. As a result, the subject parcels are within the depicted geographical boundaries of parcel numbers 52N04W-11-2100 and 52N04W-12-2500. The boundary line adjustments have not been updated on the County Assessor Parcel Maps. The legal description of parcel 52N04W-11-2100 is Tax # 25430 [IN NE, NW, SW, SE] in Section 11, Township 52 North, Range 04 West B.M. Kootenai County, Idaho. The legal description for parcel number 52N04W12-2500 is PTN NE, NW & SW LYING N OF NWLY LN BPA EAS in Section 12, Township 52 North, Range 04 West B.M. Kootenai County, Idaho. The subject site is located on the north side of Chilco Road, approximately 2 miles west of Highway 95. Access to the site will be from a new approach on Chilco Road. The Hearing Examiner held a public hearing on December 19, 2019 and recommended approval.
(Ben Tarbutton-Planner)
 - B. The **Pleasant View Neighborhood Association (PVNA)** is requesting the Kootenai County Board of Commissioners "Board" consider imposing an emergency moratorium on approval of major and minor subdivision, and condominium plat applications that are otherwise provided for in Title 8, Chapter 6, Kootenai County Code, and planned unit developments otherwise provided for in Title 8, Chapter 3, Kootenai County Code, within the "Pleasant View" area of unincorporated Kootenai County as shown on the map below. The consideration to impose an emergency moratorium on subdivision and condominium applications is based on the concerns that there is not sufficient water to serve both existing and newly created parcels in that area, and that allowing further subdivision development in that area would constitute an imminent peril to the public health, safety, or welfare until a scientific study to determine the extent of available water has been completed. Such moratorium, if imposed, will be temporary and would continue for no more than one hundred eighty-two (182) days pursuant to section 67-6523, Idaho Code. The Board conducted a public hearing on October 9, 2019 to consider whether or not to impose a moratorium on all platting processes in Pleasant View for a period of 6 months. At the hearing, the Board heard testimony on the merits of the request from the public who wished to speak. The Board decided to continue the public hearing to allow the County to re-notice the public hearing to a broader geographical area as requested by the Pleasant View Neighborhood Association to encourage potentially affected property owners participation. The Board held a second public hearing on January 8, 2020 and continued deliberations to a date to be determined. *(David Callahan-Director)*

VI. SIGNING (Action Item)

- A. **Case No. CUP19-0009, Saint Herman of Alaska Skete**, for a modification/expansion of a recently approved Conditional Use Permit for a Place of Worship in Case No. CUP18-0006. The original request was approved on a 22 acre parcel of land. At this time, the Applicant is requesting to add 64 acres of land across three (3) adjoining parcels of land to the east and northeast, bringing the total acreage of the site to approximately 86 acres. The uses at the site would remain the same as approved under the prior CUP with the exception of the proposed cemetery. The cemetery will be located on parcel 51N05W-02-0660 involving approximately 3 acres of the site. The cemetery was originally approved only for burial of the monks, however, the Applicant wishes to have the cemetery available for burials of church members in an open, low-density, park like setting. The proposed cemetery would not be commercial in nature, nor would it be available to the general public. It is expected that there will be 3 to 5 burials per year in this cemetery. The existing residence and outbuildings on parcel 51N05W-02-2900 would be used for residential purposes by the monks until their previously approved lodging house can be built. It may eventually become the guest house, or could continue to be used by the monks for residential purposes. Domestic water supply, wastewater disposal system for the originally approved compound will remain the same. Access to the site will remain the same from State Highway 53. The parcel numbers are: 51N05W-02-2900, 51N05W-02-1550, 51N05W-02-0660 and 52N05W-35-8930. The parcels are described as: Parcel 1: TAX # 19037 [IN GOVT LT 3] in Section 2, Township 51 North, Range 05 West B.M. Kootenai County, Idaho. Parcel 2: TAX # 11955 in Section 2, Township 51 North, Range 05 West B.M. Kootenai County, Idaho. Parcel 3: PTN TAX # 9517 & PTN TAX # 9515 EX TAX # [IN GL2] in Section 2, Township 51 North, Range 05 West B.M. Kootenai County, Idaho. Parcel 4: TAX # 9515 & TAX # 9517 Section 35, Township 52 North, Range 05 West B.M. Kootenai County, Idaho. The Hearing Examiner held a public hearing on December 19, 2019 and recommended approval. The Board held deliberations on January 9, 2020 and approved the request. (*Vlad Finkel-Planner*)

VII. BUSINESS – Community Development Updates

- A. **Resolution 2020-08 for Case No. VAC18-0001, McGuire Estates**, a partial plat vacation of a 0.78-acre parcel originally dedicated as a public park in the plat of McGuire Estates, recorded in Book E, Page 217 on June 14, 1976. The parcel number is 051400030PK0 and described as McGuire Estates, Park & Walkways in Block 3, in Section 4, Township 51 North, Range 3 West, B. M. Kootenai County, Idaho. On August 22, 2019 the Board vacated the portion of Block 3 of McGuire Estates consisting of the property identified as a “Park.” It was also determined that the parcel could be offered for sale to the adjacent property owners as an “odd-lot” parcel in accordance with subsection 31-808(8), Idaho Code. The first step would be to consider adoption of the resolution to formally declare the “park” as odd-lot property and resolve to offer it for sale to the adjacent property owners for no less than its appraised value. (*Action Item*)

B. **Wolf Lodge Creek emergency bank stabilization.**

8.8.604: ABATEMENT OF NUISANCES AND HAZARDS:  

B. Hazards: Whenever the director determines that there exists a condition or situation on private property that is not defined as a public or moral nuisance under title 52, chapter 1, Idaho Code, but which has become a hazard to life and limb, or endangers other property, or adversely affects the safety, use, or stability of public or private property, or adversely affects any public or private access or drainageway, the director may require the property owner to abate the hazard. The director shall give notice in writing to the owner, owner's agent, or other person in control of the property. Upon receipt of such notice, the owner, owner's agent, or other person in

control of the property shall abate the hazard within the time period specified in the notice or such other time period to which the director may agree. Failure to complete the required abatement by the specified date shall constitute a violation governed by the provisions of this article, and in such cases, the county may contract to complete the work necessary to abate the hazard at the owner's expense. (Ord. 493, 6-9-2016). (*Action Item*)

VIII. PUBLIC COMMENT (Discussion)

IX. ADJOURNMENT (Action)

Kootenai County does not discriminate against individuals or groups on the basis of disability in the admission or access to, or treatment in, its public meetings, programs, or activities. Requests for assistance or accommodations can be arranged by contacting Kootenai County Community Development at (208) 446-1070 with 48-hour notice. Further information can be obtained from the Kootenai County Community Development, 451 Government Way, P. O. Box 9000, Coeur d'Alene, Idaho 83816-9000 (208) 446-1070.