



PUBLIC HEARING AMENDED AGENDA

KOOTENAI COUNTY BOARD OF COMMISSIONERS VIRTUAL PUBLIC HEARING

MARCH 18, 2021, THURSDAY, 9:00 A.M.
KOOTENAI COUNTY ADMINISTRATION BUILDING, Room 1B
451 GOVERNMENT WAY, COEUR D'ALENE, IDAHO

WEBLINK:

<https://www.kcgov.us/927/Planning-Department-Virtual-Meetings>

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. CHAIRMAN'S OPENING REMARKS
- IV. POLL FOR CONFLICTS OF INTEREST
- V. PUBLIC HEARING – Action Items
 - A. **Case No. VAC20-0002, a request by John and Rachelle Hubbard** to vacate a portion of an 80-foot wide unimproved private road easement within the plat of Shamrock Ranch II. The subject easement is located across Lots 12 and 17 in Shamrock Ranch II, as depicted on the plat of Shamrock Ranch II, recorded as Book G, Page 260 on June 14, 1995. The easement does not contain a road, as the terminus of Shoshone Avenue is located east of the subject portion of the easement. The purpose of the request is to vacate an unused easement, thereby expanding the buildable area of Lot 17, owned by the Applicant. Access to the surrounding parcels would not be affected, as each parcel is developed with structures that gain access from existing private roads. The Parcel Numbers on which the easement is located are 0-7227-002-012-0 and 0-7227-002-017-0, described as: SHAMROCK RANCH II, LT 12 BLK 2 and SHAMROCK RANCH II, LT 17 BLK 2 in Section 13, Township 53 North, Range 04 West, Boise Meridian, Kootenai County, Idaho. The Assessor's Identification Numbers (AINs) are 200332 and 189057. The subject easement is described as an 80-foot wide private road easement extending across the north side of SHAMROCK RANCH II, LT 17 BLK 2 and the southwest corner of SHAMROCK RANCH II, LT 12 BLK 2, as depicted on the Plat of Shamrock Ranch II in Section 13, Township 53 North, Range 04 West, Boise Meridian, Kootenai County, Idaho. (*Vlad Finkel-Planner*)
 - B. **Resolution No. 2021-10 Community Development Fee Schedule.** The current fee schedule was adopted via Resolution No. 2019-35, enacted on April 25, 2019, and amended via Resolution No. 2019-89, enacted on November 21, 2019.

The Planning Division has completed a more comprehensive study of the actual costs involved for each individual project and for permit reviews. The purpose of the new fees and fee increases is to minimize the use of property tax revenues in funding Kootenai County Community Development operations.

As a result of an in-depth analysis of actual County costs to provide services, and to review and inspect required permits, it has been determined that fees for most Planning Division processes must be increased to cover those costs and that certain Building Division permit and plan review fees should be reduced.

Through the course of this analysis, it was discovered that some of the fees are incorrectly titled for the applicable type of review. Currently, the planner review fee for a Site Disturbance Permit is titled "Residential Building Permit Review." Instead of continuing to use "Residential Building

Permit Review,” a new title is proposed as “Site Disturbance Permit Review.” Additionally, a fee type for “Conditional Use Permit – Renewal” is to be added for the same purpose. Lastly, the current “Site Disturbance Plan Review” covers the review of both Design Professional and Homeowner plans. This fee has been reclassified to reflect both types of plan review. It is important to note that these proposed changes are not an introduction of new fees, but only for organizational clarity.

The fees proposed to be eliminated or changed are as follows:

	Fee Type	Current Fee	Proposed Fee
Eliminated fee	Annual Special Event Location Permit	\$420	Covered Under Special Notice Permit Fee \$1,091.00
Changed fees	See proposed fee schedule and exhibits below		

The proposed fee schedule is as follows:

BUILDING DIVISION FEES	
Building Permits: Building permit fees shall be charged in accordance with a modified 1997 Uniform Building Code Building Permit Fee formula.	Modified 1997 UBC formula (See proposed Exhibit “A” below)
Building Valuation Data: Building and structural valuations, for fee purposes, shall be set by the Building Official based on local information and the most current data published by the International Code Council.	Local data & ICC Table (See proposed Exhibit “B” below)
Specific Valuations and Building Permit Fees	See proposed Exhibit “C” below
Minor Permit (minimum fee for all structures not addressed otherwise)	Greater of above fees or \$65.00
Residential structures, including residential additions	30% of permit fee
Commercial structures	65% of permit fee
Third or subsequent review of submitted plans not previously approved	\$65.00 per hour, 1 hour minimum
Additional Plan Review required by changes or revisions to approved plans <i>Note: A full plan review fee may be required if plans are significantly modified.</i> A new or revised building permit is required for plan revisions which add square footage.	\$65.00 per hour, minimum one hour, or per fee schedule for added area, whichever is higher. Additional Building Permit fees may also apply.
Mechanical Permit Fees	See proposed Exhibit “D” below
Permit Reactivation or Reinspection	\$65.00
Temporary CO	\$200.00

Refund of plan review or permit fees: <i>Note: Request for refund must be made within 180 days of permit application or issuance <u>and no plan review or on-site inspections have been performed by the County.</u></i>	Maximum of 80% of plan review or building fees paid
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PLANNING DIVISION FEES		
<i>Planned Unit Developments (PUDs)</i>		
Fee Type	Current Fee	Proposed Fee
Amendment	\$575.00	\$575.00
Final Approval with subdivision	\$1,150.00	\$1,150.00
Final Approval without subdivision	\$1,730.00	\$1,188.00
Preliminary Approval with subdivision	\$1,150.00	\$1,510.00
Preliminary Approval without subdivision	\$1,730.00	\$2,211.00
<i>Land Divisions and Condominiums</i>		
Condominium Plat	\$525.00	\$1,213.00
Financial Guarantee Admin. – Subdivision or Condo	\$230.00	\$230.00
Lot Consolidation	\$50.00	\$50.00
Major Subdivision	Preliminary Approval	\$525.00 + \$50.00 per lot
	Final Approval	\$1,181.00 + \$50.00 per lot
Minor Amendment	\$260.00	\$848.00
Minor Subdivision	\$525.00	\$1,227.00
Plat Vacation	\$420.00	\$420.00
Relocation	\$260.00	\$260.00
Subdivision Exemption	\$260.00	\$260.00
Subdivision or Condo Extension Request	\$260.00	\$260.00
Subdivision or Condominium Inspection	\$115.00	\$115.00
Subdivision Sketch Plan Review and Site Visit	\$95.00	\$95.00
Zoning		
Accessory Living Unit	\$105.00	\$85.00
Administrative Exception	\$100.00	\$66.00
Building Permit Review - Commercial	\$115.00	\$133.00
Building Permit Review - Residential	\$40.00	\$85.00
Building Permit Review – Revised Site Plan	\$40.00	\$40.00

Conditional Use Permit – Commercial (value < \$1 million)	\$785.00	\$2,146.00
Conditional Use Permit – Commercial (value ≥ \$1 million)	\$785.00 + \$65.00 per hour	\$2,146.00 + \$65.00 per hour
Conditional Use Permit – Non-commercial	\$420.00	\$420.00
Conditional Use Permit - Renewal	\$785.00	\$2,146.00
Conditional Zoning Development Agreement	\$525.00	\$525.00
Conditional Zoning Development Agreement Amendment	\$260.00	\$260.00
Cottage Industry Permit	\$260.00	\$701.00
Financial Guarantee (Non-Subdivision)	\$65.00	\$62.00
Sign Plan Review	\$50.00	\$50.00
Site Disturbance Permit Review	\$40.00	\$76.00
Site Disturbance Plan Review – Design Professional	\$75.00	\$138.00
Site Disturbance Plan Review – Homeowner	\$75.00	\$78.00
Special Notice Permit	\$315.00	\$1,091.00
Temporary Hardship Permit	\$230.00	\$104.00
Temporary Hardship Permit Renewal	\$55.00	\$55.00
Variance	\$420.00	\$1,929.00
Zone Change	\$1,150.00	\$2,088.00
<i>Text Amendments</i>		
Comprehensive Plan Amendment	\$1,730.00	\$1,730.00
Ordinance Text Amendment	\$1,730.00	\$1,730.00
<i>Public Notices</i>		
Adjacent Property Owners Mailing (APO)	Actual Cost	Actual Cost
Publication of Public Notice	Actual Cost	Actual Cost
Publication of Notices of Adoption (Zone Changes, Ordinances and Comprehensive Plan Amendments)	Actual Cost	Actual Cost
DEPARTMENT-WIDE FEES		
<i>Reproduction</i>		
Audio Reproduction	\$2.00 per tape, disc, drive, or other similar media	\$2.00 per tape, disc, drive, or other similar media
Copies	Per then-current BOCC resolution	Per then-current BOCC resolution
Transcription	\$25.00 per hour + \$5.00 per page	\$25.00 per hour + \$5.00 per page

General Fees		
Acceptance of Subpoenas	Per Idaho Code or Idaho Rules of Civil Procedure, as applicable	Per Idaho Code or Idaho Rules of Civil Procedure, as applicable
Appeal of Administrative Determination	\$220.00	\$1,654.00
Condition Modification	\$315.00	\$315.00
Engineering or Specialist Review	Actual Cost + 15%	Actual Cost + 15%
Hearing Examiner	\$295.00 per case	\$295.00 per case
Hearing Examiner Site Inspection	\$70.00 per case	\$70.00 per case
Inspections, including Residential Site Disturbance, and Design/Site Disturbance Inspection of Commercial or Public Facility	\$65.00	\$65.00
Investigation of Code Violation (charge if a code violation is identified)	Greater of permit fee, or if no permit required: First Inspection: \$80.00 Re-inspections: \$65.00 each	Greater of permit fee, or if no permit required: First Inspection: \$80.00 Re-inspections: \$65.00 each
Low Value Vehicle Appraisal (Code Enforcement)	\$20.00 per vehicle	\$20.00 per vehicle
Pre-Application Conference	\$100.00	\$100.00
Reschedule Hearing	\$210.00	\$210.00
Research, Free Split Review and Other Similar Services	\$65.00 per hour	\$65.00 per hour
Road Name Change	\$230.00	\$230.00

PROPOSED EXHIBIT A Building Permit Fees Based on 1997 Uniform Building Code Formula Modified to provide approximately 20% reduction from existing	
Total Valuation	Proposed Fee and Current Fee
\$0 to \$500	\$24.70 (No Change)
\$500.01 to \$2,000	\$24.70 for the first \$500 plus \$3.20 for each additional \$100 or fraction thereof, up to and including \$2,000 (No Change)
\$2,000.01 to \$25,000	\$72.70 for the first \$2,000 plus \$14.70 for each additional \$1,000 or fraction thereof, up to and including \$25,000 (No Change)
\$25,000.01 to \$50,000	\$410.80 for the first \$25,000 plus \$15.25 for each additional \$1,000 or fraction thereof, up to and including \$50,000

\$50,000.01 to \$100,000	\$506.80 for the first \$50,000 plus \$5.90 for each additional \$1,000 or fraction thereof, up to and including \$100,000
\$100,000.01 to \$500,000	\$804.30 for the first \$100,000 plus \$4.80 for each additional \$1,000 or fraction thereof, up to and including \$500,000
\$500,000.01 to \$1,000,000	\$2,721.80 for the first \$500,000 plus \$4.80 for each additional \$1,000 or fraction thereof, up to and including \$1,000,000
\$1,000,000.01 or greater	\$4,721.80 for the first \$1,000,000 plus \$3.10 for each additional \$1,000 or fraction thereof

PROPOSED EXHIBIT B Building Valuation Data									
Occupancy Group	Construction Type								
	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A1 with stage	204.81	197.86	192.77	184.35	172.91	168.11	177.81	158.10	151.39
A1 without stage	187.37	180.42	175.33	166.91	155.51	150.71	160.37	140.70	133.99
A2 nightclub	155.74	151.36	147.50	141.90	133.46	129.73	136.94	121.02	116.96
A2 restaurant/bar	154.74	150.36	145.50	140.90	131.46	128.73	135.94	119.02	115.96
A3 church	189.22	182.27	177.18	168.76	157.33	152.53	162.22	142.51	135.80
A3 general	158.87	151.92	145.83	138.41	125.97	122.17	131.88	111.16	105.45
A4 indoor sporting	186.37	179.42	173.33	165.91	153.51	149.71	159.37	138.70	132.99
B	158.40	152.65	147.57	140.34	127.30	122.71	134.52	111.91	106.66
E	171.53	165.59	160.55	153.20	141.88	134.72	147.92	123.99	119.32
F-1	93.92	89.61	84.47	81.69	73.14	69.92	78.41	60.23	56.97
F-2	92.92	88.61	84.47	80.59	73.14	68.92	77.41	60.23	55.97
H-1	88.02	83.71	79.57	75.79	68.42	64.20	72.51	55.61	NP
H-2,3,4	88.02	83.71	79.57	75.79	66.42	64.20	72.51	55.51	51.25
H-5	158.40	152.65	147.57	140.34	127.30	122.71	134.52	111.91	106.66
I-1	159.09	153.60	148.95	142.51	130.74	127.30	138.80	117.44	112.84
I-2 hospital	266.39	260.64	255.56	248.33	234.50	NP	242.51	219.11	NP
I-2 nursing home	185.59	179.83	174.76	167.53	154.81	NP	161.71	139.41	NP
I-3	180.47	174.72	169.64	162.41	150.60	145.01	156.59	135.20	127.96
I-4	159.09	153.50	148.95	142.51	130.74	127.30	138.80	117.44	112.84
M	115.80	111.42	106.56	101.96	93.15	90.42	97.00	80.71	77.65
R-1	160.44	154.84	150.29	143.85	106.72	103.28	114.78	93.42	88.92
R-2	134.26	128.65	124.11	117.67	106.72	103.28	114.78	93.42	88.92
R-3	124.88	121.41	116.43	115.31	111.07	108.19	113.40	104.09	97.95
R-4	159.09	153.50	148.95	142.51	130.74	127.30	138.80	117.44	112.84

S-1	87.02	82.71	77.57	74.79	66.42	63.20	71.51	53.51	50.25
S-2	86.02	81.71	77.57	73.79	66.42	62.20	70.51	53.51	49.25
U	68.13	64.29	60.15	56.88	50.70	47.41	54.03	39.33	37.47

PROPOSED EXHIBIT C Special Valuations and Flat Fees	
New Construction Single- and Two-Family Dwellings	Valuation
All Finished Living Areas (gross area)	\$97.95
Unfinished Basement or Other Rooms	\$48.98
Finished Storage Rooms	\$63.67
Attached Garage	\$37.34
Additions	\$97.95
Deck	\$14.22
Patio Cover in Conjunction with Deck	\$17.75
Carport or Patio Cover without Deck	\$21.33
Alterations and Remodels	Valuation
Development of Previously Unfinished Areas	\$48.98
Conversion of Garage or Storage to Living Space Remodel	\$97.95 minus Previous Use Valuation Approved Declared Valuation
Accessory Structures	Valuation
Pole Building (all levels)	\$21.33
Garage/Shop (all levels, stick frame or masonry)	\$37.34
Living Area Above or in New Structure	\$97.95
Open Deck	\$14.22
Patio Cover in Conjunction with Deck	\$17.75
Greenhouse, Carport or Patio Cover without Deck	\$21.33
Residential Aircraft Hangar	\$49.75
Retaining Wall	\$14.00
Swimming Pool	\$7.11
Re-Roof with New Rafters or Trusses	\$18.27
Miscellaneous Residential Permits	Flat Rate Fee
Fence over Seven Feet (7') in Height	\$65.00
Re-Roof without New Rafters or Trusses	\$130.00
Change Windows	\$65.00
Siding	\$65.00
Demolition	No Charge
Non-Residential	Flat Fee Or Valuation
Sign	\$130.00 flat fee
Re-Roof	Approved Declared Value
Water Tank, Reservoir, Tower	Approved Declared Value

Change of Use or Remodel New Structure Tenant Improvements	Approved Declared Value Valuation from Exhibit "B" minus Shell Valuation
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PROPOSED EXHIBIT D Mechanical Permit Fees	
Description of Item	Fee Each
Permit Base Fee	\$40.00
Gas piping	\$5.00
Gas range/cooktop	\$16.00
Gas water heater	\$16.00
Any clothes dryer	\$16.00
Gas log lighter	\$16.00
Gas fireplace	\$20.00
Small gas appliance not itemized	\$26.00
Gas furnace or space unit heater (1000,000 BTU max)	\$20.00
Gas furnace or space unit heater (Over 1000,000 BTU)	\$24.00
Boiler/Refrigeration (100,000 BTU max)	\$16.00
Boiler/Refrigeration (100,001-400,000 BTU)	\$29.00
Boiler/Refrigeration (400,001-1,000,000 BTU)	\$40.00
Boiler/Refrigeration (1,000,001-1,750,000 BTU)	\$59.00
Boiler/Refrigeration (Over 1,750,000 BTU)	\$98.00
Heat pump or AC (3 ton max)	\$16.00
Heat pump or AC over 3 to 15 ton	\$29.00
Heat pump or AC over 15 to 30 ton	\$40.00
Heat pump or AC over 30 to 50 ton	\$59.00
Heat pump or AC over 50 ton	\$98.00
Solid fuel fireplace or woodstove (must be listed)	\$29.00
Air handler (10,000 cfm max)	\$12.00
Air handler (Over 10,000 cfm)	\$20.00
Type 1 or 2 commercial kitchen hood	\$16.00
Ventilation fans	\$8.00
Separate system ductwork (not part of gas furnace or HP system)	\$16.00
Non-listed appliances (400,000 BTU max)	\$75.00
Non-listed appliances (Over 400,000 BTU)	\$125.00
New Construction Mechanical Plan Review	25% of total mechanical permit fee

VI. DELIBERATIONS

- A. *(Action Item)* **Case No. CUP19-0004, Upper Columbia Corporation of Seventh Day Adventist**, for a Conditional Use Permit to establish a Private School and Place of Worship located on approximately 10 acres in the Agricultural zone. The proposal will be constructed over two phases, with the first phase being the school facility. The school facility will initially include grades K-8th, but will be expected to include Pre-K and possibly a future High School (grades 9th – 12th). The Applicant has estimated that the school will begin with 20 students and over the next five years they are anticipating the student body to increase to 100 students. The Applicant currently owns and conducts church services west of this site at an existing church facility located at 12940 N. Government Way. According to the narrative, upon completion of the first phase, the church congregation would temporarily hold their services in the gymnasium of the new school building. In the meantime, the existing facility is intended to be sold. The second phase would be the construction of the Place of Worship building, where the congregation would conduct their services on a permanent basis. The Applicant has estimated that the church congregation will start with 200 people and over the next five years they are anticipating the congregation to increase to 300 people. In addition to the School and Place of Worship uses, the Applicant is also proposing to use the facility for community educational and health related classes, with occasional free health clinics. Access to the site will be via new approaches from N. Rimrock Road and E. Lancaster Road, both being public roads in the jurisdiction of Lakes Highway District. Water will be provided by North Kootenai Water District. Wastewater treatment is proposed to be served by Hayden Lake Sewer District. The parcel number is 51N03W-05-6300 and described as: Tax # 25591 [SW-SW] in Section 05, Township 51 North, Range 03 West, B. M., Kootenai County, ID. The Hearing Examiner held a public hearing on September 17, 2020 and recommended denial. The Board held deliberations on October 8, 2020 and remanded the case back to the Hearing Examiner for RLUIPA consideration. The Hearing Examiner held a second public hearing on January 21, 2021 and recommended denial. The Board held a public hearing on March 11, 2021. The public hearing was closed and deliberations was scheduled for March 18, 2021.
(Vlad Finkel-Planner)
- B. *(Discussion Item)* An Executive Session pursuant to Title 74-206(1)(f), pertaining to pending litigation or litigation imminently likely to occur, may be called during deliberations on **Case No. CUP19-0004**.

VII. ADJOURNMENT

In accordance with the Governor's stay at home order and proclamation allowing public meetings to be conducted remotely, the meeting will be live streamed on the County website using YouTube.

- The live meeting can be viewed at <https://www.youtube.com/kootenaicountyidaho>
- To participate or listen via telephone dial (205) 825-9699
- Please be sure to keep your devices on mute to limit background noise

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.