

**Community Development Update  
Minutes of Meeting  
February 27, 2020, 9:00 a.m.**

The Kootenai County Board of Commissioners met to discuss Community Development updates. Commissioner Duncan and Commissioner Brooks were present. Chair Fillios was absent. In attendance were Acting Director Mary Shaw, Civil Deputy Prosecuting Attorney Pat Braden, and Deputy Clerk Sandi Gilbertson.

- I. **Call to Order:** Chair pro-tem Duncan called the meeting to order at 9:00 a.m.
- II. **Changes to the Agenda:** Item D was removed from the agenda and placed on the March 5, 2020, update agenda.
- III. **Business**
  - A. Direction regarding Randall Robertson Code Violation CV19-0194 on AIN 140700. (Action Item)

Acting Director Shaw explained the situation with Code Compliance officers. When staff goes out on a code violation that has been filed, should they only cite that violation or can they cite other violations that they see on the site? Chair Fillios written answer was that yes because to do otherwise is to grant license for continued violations. He continued saying to observe a violation and fail to take appropriate action is irresponsible. Chair pro-tem Duncan and Commissioner Brooks were in agreement that only the code violation that was reported should be the one in the citation. However, both agreed that any additional violations should be discussed with the property owner for resolution. If the violation was of a life safety matter, there was agreement that would constitute action for a Notice of Violation.
  - B. Resolution for Community Development Director to authorize fee waivers rather than taking the request to the Board on a deliberations agenda. (Action Item)

Chair pro-tem Duncan and Commissioner Brooks agreed to a resolution that Community Development's Director should be authorized to grant fee waiver requests from other government entities. Chair Fillios agreed in writing.
  - C. Resolution for Community Development Director to sign the department's subdivision completion/warranty agreements rather than the Board's chairman. (Action Item)

Chair pro-tem Duncan and Commissioner Brooks were in agreement to a resolution that this is an administrative procedure for Community Development's director to sign. Chair Fillios agreed in writing.
  - ~~D. Consideration for Ordinance Amendment of Section regarding County Land Use and Development Code 8.6.707 Public and Private Roads A. 2. Roads Connecting Subdivisions to Public Roads stating any new or existing private road providing access to the proposed minor or major subdivision shall meet AASHTO standards or be approved through a highway district (of jurisdiction) process to deviate from the Standards. (Action Item)~~
  - E. Consideration for Ordinance Amendment of County Land Use and Development Code Chapter 6 Land Division and Plats. For subdivisions recorded prior to as-built approval of required infrastructure, a statement must be included on the Plat that no Certificate of Occupancy shall be issued until the infrastructure is completed and approved by agencies with jurisdiction. (Action Item)

Chair Fillios in his written response he was in favor to proceed with an ordinance amendment as it renders the Certificate of Occupancy contingent upon completion of the infrastructure. Chair pro-tem Duncan and Commissioner Brooks stated they were in support of a Land Use and Development code amendment approving the requirement for a note on final plats stating that no Certificate of Occupancy will be issued until all infrastructure is approved and completed.

- F. Consideration for Ordinance Amendment of County Land Use and Development Code Chapter 8.6.802 Lot Sales and Building Permits. With the exception of one model home, no Certificate of Occupancy may be issued until the Plat is recorded and all improvements are complete and approved by all agencies with jurisdiction or providing services. A building permit for one model home may be issued if a financial guarantee is provided to ensure completion of infrastructure serving the home. No Certificate of Occupancy may be issued until the infrastructure serving the home has been completed and all necessary approvals have been obtained. (Action Item)

Chair Fillios in his written response said he was in agreement with this since it tied into Item E. Chair pro-tem Duncan and Commissioner Brooks stated they supported a code amendment approving a change in process to allow Community Development to issue building permits prior to infrastructure improvement completion. Certificate of Occupancy will not be issued until the infrastructure is approved and completed.

- G. Consideration for Ordinance Amendment of Section 8.8.405 B. (2) to state minimum time limit for public comment shall be (3) three minutes. (Action Item)

The Board was in agreement of a code amendment to change the process for public testimony to be limited to three (3) minutes. The chair would have discretion to allow a longer time if needed.

- H. Subdivision Process Workshop hosted by Current Planners on March 4, 2020. (Discussion Item)

Acting Director Shaw informed the Board of an upcoming workshop for engineers and design professionals on the subdivision process will be held next Wednesday, March 4.

**Public Comment** (Discussion): This section is reserved for citizens wishing to address the Board regarding a County related issue. Idaho Law prohibits Board action on items brought under this section except in an emergency circumstance. Comments related to future public hearings should be held for that public hearing.

There being no further discussion, Chair pro-tem Duncan adjourned the meeting at 9:18 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

By: \_\_\_\_\_  
Deputy Clerk

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Leslie Duncan, Chair pro-tem