

RESOLUTION NO. 2010-76
Case No. CP-083-09
COMPREHENSIVE PLAN AMENDMENT
AMENDMENTS TO CAPITAL IMPROVEMENTS CHAPTER

WHEREAS, the Kootenai County Board of Commissioners (“Board”) is considering the adoption of development impact fees pursuant to the authority granted in Idaho Code § 67-8201 *et seq.* to fund expenditures by the Kootenai County Sheriff’s Department (including the Kootenai County Jail), the Kootenai County Parks and Waterways Department, the Kootenai County Emergency Medical Services System (“KCEMSS”), Post Falls Highway District, Lakes Highway District, East Side Highway District, and the several fire protection districts located within or serving portions of Kootenai County (with the exception of Hauser Fire Protection District and St. Maries Fire Protection District), on capital improvements needed to serve new growth and development and maintain current levels of service; and

WHEREAS, Idaho Code §§ 67-8206 and 67-8208 require the adoption of a capital improvements plan prior to, or concurrently with, the adoption of an ordinance imposing development impact fees; and

WHEREAS, Kootenai County is required to undertake comprehensive planning pursuant to Title 67, Chapter 65, Idaho Code, and is therefore required to prepare and adopt such capital improvements plan according to the requirements contained in Idaho Code § 67-6509, and is required to included such capital improvements plan as an element of the comprehensive plan; and

WHEREAS, the Board has established a development impact fee advisory committee as required under Idaho Code § 67-8205, and has afforded this committee the opportunity to review and comment on the proposed capital improvements plans; and

WHEREAS, application has been made by Kootenai County for an amendment to the Kootenai County Comprehensive Plan (“Comprehensive Plan”), wherein the applicant requested an amendment to the Capital Improvements Chapter based on a report prepared by BBC Research and Consulting entitled “Kootenai County Impact Fee Study and Capital Improvement Plans,” dated April 15, 2008 (hereinafter “Impact Fee Study”), which was updated via a memorandum prepared by BBC Research and Consulting entitled “Kootenai County Highway District Impact Fee Update – Draft Memo,” dated December 18, 2008 (hereinafter “Impact Fee Update”); and

WHEREAS, the County has received updated capital improvements plans from Lakes Highway District, Post Falls Highway District, East Side Fire Protection District, Kootenai County Fire and Rescue, Mica-Kidd Island Fire Protection District, Northern Lakes Fire Protection District, Shoshone Fire Protection District No. 2, Spirit Lake Fire Protection District, Timberlake Fire Protection District, Worley Fire Protection District, and the Kootenai County Sheriff’s Department, as well as notice from Worley Highway District that it was withdrawing from the impact fee program; and

WHEREAS, the Kootenai County Planning and Zoning Commission conducted a public hearing on May 27, 2010 on this matter following duly-noticed and conducted public hearing procedures by said body, and, after deliberations, voted to recommend approval; and

WHEREAS, the Board conducted a public hearing on August 12, 2010 on this matter following duly-noticed and conducted public hearing procedures by said body and, after deliberations, voted to approve Case No. CP-083-09, a request by Kootenai County to amend the Capital Improvements chapter of the Comprehensive Plan; and

WHEREAS, the Board has reviewed and considered all materials, communications, public testimony and exhibits or current record on said revised, amended, and updated Comprehensive Plan; and

WHEREAS, the Board hereby finds that it is necessary and in the public interest to amend the Capital Improvements chapter of the Comprehensive Plan in furtherance of long-range planning for capital improvements of public facilities within Kootenai County over the next ten (10) years, and in anticipation of adoption of an ordinance imposing development impact fees to facilitate funding of such improvements;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Kootenai County Board of Commissioners that the Comprehensive Plan be, and is hereby amended as follows:

1. The text of the Capital Improvements chapter of the Comprehensive Plan shall be as set forth in the attached Exhibit "A" to this Resolution.

2. The Impact Fee Study and Impact Fee Update shall be fully incorporated into the Capital Improvements chapter of the Comprehensive Plan by reference therein as if set forth in full.

3. Capital improvement plans which have been duly adopted by the County, KCEMSS, or any highway district or fire protection district referenced above shall be fully incorporated into the Capital Improvements chapter of the Comprehensive Plan by reference therein as if set forth in full. Any subsequently adopted capital improvement plan, or amendment thereto, shall be fully incorporated into the Capital Improvements chapter of the Comprehensive Plan by reference therein as if set forth in full, and shall amend or supersede, as applicable, the corresponding previously adopted capital improvement plan.

BE IT FURTHER RESOLVED by the Kootenai County Board of Commissioners that Comprehensive Plan Amendment CP-083-09 be, and is hereby adopted and included in the official Comprehensive Plan of Kootenai County, Idaho.

Upon a motion to adopt the foregoing Resolution, made by Commissioner Tondee, seconded by Commissioner Currie, the following vote was recorded:

Commissioner Tondee
Commissioner Piazza
Chairman Currie

Aye
absent
Aye

Upon said roll call, the text of the foregoing was duly enacted as a Resolution by the Board of Commissioners of Kootenai County, Idaho, on the 9th day of September 2010.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS


Elmer R. Currie, Chairman

ATTEST:
DANIEL J. ENGLISH, CLERK

BY: 
DEPUTY CLERK



C: Prosecuting Attorney (Civil Division), Building and Planning, Development Impact Fee Advisory Committee, Sheriff's Department, Parks and Waterways, All Fire Districts (except Hauser and St. Maries Fire Protection Districts), Post Falls Highway District, Lakes Highway District, East Side Highway District, Kootenai County EMS System