

**INTERIM ORDINANCE NO. 600
CASE NO. ORA24-0005
AMENDMENT RE: ROAD STANDARDS**

AN *INTERIM* ORDINANCE OF KOOTENAI COUNTY, IDAHO, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, RELATING TO LAND USE REGULATION; AMENDING SECTION 8.6.707, KOOTENAI COUNTY CODE, TO PROVIDE THAT NEW AND EXISTING ROADS WITHIN AND CONNECTING TO MINOR SUBDIVISIONS OR CONDOMINIUMS MUST COMPLY WITH INTERNATIONAL FIRE CODE STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-WAIVER OF ACTIONS OCCURRING WHILE PRIOR ORDINANCES WERE IN EFFECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, section 67-6524, Idaho Code provides that “[i]f a governing board finds that a plan, a plan component, or an amendment to a plan is being prepared for its jurisdiction, it may adopt interim ordinances as required or authorized under this chapter, following the notice and hearing procedures provided in section 67-6509, Idaho Code”; and

WHEREAS, the Kootenai County Board of Commissioners (“the Board”) has authorized the preparation of an update to the Kootenai County Comprehensive Plan, which was originally adopted in 2010 and was last updated in 2020; and

WHEREAS, while this update is being prepared, the Board desires to clarify the standard for roads in minor subdivisions and condominiums and for roads that connect minor subdivisions and condominiums to the nearest public road until this issue can be addressed through the comprehensive planning process;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF KOOTENAI COUNTY, IDAHO:

SECTION 1. That Section 8.6.707, Kootenai County Code, shall be, and the same is hereby amended as follows:

8.6.707: ROADS AND TRAILS:

A. Public and Private Roads

1. Roads Within Subdivisions

a. Roads in major subdivisions shall comply with the *Highway Standards for the Associated Highway Districts of Kootenai County, Idaho* (“the Standards”). Such roads may be dedicated as public roads to the highway district with jurisdiction. Otherwise, the director shall verify that all private roads comply with the *Standards*, and those roads shall be dedicated to the maintenance entity.

b. Roads in minor subdivisions or condominiums must meet, or must be brought into compliance with the standards set forth in the then-current International Fire Code as adopted pursuant to Title 7, Chapter 1 of this code. ~~which provide legal and physical access~~

~~to five (5) or more parcels shall comply with the *Standards*. Such roads may be dedicated as public roads to the highway district with jurisdiction. Otherwise, the Director shall verify that those roads comply with the *Standards*, and those roads shall be dedicated to the maintenance entity.~~

c. When future access may be needed to adjacent parcels of land, roads within a major subdivision, minor subdivision, or condominium shall extend to the property line of the subdivision or condominium unless topography or other factors make continuation of the road impossible or impracticable.

2. Roads Connecting Subdivisions to Public Roads.

a. If a new road is to be constructed between a major subdivision and the nearest existing public road, the road shall comply with the *Standards*. If an existing private road will connect a major subdivision to the nearest existing public road, the road must be brought into compliance with the *Standards*. The road may be dedicated as a public road to the highway district with jurisdiction. Otherwise, the director shall verify that the road complies with the *Standards*, and the road shall be dedicated to the maintenance entity.

~~b. If a new road is to be constructed between a minor subdivision or condominium and the nearest existing public or private road, the road shall comply with the *Standards*. If the road will connect to an existing public road, it may be dedicated as a public road to the highway district with jurisdiction. Otherwise, the Director shall verify that the road complies with the *Standards*, and the road shall be dedicated to the maintenance entity.~~

e.b. If a new road or an existing private road will connect a minor subdivision or condominium to the nearest existing public road, the road must meet, or must be brought into compliance with, the standards set forth in the then-current International Fire Code as adopted pursuant to Title 7, Chapter 1 of this code.

SECTION 2. If any section, subsection, sentence, clause, phrase or portion of this chapter is, for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 3. Neither the adoption of this Ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this Ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the Kootenai County Board of Commissioners or the validity of any such action to be taken upon matters pending before the Kootenai County Board of Commissioners on the effective date of this Ordinance.

SECTION 4. This Ordinance shall take effect and be in full force upon its passage, approval, and publication in one (1) issue of the *Coeur d'Alene Press*.

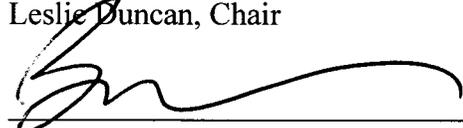
SECTION 5. This Ordinance shall be null and void, and of no further force or effect, on and after September 30, 2025.

ADOPTED this ____ day of _____, 2024.

**KOOTENAI COUNTY
BOARD OF COMMISSIONERS**



Leslie Duncan, Chair



Bruce Mattare, Commissioner

Excused

Bill Brooks, Commissioner

ATTEST:
JENNIFER LOCKE, CLERK

By: 

Reba Grytness, Deputy Clerk

Publication Date: October 8th, 2024