

RESOLUTION NO. 2024-74
AMENDING COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES
RELATED TO CAPITAL IMPROVEMENTS AND IMPACT FEES,
AMENDING THE CHAPTER IN THE KOOTENAI COUNTY
COMPREHENSIVE PLAN APPENDIX ENTITLED
“CAPITAL IMPROVEMENTS AND IMPACT FEES,”
AND ADOPTING THE KOOTENAI COUNTY JAIL IMPACT FEE STUDY
AND CAPITAL IMPROVEMENT PLAN

A RESOLUTION OF THE KOOTENAI COUNTY BOARD OF COMMISSIONERS:

- **Making** certain findings;
- **Amending** the goals, objectives and policies related to Capital Improvements and Impact Fees for incorporation into the Kootenai County Comprehensive Plan;
- **Amending** the chapter in the Kootenai County Comprehensive Plan Appendix entitled “Capital Improvements and Impact Fees;”
- **Approving** the *Jail Capital Improvement Plan and Development Impact Fee Study* dated August 16, 2024;
- **Directing** the Clerk of the Board of County Commissioners; and
- **Setting** an effective date.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Kootenai County Board of Commissioners:

Section 1: Findings

The Kootenai County Board of Commissioners (“Board”) hereby makes the following findings:

- 1.1 The Kootenai County Sheriff’s Office has the duty and responsibility to provide a variety of law enforcement and public safety services, including the operation of a jail, to the citizens of Kootenai County; and
- 1.2 The Kootenai County Jail serves Kootenai County in its entirety, including all cities located therein; and
- 1.3 The County and the cities located therein are experiencing and are affected by considerable growth and development; and
- 1.7 The Idaho Development Impact Fee Act, codified at Title 67, Chapter 82, Idaho Code (“the Act”), provides for the following:
 - the imposition, collection and expenditure of development impact fees in accordance with the provisions of the Act; and

- the promotion of orderly growth and development by establishing uniform standards by which local governments may require that those who benefit from new growth and development pay a proportionate share of the costs of new public facilities needed to serve new growth and development; and
 - minimum standards for the adoption of development impact fee ordinances by governmental entities which are authorized to adopt ordinances; and
 - The contents of a capital improvements plan and the process to be followed for the adoption of a capital improvements plan.
- 1.8 Kootenai County is a governmental entity as defined in the Act at Idaho Code § 67-8203(14) and, as provided at Idaho Code § 67-8202(5), has ordinance authority to adopt a development impact fee ordinance; and
- 1.9 The Act provides at Idaho Code § 67-8204A, that the County, when affected by development, has the authority to enter into intergovernmental agreements with a city to provide for the assessment and collection of County impact fees in that city; and
- 1.10 In anticipation and in consideration of the Board adopting an ordinance intended to provide for the collection and expenditure of development impact fees, the County has established and appointed, pursuant to Idaho Code § 67-8205, a Joint Development Impact Fee Advisory Committee; and
- 1.11 The County retained TischlerBise, a qualified professional firm in the field of public administration, to prepare an impact fee study and capital improvements plan in consultation with the Kootenai County Joint Development Impact Fee Advisory Committee (the “Advisory Committee”); and
- 1.12 The Advisory Committee has submitted to the Kootenai County Planning and Zoning Commission (“the Planning and Zoning Commission”) the *Jail Capital Improvement Plan and Development Impact Fee Study* dated August 16, 2024 (the “Jail Impact Fee Study”), prepared in accordance with the requirements of Idaho Code § 67-8208 in consultation with the Advisory Committee as provided in Idaho Code §§ 67-8205 and 67-8206(2); and
- 1.13 The Planning and Zoning Commission has submitted the Jail Impact Fee Study to the Board with a recommendation of approval; and
- 1.14 Prior to the adoption of the Jail Impact Fee Study, the Planning and Zoning Commission and the Board have published notice, and have held public hearings regarding this matter, in accordance with Idaho Code § 67-8206(3); and
- 1.15 The Jail Impact Fee Study contains all the necessary contents of a capital improvements plan as provided in the Act by Idaho Code § 67-8208; and
- 1.16 The County has concluded the process for the adoption of the Jail Impact Fee Study as required in the Act by Idaho Code §§ 67-8205 and 67-8206(3); and

1.17 The Board has determined that it is in the best interests of Kootenai County and the residents, persons and property of Kootenai County that it adopt the County Jail Capital Improvement Plan set forth in the Jail Impact Fee Study.

Section 2: Action of adoption of amended Comprehensive Plan Goals, Objectives and Policies related to Capital Improvements and Impact Fees

2.1 The Board does hereby adopt the amended Comprehensive Plan Goals, Objectives and Policies related to Capital Improvements and Impact Fees attached as Exhibit A hereto and incorporated by reference herein.

Section 3: Action of adoption of an amended chapter to the Kootenai County Comprehensive Plan Appendix entitled "Capital Improvements and Impact Fees"

3.1 The Board does hereby adopt an amended chapter of the Kootenai County Comprehensive Plan Appendix entitled "Capital Improvements and Impact Fees," a copy of which is attached as Exhibit B hereto and incorporated by reference herein.

Section 4: Action of approval of the Capital Improvements Plans

4.1 The Board does hereby approve the Jail Impact Fee Study attached as Exhibit C hereto and incorporated by reference herein; and

Section 5: Direction to County Clerk

5.1 The Kootenai County Clerk is hereby directed to retain this resolution in the official records of the County and to provide a certified copy of this resolution to the Kootenai County Impact Fee Administrator and to the Impact Fee Administrator for each city which executes an intergovernmental agreement with the County for the assessment and collection of the Jail impact fee based on the capital improvement plan adopted herein.

Section 6: Effective Date.

6.1 This Resolution shall be in full force and effect after its passage and approval.

**KOOTENAI COUNTY
BOARD OF COMMISSIONERS**



Leslie Duncan, Chair



Bruce E. Mattare, Commissioner

Bill Brooks, Commissioner

**ATTEST:
JENNIFER LOCKE, CLERK**

By: 

Reba Grytness, Deputy Clerk

