



KOOTENAI COUNTY

COMMUNITY DEVELOPMENT

KOOTENAI COUNTY CONSOLIDATES LAND USE CODES

For Immediate Release

Kootenai County is seeking public input to revise its existing land use codes. The draft document is now available for review, and is meant to serve as a temporary code until an update to the Comprehensive Plan and a subsequent new code can be conducted, all for the purpose of ensuring the protection of private property rights. The intent is to give the public ample time to fully understand what is proposed and suggest additional changes before the public hearing process takes place. The draft is based on the current regulations and consolidates them for easier reading and comprehension. Additionally, the revisions aim to streamline procedures. For the most part, this draft does not change policy aspects of the existing regulations. For example, it does not reduce allowed densities; eliminate any current legal use of land in any zoning district, or in any way further limit the existing use of property. However, there are proposed changes in favor of property rights. For example, the 25-foot “undisturbed natural vegetation buffer” currently required along waterfront lots has been eliminated.

The current regulations are a collection of ordinances enacted over five decades. While these ordinances have been codified (see http://www.sterlingcodifiers.com/codebook/index.php?book_id=505) they are disbursed among six titles and numerous chapters. For example, hearing procedures are contained in Title 2, Road Naming and Addressing are in Title 6, Areas of City Impact Regulations are found in Title 8, Zoning Regulations are in Title 9, Subdivision Regulations are in Title 10, and Site Disturbance and Flood Prevention are in Title 11.

As a result of the original ordinances being written in different times, there are various problems. For instance, there are five sets of definitions in four titles. These often overlap and sometimes conflict. Further, other code language is frequently repetitious and sometimes contradictory. Where more than one Title applies to a proposed development, the regulations can be confusing to interpret. Consequently, the various regulations are often disjointed, difficult to navigate, and at times hard to enforce in a fair and consistent manner.

This revision aims to consolidate the various titles into one new Title (8), and where possible, simplify things. An example of simplification is a new provision for lot consolidations. Under the current regulations, lot consolidations (the combining of one or more platted lots) can only be achieved through a process that requires an application form and fee, a revised plat (a drawing by a licensed surveyor depicting the lots to be consolidated), and a referral to affected agencies. This can take up to five weeks to approve and another 120 days to record with the County Clerk. In the proposed revision, two or more lots may be consolidated by the filing of a single form with the county and potentially be approved on the same day.

In the following months, the Community Development staff will make the draft revisions available for review to all interested parties. Based on the feedback received, ongoing additions and corrections will be made. Following that, the Planning Commission will hold one or more hearings to take additional comments before making a recommendation to the Board of County Commissioners.

Copies of the revised code can be found online at <http://www.kcgov.us/departments/planning/ordinance.asp> (top of the page, ORA 14-0004), and hard copies are available for review at Community Development, 451 N. Government Way, Coeur d’Alene, ID 83814. For additional information and questions, please contact David Callahan at 208 446 1082 or by email at dcallahan@kcgov.us.

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