



Emily Aerni <emily.aerni@bonnercountyid.gov>

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## File AM003-19 City of Kootenai Comment

1 message

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**Ronda Whittaker** <cityclerk@cityofkootenai.org>

Thu, Jul 25, 2019 at 1:25 PM

To: Milton Ollerton <milton.ollerton@bonnercountyid.gov>

Cc: planning@bonnercountyid.gov, jessi.webster@bonnercountyid.gov, mayor.lewis01@gmail.com, Clare Marley <cmarley@ruenyeager.com>

Milton,

Attached is the City's comment in regard to the AM003-19 Amendment to Text being proposed at the public hearing on Thursday, August 1, 2019.

Thank you for your consideration.

*Ronda L. Whittaker*

City Clerk-Treasurer

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[Kootenai, ID 83840](#)

208-265-2431

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City Hall Hours - Mon-Wed 9:00 a.m. to 3:00 p.m

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 **19-07-25 City response to AM00319.pdf**  
84K



KOOTENAI MAYOR

Nancy Lewis

CITY Clerk-Treasurer

Ronda L. Whittaker

COUNCIL MEMBERS

David Sundquist

James Macha

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Daniel Schock

July 25, 2019

Via Email

Bonner County Planning & Zoning Commission  
Milton Ollerton, Planning Director  
Bonner County Planning Department

RE: File #AM003-19, 12-315, "Rules for Interpretation of Zoning District Boundaries"

Dear Planning and Zoning Commission and Mr. Ollerton:

The City of Kootenai is in receipt of the Bonner County Planning Department invitation to comment on amendments to the county's land use laws (Department File #AM003-19).

In reviewing the proposed amendment, the City of Kootenai would like to address the portion of the amendment dealing with the zoning map. The proposed code change to BCRC 12-315, "Rules for Interpretation of Zoning District Boundaries," adds a new paragraph J stating: *"Where a zone boundary line divides the parcel/lot, upon review, the director may permit the entire parcel/lot to be included in one of the zones, and its associated land use designation, that then apply to the parcel/lot so that only one zone and its associated regulations will apply to the lot/parcel."*

The City of Kootenai and Bonner County have a mutual Area of City Impact (ACI) agreement that allows the city to comment on any request for zone changes (codified at Kootenai City Code Section 8-3D-5). The proposed amendment would allow administrative changes to the zoning map without proper notice to the City and the public whenever a parcel is divided by different zones. There are a number of parcels separated by different zones in the ACI.

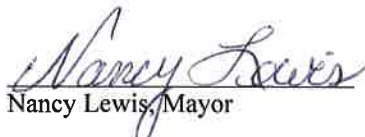
The proposed amendment is listed as a map interpretation. The purpose of Section BCRC 12-315 is to interpret boundaries "where uncertainty exists as to the boundaries of zones or districts." The proposed amendment goes far beyond the reasons for map interpretation and allows administrative adjustments to the official zoning map for entire parcels of land. The adjustment could occur without public hearing or notice, which is not in accord with the requirements of Idaho Code for zoning amendments.

The City of Kootenai objects to the proposed amendment because the authorization exceeds the "interpretation" of zoning boundaries and actually authorizes administrative adjustments to the map. Administrative amendment to the official zoning map is not in accord with state law and would affect the right of the City and public to comment on any map changes.

According to the notice provided to the City, this item is scheduled for hearing August 1<sup>st</sup>. The City requests the Commission recommend denial of the ordinance amendment dealing with the map amendment.

Thank you.

Sincerely,

  
Nancy Lewis, Mayor

cc: Kootenai City Council  
City Contract Planner Clare Marley, AICP