

LINCOLN COUNTY PLANNING BOARD

Meeting Minutes

February 26, 2013

1. 5:30 – Meeting Called to Order by Board Chair, Paul Tisher

Present: John Damon, Paul Tisher, Matt Bowser, Bonny Peterson, John Rios, Josh Letcher

Absent: Kirsten Holland, Mark Romey

Staff: Kristin Smith

Public: Tim White, Ethel White and Terry White, Kendra Lind, County Sanitarian

2. Joint Meeting with County Commissioners (Ron Downey & Tony Berget present)

Ron said that Mike told him something came up and he could not attend.

Paul asked the commissioners what their thoughts were about the growth policy. Ron stated they were still waiting on the customs/cultures portion. Tony wanted to know what the planning board thought.

Paul wanted clarification on zoning and RV parks. It is becoming a problem and they wanted to know what to do.

Ron said there was nothing to stop the increasing RVs. He was against zoning and his constituents don't want it. Tony said the fears associated with Turtle Lake were different. The Commissioners were concerned about having a number of different regulations in different areas. He said his experience has been that everybody wants everything that comes with zoning without calling it zoning.

Paul said what Lincoln County was experience was very different from the set of issues that the East Side of the state where communities can't keep up.

Bonny stated that she has heard from people that are concerned about their property values and quality of life with the influx of RVs

Ron thought it was almost unfair with the influx of Canadians – they can't do things in their country so they come down here and impact ours.

Paul spoke about the Growth policy history and the language in it that talks about supporting citizen zoning. He thought maybe they needed to revisit that.

Bonny said the use of land was changing from when properties were originally developed.

John R. asked Commissioner Berg about looking at different areas for different uses. the Eureka area should have a comprehensive approach.

Ron asked Paul if he thought there was a consensus in Eureka.

Matt said he was against Turtle Lake because it was retroactive to the folks living there, but he supports other efforts in general.

Josh said there were so many different areas to consider.

Tony said he does not want to regulate house color.

Paul wanted to know if the Growth Policy could add language about specific conditions to consider for RVs.

Kristin talked about what the Growth Policy can and cannot do legally and mentioned a recent court case which expanded the role of a growth policy with respect to any maps included in it.

Josh stated that the history of the reservoir is recreation and that RVs are recreation. He said right now there are the best customer in the north part of the county and they pay the same taxes.

[Kristin offered a correction noting that RV owners simply paid tax on their land, but did not pay the same taxes as a homeowner with a \$250,000 house. She also suggested the situation presents a problem because RV owners use the same local services such as police, landfill, etc., while not paying a proportionate share]

Bonny spoke about her experience with tourism industry in Anchorage noting that that community was heavily zoned but people cannot really tell because it still gets so much use and activity from visitors. The zoning did not hamper the industry.

Ethel White offered that the RVs that the community was seeing were not the RVs of yesteryear – they were very nice and the parks that were being developed were nice with good roads.

Paul stated that the county has not turned an RV Park down yet and that going forward they would probably be seeing a lot of subdivided lots that the owners now want to put RVs on them. That's what we're looking at today.

Tony suggested that the county was scratching the surface of the discussion. He wanted to see 100% support and 2 or 3 different types of districts for people to choose from. He said the commissioners take the Planning Board recommendations seriously and it was difficult to go against them on Turtle Lake.

Josh asked about the DEQ requirements for RV Parks.

Kendra Lind summarized the water and wastewater requirements as well as licensing through the DPHHS, but that it was up to the local government to determine the design of an RV Park - there's no limit from the state's perspective..

John Rios suggested the commissioners have a meeting to gauge the public for the Planning Board to consider.

Ethel White talked about the Town of Eureka's experience with the Midvale Annexation. She suggested it never matters how much you advertise, people who are against anything or do not know anything about the proposal will attend the meetings.

Josh said from what he could tell it seemed like retirees are in favor of protecting their property values with zoning, while working class folks are not. He suggested different lakes might need different rules and asked what would happen to agricultural landowners – whether they would be forced to maintain agriculture into the future.

Paul suggested that we could not take people's rights away but hoped they could help Eureka.

John Rios stated that it would not get any easier.

Tony said they would be willing to come back and thanked the board for letting the commissioners meet with them.

3. **Approval of Minutes** – December (November not available). Bonny moved to accept the minutes with some corrections; John D. seconded.

4. **Agenda**

- a. **Open Range Lot 3 Subdivision Review**

Kristin presented the project, which proposes 4 units on Lot 3. She recommended some upgrades to the road and based on the findings of fact recommended approval with conditions.

Kirsten Holland had submitted her comments before the meeting. Everyone reviewed those.

Tim White asked about the required road improvements and whether they could be reduced since the road was a driveway.

Josh asked if the cul-de-sac could be extended and eliminate the internal driveway, resulting in less infrastructure.

Kristin commented that that was an excellent design alternative.

John D. wanted to know what was required for Lot 4 and who owned it.

Kristin did not recall the specifics but thought the requirements to upgrade the road extended at least to the cul-de-sac. Kendra stated that enforcement on Lot 4 for water and wastewater had been managed by DEQ. She said the owners were Canadian.

Bonny asked for clarification of ownership and covenants. Tim explained that it was a family partnership and that they had purchased part of a couple lots with the original owners and changed the covenants to allow for RVs.

Many Board members suggested the Whites talk to the owners of Lot 4 as upgrades to the road are required for both. There could be shared costs. Many board members also noted the potential for road problems in the future.

Bonny wanted clarification on the application since it stated there would be 4 cabin sites.

Tim replied that they wanted 4 RV pads but not for daily/weekly rental – long term.

Ethel commented that there were accommodation taxes charged by the state if rentals were less than 30 days.

Bonny spoke about the need for curbside appeal of the RV parks in response to some of the neighbor's concerns.

Kristin offered an additional condition for the Board to consider requiring the living units be placed in the location shown on the preliminary drawing.

Tim noted that a lot of Canadians put lawns and porches in if they purchase a lot for an RV.

Matt moved to approve the subdivision, adding the condition about placement of living units and changing the road requirement as Josh suggested. John D. seconded the motion. **Motion passed.**

b. Moonshine Mountain Hideaway Lot 3 Subdivision Review

Kristin presented the project which was a proposal to place 3 units on Lot 3. The 3 units were in fact already placed in violation of the original subdivision approval. A new review was required in order to obtain approval from DEQ for additional septic systems.

Kristin noted that the commissioners had granted a variance to the road width in the fall due to topographical hardships. Both Bonny and Paul asked about the road. Kristin presented the drawings showing the areas of variance from width and grade.

Josh suggested there needed to be an easement on Lot 2 for the emergency hammerhead turnaround and made a motion to that effect. John D. seconded. **Motion passed.**

John D. made a motion to add a condition requiring a weed plan be submitted with final plan. Josh seconded. **Motion passed.**

Bonny asked about the existing deed restrictions and Kristin and John D. clarified the language.

Bonny moved to approve with the new conditions. John D. seconded. **Motion passed.**

c. Appointment of Officers

Bonny moved to keep Paul as the Chair. Matt seconded. **Motion passed.**

Bonny moved to retain John D. as Vice Chair. Matt seconded. **Motion passed.**

Both nominations accepted.

5. Planning Department Report

Kristin said there were a couple major RV Park proposals in review and at least one would be presented at next month's meeting. She stated the County's Comprehensive Economic

Development Strategy (CEDS) was close to being released for comment. She was working on the draft update with the Kootenai River Development Council.

Kristin also announced that Dave Johnson had resigned from the Board so the Commissioners would be looking for suggestions for a new Troy area representative.

6. Planning Board Comments And Questions

Paul welcomed Josh Letcher to Board.

Paul commented that they were going to need to try and tackle the RV issue. Kristin suggested starting with information might be a good way to start, such as looking at regulations of some other RV destination areas and identifying on a map where all the ones that have been approved in Lincoln County are located. Paul thought that would be a good idea.

7. Next Meeting – March 19th

8. 8:00 – Meeting Adjourned