



Rathdrum

Special City Council Agenda

September 07, 2016
6:00 p.m.

Location: City Council Chamber
8047 W. Main Street
Rathdrum, ID 83858
(208) 687-0261

WELCOME-PLEASE TURN OFF CELL PHONES- Thank You.

- 1) CALL THE MEETING TO ORDER**
- 2) PLEDGE OF ALLEGIANCE**
- 3) ROLL CALL**
- 4) AMENDMENTS TO THE AGENDA**
- 5) APPOINTMENT OF COUNCIL MEMBER**
 - A) Appointment of Darrell Rickard to Council
- 6) PUBLIC HEARING**
 - A) Subdivision Ordinance text amendment regarding exemptions in Chapter 2 of Title 12
- 7) NEW BUSINESS**
 - A) Adoption of Subdivision Ordinance
- 8) ADJOURN**

Rathdrum City Hall is an ADA accessible building. Assistance for persons with disabilities will be provided upon 24-hours' notice prior to the meeting.

City of Rathdrum
8047 W Main St
Rathdrum, ID 83858



Phone # (208) 687-0261

Fax # (208) 687-1818

RECEIVED

AUG 22 2018

CITY OF RATHDRUM

Application for Appointed Positions

Name: Darrell Rickard

Residence Address: 7508 W Lund Street Rathdrum, Idaho 83858

Mailing Address: 7508 W Lund Street, Rathdrum, Idaho 83858

Home Phone: 208-964-3675 Work Phone: 208-687-0221

Current Employer: Lakeland Jt. School District

Positions: Transportation Director

I would be willing to serve in the following appointed position(s):

Check all that apply:

- City Council
- Parks & Recreation
- Planning & Zoning

Resident of the City of Rathdrum: 22 Years Resident of Kootenai County: 22 Years

Current Government or Associated Government Positions you hold or have held:

Traffic Safety Committee, Planning & Zoning (current) Various special committees

List all Current or Past Rathdrum Community Involvement (i.e., Food Bank, Chamber of Commerce):

Rathdrum Rural Fire District, Post Fall Ambulance(in Rathdrum), Chamber of Commerce
Lions club, Relay for Life.



RATHDRUM PLANNING AND ZONING COMMISSION

RECOMMENDATION TO CITY COUNCIL

Wednesday, September 7, 2016

Public Hearing: Subdivision Code Amendment affecting Section 12-2 of Rathdrum City Code.

The purpose of the hearing is to hear evidence and testimony regarding an amendment to Chapter 2 of Title 12.

Staff Report: City staff has reviewed the exemption section of the Subdivision Ordinance and found an oversight on exemptions for taxing districts, governmental agencies as well as utilities regulated by the public utilities commission. Staff found similar language has been used in Post Falls and the City of Hayden, as well as Kootenai County and therefore has recommended amending the Subdivision Ordinance for ease of compliance by the public that is served by these rules.

Code Amendments/Additions: An addition to Code Section, 12-2-2 is listed below:

E. Divisions resulting from the conveyance of a parcel of land to a taxing district, government agency, or utility regulated by the public utilities commission, providing the parcel will not be used for habitable structures such as offices or service centers. Divisions used for the purpose of housing emergency service responders such as fire stations, police stations or ambulance services are permitted.

Public Notice: Public notice was provided in accordance with Idaho Code section 67-6509, as required by Idaho Code 67-6513 on August 22, 2016 for the Public hearing in front of City Council.

PUBLIC COMMENT

No written comments were received from the public when the Planning and Zoning Recommendation to City Council was prepared. Written comments may be accepted up to the time of the public hearing.

COURSE OF PROCEEDINGS

On August 17, 2016, the Planning and Zoning Commission opened a public hearing to review the proposed changes to the current Subdivision Ordinance text amendment. At the hearing no public testimony was received. The Planning and Zoning Commission made a recommendation to the City Council for review and approval of the proposed changes to the Subdivision Ordinance Text amendment.

Potential Motions:

APPROVAL: I move to recommend that City Council approve the proposed amendments to Chapter 2, of Title 12 of Rathdrum City Code.

DENIAL: I move to recommend that City Council not approve the proposed changes to Chapter 2, Title 12 of Rathdrum City Code.

ATTACHMENTS

Public Hearing Notice

Ordinance with Proposed Changes

**ATTACHMENT 1
PUBLIC NOTICE**

NOTICE OF PUBLIC HEARING

The Rathdrum City Council will hold a public hearing on September 7, 2016 commencing at 6:00 P.M or soon thereafter as said hearing can be held at Rathdrum City Hall, 8047 W. Main Street, Rathdrum, Idaho 83858.

The purpose of the hearing is to hear evidence and testimony regarding the amendment to chapter 2 of title 12, subdivisions, which addresses modifications to an exemption.

A copy of the proposal is available for inspection by all interested parties at the Planning and Zoning office in Rathdrum City Hall, 8047 S. Main Street, Rathdrum, Idaho. Written comments may be submitted prior to the public hearing. Oral testimony may be limited to 3 minutes per person.

Rathdrum City Hall is handicapped accessible and if any person needs special accommodation to address their disability please notify the City Clerk's office at least 24 hours in advance of the meeting date and time. The City Clerk's telephone number is (208) 687-2700 ext. 113.

ATTACHMENT 2
NEW ORDINANCE WITH PROPOSED CHANGES

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF RATHDRUM, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING SECTION 12-2-2 OF THE RATHDRUM CITY CODE TO ADD AN EXEMPTION TO THE SUBDIVISION ORDINANCE; PROVIDING SEVERABILITY; PROVIDING REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

IT IS ORDAINED by the mayor and city council of the city of Rathdrum, Kootenai County, Idaho as follows:

Section 1. That Section 12-2-2 of the Rathdrum City Code shall be, and the same is amended as follows:

12-2-2: EXEMPTIONS: The provisions of this Title shall not apply to the following:

- A. Any division of land for the purpose of adjusting the boundary line or the transfer of land between two (2) adjacent property owners which does not result in the creation of any additional building site.
- B. Any division of land made by testamentary provision, the laws for descent or upon court order.
- C. Any division of land made by cemetery or burial plots while used for that purpose.
- D. Any acquisition or division of land by a public agency for public right-of-way purposes. (Ord. 350, 3-31-1994)
- E. Divisions resulting from the conveyance of a parcel of land to a taxing district, government agency, or utility regulated by the public utilities commission, providing the parcel will not be used for habitable structures such as offices or service centers. Divisions used for the purpose of housing emergency service responders such as fire stations, police stations or ambulance services are permitted.

Section 3. Severability.

The ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

Section 4. Repeal of Conflicting Provisions.

All provisions of the current Rathdrum Municipal Code or ordinances of the City of Rathdrum which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 5. Effective Date.

This ordinance shall be effective upon passage and publication as provided by law.

Enacted by the city council as an ordinance of the City of Rathdrum on the ____ day of _____, 2016.

Approved by the Mayor on the ____ day of _____, 2016.

CITY OF RATHDRUM

Vic Holmes, Mayor

ATTEST:

Sherri Halligan, City Clerk

SUMMARY OF ORDINANCE NO. ____

The city of Rathdrum, Kootenai County, Idaho, hereby gives notice of the adoption of Rathdrum Ordinance No. ____, an ordinance of the city of Rathdrum, a municipal corporation of the State of Idaho, amending Section 12-2-2 of the Rathdrum City Code to add an exemption to the subdivision ordinance; providing severability; providing repeal of conflicting ordinances; and providing an effective date hereof.

The full text of the summarized Ordinance No. ____ is available at Rathdrum City Hall, 8047 W. Main Street, Rathdrum, Idaho 83858 in the office of the City Clerk.

Sherri Halligan, City Clerk

Publish once in the City's official newspaper.

STATEMENT OF LEGAL ADVISER

I, John A. Cafferty, am a legal adviser for the city of Rathdrum, Idaho. I have examined the attached summary of Rathdrum Ordinance No. ____, amending Section 12-2-2 of the Rathdrum City Code to add an exemption to the subdivision ordinance, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the contents thereof.

John A. Cafferty

Date _____