

**KETTLE FALLS PLANNING COMMISSION  
MEETING MINUTES  
APRIL 15, 2024**

**CALL TO ORDER**

Planning Commission Chair Jody Emra called the meeting to order at 7:00 p.m.  
Planning Commission Chair Jody Emra led the group in the Pledge of Allegiance.

**ROLL CALL**

Members in attendance included Jody Emra, Nick Gourlie, and Larry Kulesza.

**STAFF**

Staff in attendance included Mayor Jesse Garrett, Secretary LeAnne Sanders, Alicia Ayers (SCJ Alliance), Council Member Chris Shurrum, and Council Member Michael Weatherman.

**GUESTS**

Brenda Whitehorn, Tony Farnam, and Robyn Westergard.

**ANNOUNCEMENTS AND MAIL RECEIVED**

Secretary LeAnne Sanders stated a grant opportunity was received from the Recreation Outdoor Committee for transportation facilities in active transportation networks.

**MEETING MINUTES**

**REGULAR MINUTES OF MARCH 11, 2024, MEETING AND SPECIAL MEETING OF APRIL 1, 2024**

Planning Commission Second Vice Chair Nick Gourlie motioned to approve the minutes of the March 11, 2024, meeting, and April 1, 2024 special meeting as presented. Planning Commission Vice Chair Larry Kulesza seconded the motion. Planning Commission Second Vice Chair Nick Gourlie – YES, Planning Commission Vice Chair Larry Kulesza – YES. Motion passed.

CLOSED

**NEW BUSINESS**

**PLANNING COMMISSION CAPITAL OUTLAY**

Mayor Jesse Garrett stated three new trees were planted by the pool. Planning Commission Vice Chair Larry Kulesza worked with Greg Daniels of Daniels Nursery to plant them. Mayor Jesse Garrett stated he would like the Planning Commission to approve spending \$3,500.00 from the Planning Commission Capital Outlay budget to pay for the trees. He further stated there is

\$8,000.00 in the Planning Commission Capital Outlay budget. Mayor Jesse Garrett stated he spoke with Clerk/Treasurer Raena Hallam, and she said the money is available for this project.

Planning Commission Vice Chair Larry Kulesza stated he had a copy of expenses from Daniels Nursery. He further stated there needs to be tree rings placed around each tree until they are established. Right now, there is a dirt embankment around each tree and the trees will be flooded three times a week. He has checked into the cost of building the rings and it will be around \$276.00 plus tax. He also stated he would like to add a drip irrigation system to water the trees. He stated adding the tree rings and drip irrigation the cost will stay within the \$3,500.00 budget.

Planning Commission Vice Chair Larry Kulesza made a motion to approve the budget of \$3,500.00 from the Planning Commission Capital Outlay to pay the cost of the trees, tree rings, and drip irrigation system. Planning Commission Second Vice Nick Gourlie seconded the motion. Planning Commission Second Vice Chair Nick Gourlie – YES, Planning Commission Vice Chair Larry Kulesza – YES. Motion passed.

Mayor Jesse Garrett stated the process is Planning Commission recommends dispersal of the funds and Council approves the spending. He stated he is not expecting any issues.

CLOSED

#### **HAPPY DELL PARK FENCE REPAIR**

Planning Commission Vice Chair Larry Kulesza stated since we didn't get the grant to repair the entire fence at Happy Dell Park, he checked into the cost to repair approximately 100 feet behind the scoreboard. The cost of materials will be roughly \$1,000.00. He stated he will have better numbers for the next meeting.

Planning Commission Second Vice Chair Nick Gourlie stated the other item to consider, since we didn't get the grant, is pruning of the trees around the lights.

Planning Commission Vice Chair Larry Kulesza stated there is \$20,000.00 in the Park Capital Outlay and he believed \$7,000.00 was earmarked for some fence repair by the parking lot. He will check to see if any of the balance would be available for other park projects. He will have more information at the next meeting.

OPEN

#### **HAPPY DELL PARK EVENTS**

Kettle Falls Planning Commission Vice Chair Larry Kulesza stated there is a mushroom festival scheduled at Happy Dell Park May 10<sup>th</sup> and 11<sup>th</sup>. They used the park last year and there were some issues with parking on the field. He stated with the advertising they have done throughout the year the festival has grown and they are expecting about 35 vendors. He also stated he had invited a member of the mushroom festival to attend the Planning Commission meeting, but no one showed up.

Planning Commission Vice Chair Larry Kulesza suggested creating a protocol list of what is an allowed use of the park and have the list become part of the reservation process. He stated the sprinkler system in the park is not marked so stakes cannot be driven into the ground.

Planning Commission Second Vice Chair Nick Gourlie stated most vendors will need power and some tents use weighted bags to hold them down. He also stated once people know what the park can be used for there may be more people using it for different events.

Planning Commission Vice Chair Larry Kulesza suggested the Planning Commission should revisit this once the event is over to see how it went.

OPEN

### **OLD BUSINESS**

#### **CONDITIONAL USE PERMITS – RV PARKS**

Planning Commission Chair Jody Emra stated there has been quite a bit of discussion on this and after reviewing the old code, as the RV park was established under the old code, there is a lot of consistency between the old code and new code, such as the entire lot size of 1,000 feet. In the definitions of the new code the length of stay is only 30 days, and the old code was no more than 120 days in a year. She stated Panorama RV Park is currently under a conditional use permit as it is non-conforming. Planning Commission Jody Emra stated the code is too restrictive as there is a need to allow occupants to stay longer.

Planning Commission Vice Chair Larry Kulesza stated there was an ordinance passed when Dave Keeley was City Planner that allowed RVs to stay full time. He stated he has the ordinance at home, and he can run home and get it. Larry referred to his Preliminary Finding of Fact 23-02 – Use Status of Panorama RV. He stated the RV park operates as a legal non-conforming use and that any expansion or significant modification of the current use would require a new Land Use Application. He also stated the mayor asked for an as built of the RV park and have Public Works, Police, Fire Departments along with Planning Commission sign off. Larry gave a brief history of the past discussions.

Planning Commission Vice Chair Larry Kulesza left the meeting to get the ordinance he was referring to.

Tony Farnam stated it is his understanding of the conversation between Planning Commission Chair Jody Emra and Planning Commission Vice Chair Larry Kulesza both are saying it is fine to have long term stays.

Planning Commission Chair Jody Emra stated according to Tite 17 zoning code the park is a non-conforming use and that is why a conditional use permit would be required, but the new rule would not require a time frame on the length of stay. She stated it would be up to the park owner on the length of stay as long as all facilities are available to the spaces.

Tony Farnam stated there are some spaces that do not have sewer, but he does not let anyone use those spaces as they are being used as parking spaces by the tenants.

Tony Farnam stated it is his concern this has been going on for two years and needs to be resolved. He would like to have something in writing as the RV park is for sale and it is difficult to sell when a potential buyer has no idea what the City Council or the City of Kettle Falls is doing.

Brenda Whitehorn stated that when City Hall is contacted on the status of the RV park and told something different from what they were told, was part of the reason the sale did not go through.

Planning Commission Second Vice Chair Nick Gourlie stated he thought this had already been settled as a variance had been granted for the park to continue to operate and since it was a variance no conditional use permit was required.

Secretary LeAnne Sanders said for the record, the only person that contacted City Hall about Panorama RV Park was Lea Ryan. City Hall took the question and was waiting for answers when Tony Farnam brought in the letter for Mayor Jesse Garrett stating the sale had fallen through.

Planning Commission Chair Jody Emra stated she spoke with Robyn Westergard and was with the understanding the RV park was under a conditional use permit as it is currently non-conforming. In the Finding of Fact, the length of stay was not mentioned but now is part of the discussion. She stated the discussion was to change Title 17 to remove the length of stay and leave it up to the park owner and this is why it was on the agenda.

Robyn Westergard asked if the ordinance that is in place, does the use change when ownership changes.

Planning Commission Chair Jody Emra stated, currently the conditional use permit is attached to the person and not the property, and the idea is to have the CUP stay with the property. She also stated if the new owner was to reconfigure the lot sizes they would have to abide by the current code.

Tony Farnam asked if he wanted to reconnect sewer to lots could he do that.

Planning Commission Chair Jody Emra stated he would need to contact City Superintendent Dave Willey.

City Planner Alicia Ayers stated if there were any significant modifications to the park it would require a new application, so the term significant needs to be defined.

Tony Farnam asked if the potential buyer wanted to meter each electrical pedestal and set up a Avista account with each tenant, could that be done. Tony stated this would not be a change, but an upgrade.

Council Member Michael Weatherman asked if that would be the difference from a rv park to a mobile home park.

Robyn Westergard asked if it could be changed to a mobile home park.

Planning Commission Chair Jody Emra stated the new owner would have to have it reclassified.

Planning Commission Second Vice Chair Nick Gourlie stated it would then fall under the mobile home park development standards.

Planner Alicia Ayers stated they would then need to be compliant with the zone standards.

Planning Commission Vice Chair Larry Kulesza returned to the meeting.

Tony Farnam asked when the decision on the rv park would be put in writing and resolved as this is about the fourth meeting he has attended.

Planning Commission Second Vice Chair Nick Gourlie stated he thought that it had been decided and if there were no significant changes to the park a new owner could operate it has been.

Planning Commission Vice Chair Larry Kulesza stated he could not find the ordinance and when he does, he will provide it. He stated he provided his finding of fact dated August 14, 2023, to the City Council at their meeting in August 2023.

After further discussion, it was decided that the finding of fact, along with the as built drawing, old recreational vehicle park zoning code and letter from Logan Worley dated July 19, 2022, be submitted to the police and fire departments and public works department to review, make comment and sign.

Planning Commission Vice Chair Larry Kulesza stated the planning commission needs to review comments made by each department before it goes to the City Council.

Planning Commission Second Vice Chair Nick Gourlie made a motion that if the Public Works Department, Police Department, and Fire Department all sign off on the “as is” configuration of the park and there are no complaints or concerns the planning commission can conditionally approve this plan and all come in individually and sign and if it is not unanimous then hold a special meeting. Planning Commission Vice Chair Larry Kulesza seconded the motion then asked for discussion.

Planning Commission Vice Chair Larry Kulesza stated he is going to vote no on procedure and his distrust of the process.

Planning Commission Second Vice Chair Nick Gourlie stated the ball seems to keep getting dropped and he would like to expedite this process.

Planning Commission Second Vice Chair Nick Gourlie – Yes, Planning Commission Vice Chair Larry Kulesza – No, Planning Commission Chair Jody Emra – Yes. Motion approved.

OPEN

## **TITLE 17 UPDATE – LIVING QUARTERS**

Planning Commission Chair Jody Emra stated after reviewing the new language for living quarters she would like to have a grace period added to give the owner time to get a new retail and or commercial tenant. She stated there needs to be some form of time frame so the owner does not lose their conditional use permit should the retail space become unoccupied. She was thinking a grace period of 90 days.

Planning Commission Vice Chair Larry Kulesza stated in the footnote he would like to see the living quarters be secondary to the retail/commercial space.

After further discussion, the consensus of the Planning Commission was to remove Footnote Option 1 and use Option 2 to read as: The living quarters shall be secondary to retail and/or commercial use. Should any change to the retail and/or commercial use be evidenced, a grace period of 180 days will be provided for the applicant/building owner to get another retail and/or commercial tenant in place. A floor plan will be provided with the CUP application to verify the living quarters meet the definition.

Planning Commission Second Vice Chair Nick Gourlie made a motion to approve Footnote Option 2 definition change with the amendments to make it more specific to retail/commercial with the grace period of up to 180 days and updating the matrix to remove the conditional use of living quarters in C-3 zones. Planning Commission Vice Chair Larry Kulesza seconded the motion. Planning Commission Second Vice Chair Nick Gourlie – Yes, Planning Commission Vice Chair Larry Kulesza – Yes. Motion carried.

CLOSED

## **PARKS PLAN**

The Parks Plan is scheduled to be on the City Council agenda for the meeting of April 23, 2024.

OPEN

## **PUBLIC COMMENT**

Planning Commission Second Vice Chair Nick Gourlie asked when the new ordinance for the living quarters will go before Council.

Secretary LeAnne Sanders stated it should go before the Council at their meeting next week.

## **HOMEWORK**

Planning Commission Vice Chair Larry Kulesza will:

- Attend Council Meeting of April 23, 2024
- Planning Commission Bylaws to Alicia and Logan

- Planning Commission Chair Jody Emra will:
- Planning Commission Second Vice Chair Nick Gourtie will:

**ADJOURNMENT**

Planning Commission Chair Jody Emra adjourned the meeting at 8:50 p.m.

Approved:

---

Jody Emra, Chairperson

Attest:

---

LeAnne Sanders, Secretary/Clerk