

**KETTLE FALLS PLANNING COMMISSION  
MEETING MINUTES  
JUNE 10, 2024**

**CALL TO ORDER**

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

**ROLL CALL**

Members in attendance included Jody Emra, Nick Gourlie, and Joe Owens. Larry Kulesza absence was excused.

**STAFF**

Staff in attendance included Mayor Jesse Garrett, Secretary LeAnne Sanders, Council Member Chris Shurrum, Council Member Michael Weatherman, and Mike Manning (SCJ Alliance) via video.

**GUESTS**

Mindy Courson, Josh Weatherman, Jodi Owens, Keith Miller, Gene and Makayla Brockman.

**ANNOUNCEMENTS AND MAIL RECEIVED**

There were no announcements or mail received.

**MEETING MINUTES**

**REGULAR MINUTES OF MAY 13, 2024, MEETING**

Planning Commission Second Vice Chair Nick Gourlie motioned to approve the minutes of the May 13, 2024, meeting as presented. Planning Commission Member Joe Owens seconded the motion. Planning Commission Second Vice Chair Nick Gourlie – YES, Planning Commission Member Joe Owens – YES. Motion passed.

CLOSED

**NEW BUSINESS**

**NEW PLANNING COMMISSION MEMBER**

Planning Commission Chair Jody Emra stated the new planning commission member was not in attendance so Planning Commission will move on to the next agenda item.

OPEN

**LOT LINE ADJUSTMENT - 310 E. 5<sup>TH</sup> AVENUE**

Planning Commission Chair Jody Emra stated she has reviewed all the paperwork for the Lot Line Adjustment, and it appears it is all in order.

Planning Commission Vice Chair Larry Kulesza stated the only technical point he has is the attached real estate letter which asks if the structure that is two feet from the existing Lot 10 property line needs to be removed or can it be “grandfathered in”. He stated the term “grandfathered in” has no legal standing. He stated in both the current zoning code and old zoning code for single family, the back yard setback is 20 feet and, in the R-3 zone of the old code it was ten feet. Lot A also has a street side yard setback of 20 feet and the setback for Lot C is also 20 feet. He stated there should not be a six-foot fence past the setback of the house and there should not be any structures within the setback of the house. He stated it is his opinion this structure is a non-conforming use, the lot line adjustment can be approved, but the building itself would require a variance. The lots lines are now being reconfigured and not only is this building only two feet from the back lot line it now sets in the street side yard setback too.

Contract Planner Mike Manning stated he would ask the city attorney for his opinion since this lot was a legal lot of record and if the permanent structure could it be a legal non-conforming structure.

Planning Commission Chair Jody Emra stated the building is too close to the rear lot line and the Planning Commission will ask the city attorney if the structure can be a legal non-conforming use or does it require a variance.

Planning Commission Vice Chair Larry Kulesza made a motion to accept the land use application presented to Planning Commission for Parcel #0337200 by title only. Planning Commission Second Vice Chair Nick Gourlie seconded the motion. Planning Commission Vice Chair Larry Kulesza – YES. Planning Commission Second Vice Chair Nick Gourlie – YES. Motion carried.

Secretary LeAnne Sanders will contact City Attorney Logan Worley if the building is a legal non-conforming use or will it require a variance.

OPEN

**OLD BUSINESS**

**CONDITIONAL USE PERMITS – RV PARKS**

Planning Commission Chair Jody Emra stated the planning commission has reviewed the letter from Mayor Garrett to Panorama RV Park and asked for Planning Commission Larry Kulesza to give an update since he attended the City Council Meeting.

Planning Commission Vice Chair Larry Kulesza stated he attended the City Council meeting where this letter was presented to Panorama RV Park owners and the letter was met with some opposition. He stated at the end of the meeting it was decided to schedule a meeting with Panorama RV owners, the city attorney and interested city parties. He stated for the record he was invited to the meeting by the mayor but when the meeting was set and announced he was not informed.

Planning Commission Chair Jody Emra asked Tony Farnam his thoughts on the City Council Meeting.

Mr. Farnam stated he was surprised when the letter stated a conditional use permit was required for the new owner, since he has been told all along at different meetings and by Planning Commission Vice Chair Larry Kulesza that a conditional use permit was not required. He stated the number of permanent and temporary spots was never discussed and when they were contacted by city staff, they were given the numbers they currently had. He also stated the letter asked for two entrances to city streets, which is almost comical because there wouldn't be anywhere else to put access other than to a city street.

Planning Commission Chair Jody Emra asked if they had a big gate at the end of W. 6<sup>th</sup> Avenue that could be used as emergency access.

Mr. Farnam said they did but the city has never asked them to have it open. He stated the city and the fire department both had keys to the gate. He said he keeps the gate closed for security.

Planning Commission Larry Kulesza stated he is of the opinion that Panorama RV Park does not need a Conditional Use Permit and since he was not at the meeting, he did not have any new information for Tony. He stated when the RV park was built it was allowed in industrial zones.

Planning Commission Chair Jody Emra stated as she interprets the letter the current owner of the RV park does not need a conditional use permit, it simply says to meet International Building Code moving forward if there are any changes to the spaces they will need to address it with a conditional use permit.

Tony Farnam stated he met with City Superintendent Dave Willey and City Attorney Logan Worley about the letter and discussed the issues. He stated he would like to review the new letter and have a discussion before the meeting rather than being handed a letter at the meeting. He also stated they reviewed the park layout and marked which spaces are long term and which ones are seasonal and that didn't seem to be a problem. He stated when he brought up the conditional use permit issue, Logan stated Larry new more about that than he did. Tony stated he needs to have the correct answer on the conditional use permit.

Planning Commission Larry Kulesza stated he emailed Logan his thoughts on the RV park issue.

After further discussion, Planning Commission Chair Jody Emra stated, since City Attorney Logan Worley is drafting a new letter the only thing the planning commission will address in the future is substantial changes to the RV park.

CLOSED

### **PARKS PLAN UPDATE**

The City Council has approved the parks plan update.

CLOSED

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

Planning Commission Vice Chair Larry Kulesza stated he has tabled Happy Dell Park fence repair.

He stated the budget to put in the tree rings was approved and when he stopped by City Hall to inquire how to present an invoice upon completion of the job City Superintendent Dave Willey stated he was concerned with the liability of brick tree rings. He stated he is looking at other alternatives such as putting in one row of bricks instead of two.

Planning Commission Vice Chair Larry Kulesza stated he wants to finish the tree ring project before he moves forward with the fence repair.

OPEN

### **PLANNING COMMISSION BYLAWS**

Planning Commission Vice Chair Larry Kulesza stated he wants to speak with City Attorney Logan Worley on the conflict-of-interest exemption. He stated you don't have to recuse yourself for a conflict of interest if it is stated for the record the result of your recusal would mean losing the quorum. He would like to have this put in legal language and added to the bylaws as it needs to be reflected in the ordinance change. He stated this would enable the planning commission to proceed with business and not have delays due to lack of a quorum.

OPEN

### **PLANNING COMMISSION BUDGET UPDATE**

Planning Commission Chair Jody Emra stated there is \$3,649.29 left in the planning commission budget.

Planning Commission Vice Chair Larry Kulesza stated there is about \$400.00 less than that because the cost of the blocks has not been included. This item was informational only.

### **COAF GRANT UPDATE**

Planning Commission Second Vice Chair Nick Gourlie stated we were a couple points short of receiving this grant.

CLOSED

### **PUBLIC COMMENT**

Planning Commission Vice Chair Larry Kulesza stated there was a large turnout for the Mushroom Festival and the park was cleaned up very well after the event. He stated now that the event is over park protocols should be placed on the next agenda.

**HOMEWORK**

Planning Commission Vice Chair Larry Kulesza will:

- Planning Commission Bylaws
- Tree Rings
- Zoning Update

Planning Commission Chair Jody Emra will:

- Zoning Updates

Planning Commission Second Vice Chair Nick Gourlie will:

- Zoning Updates

Planning Commission Second Vice Chair Larry Kulesza gave a brief overview of the areas in the zoning that the planning commission had targeted in the past to update.

**ADJOURNMENT**

Planning Commission Chair Jody Emra adjourned the meeting at 8:18 p.m.

Approved:

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Jody Emra, Chairperson

Attest:

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LeAnne Sanders, Secretary/Clerk