



Agenda

Bonner County Commissioners

Bonner County Board of Commissioners Meeting with Planning Department & Prosecutor's Office

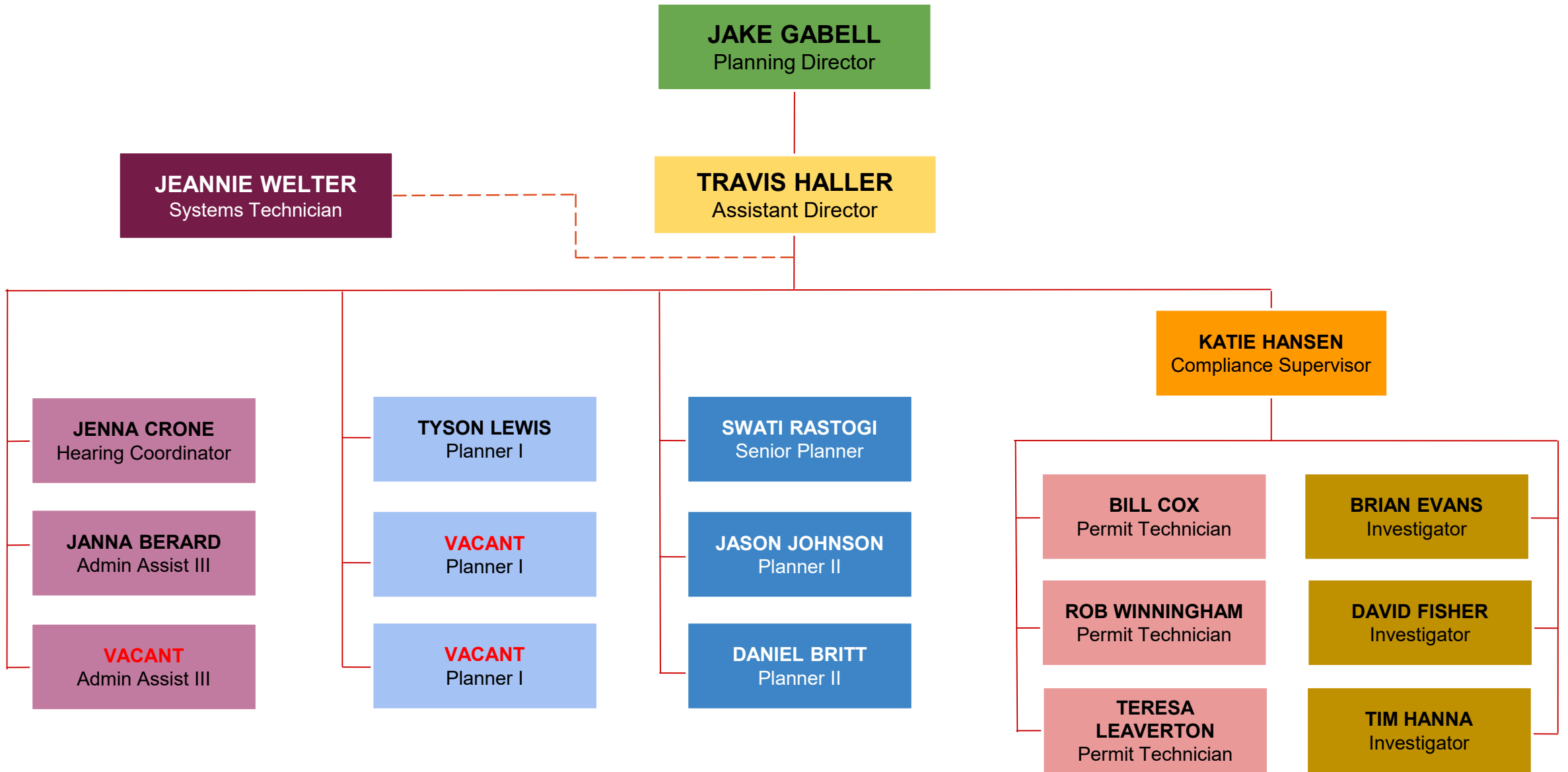
January 10, 2023, 2:30 p.m.
County Administration Building
Third Floor, Board Meeting Room

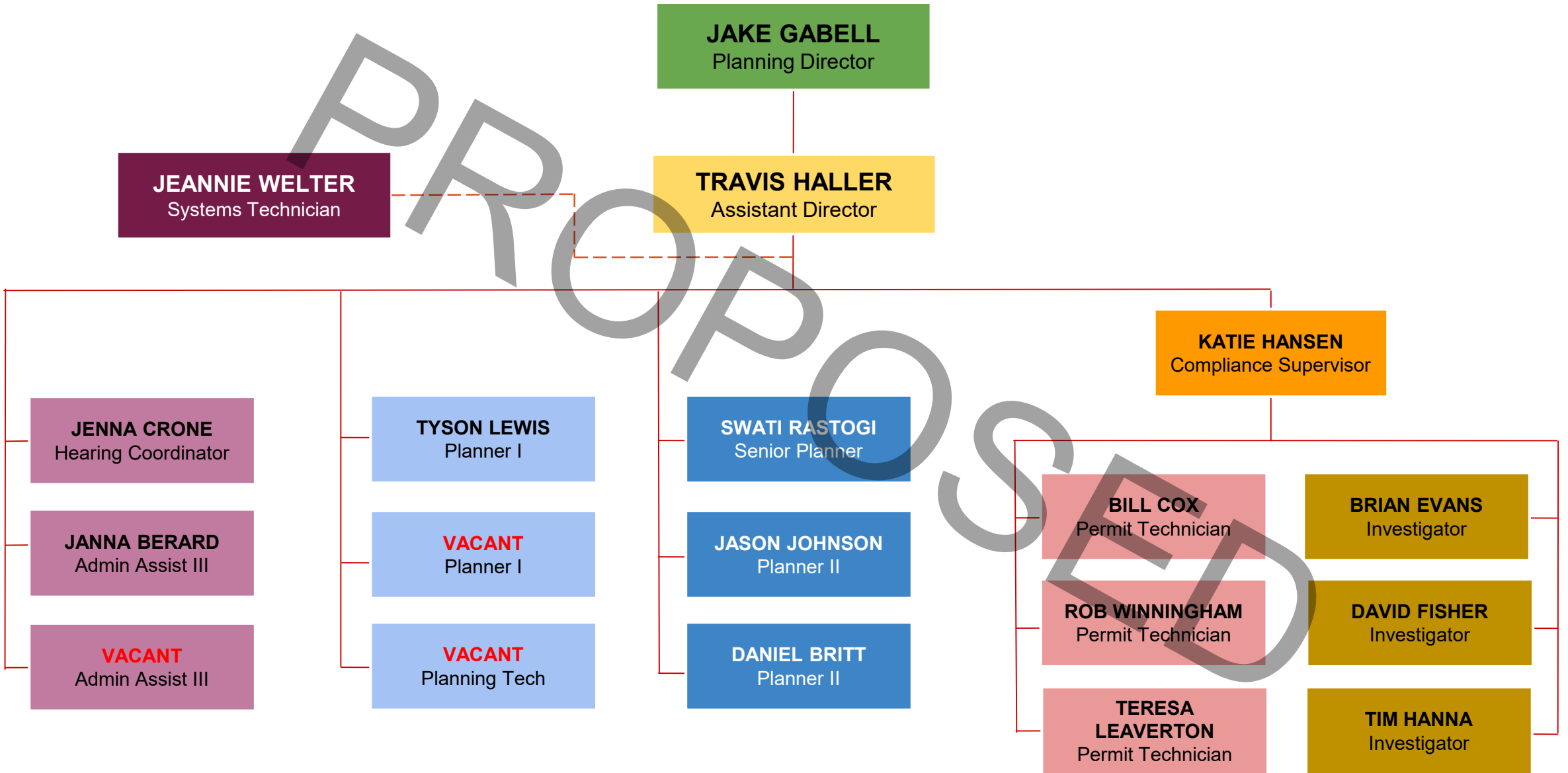
Open Session

1. Update on planning department activities
 - a. Department updates
 1. Zoning Stats, Staffing, etc.
 2. Operations – EnerGov
 3. Revenue and Expenses YTD
 - b. Code/Ordinance updates
 1. Title 11
 2. Title 12
 3. Title 14
 - c. Comprehensive Plan
 1. Update on progress and timeline
 - d. Enforcement
 1. Compliance update

Executive Session:

1. Pending Litigation
Action Item: Discussion/Decision Placing/Lifting of Notice to Title





JOB TITLE: PLANNING TECHNICIAN
DEPARTMENT: Planning
SUPERVISOR: Assistant Planning Director
SUPERVISION EXERCISED: None
SALARY RANGE: Grade 9
EXEMPT STATUS: Non-exempt
ORIGINAL DATE: 2/2018

Job Scope

Summary: Performs a variety of technical duties related to land use planning and building location permit functions of the Bonner County Planning Department. Functions as a lead for training and performance of permit technicians.

Other Information: The planning technician works under the general direction of the Assistant Planning Director. The responsibilities and tasks involved are repetitive in nature as well as moderately complex. In addition require significant attention to detail in relation to county ordinances and processes. Requirements include exercising independent judgment when making decisions considering planning and permitting. The ideal candidate will work independently from senior staff members and be receptive to input and oversight from supervisors and coworkers while performing duties as assigned. Involves regular communication with associates in the department and occasional communication with other departments inside the organization and other local, state and federal agencies. Involves regular contact with customers and applicants. Impact of errors is moderate, and is typically limited to department functions where most errors can be identified and corrected with little impact to end users. Potential for impact to the department and organization's reputation is inherent in the contact with the public. Work generally occurs in a protected indoor environment, but may include exposure to weather and inclement conditions as incumbent conducts field visits. Does not typically require travel outside the local area, with the exception of occasional travel for training or public meetings.

Essential Functions

The essential functions include, but are not limited to, the following duties and responsibilities, which are not listed in any particular order of priority and may be amended or added to by the County at any time:

1. Serves as a lead, in a fast paced office setting, coordinating schedules and otherwise directing and overseeing the work of permit technicians.
2. Assists the staff planners with routine duties related to land use files, including scheduling pre-application conferences, receiving applications, routing blue-line and final plats for review, researching topics as directed for a variety of land use topics, using the internet, department maps, agency contacts and other sources and providing other general assistance to the planning director and staff.
3. Reviews and interprets a variety of land use maps, such as floodplain, wetlands, hydrology, zoning and comprehensive plan maps, under the supervision of staff planners. Provides parcel data, parcel maps and other details pertinent to land use to the public and staff.

4. Calculates fees, accepts land use applications and conducts cursory reviews of applications for completeness. Assigns file numbers and forwards incoming applications to planning staff for file set-up and assignment to planners. Assists clerical staff in the maintenance of the land use file database and file system.
5. Provides accurate information to the public on zoning, development, subdivision, landscape, sign, drainage, grading and applicable standards, ordinances, and building codes;
6. Prepares and processes, reviews and approves building location permits as per the approval process.
7. Researches deeds and parcel information for planning and compliance staff using current Assessor's Office, Recorder's Office and Planning Department documents and databases.
8. Manages the building location permit database, including data input, query reports, and amendments to the database to address changes in the department permit processes. Responsible for ensuring that the 20,000+ record system is accurate and up to date, so that the system is not compromised by errors or omissions.
9. Responds to public inquiries regarding the land use application process. Aids planners in responding to customer inquiries regarding land use laws by researching parcel information and ordinances.
10. Refers individuals to proper department or agency for permits or additional information concerning development (e.g., Panhandle Health District, Assessor's Office, Department of Environmental Quality, Department of Lands, Army Corps of Engineers, etc.) as necessary.
11. Performs various office and other duties as assigned, including answering telephones, assisting the public, taking minutes, etc as needed.
12. Cross-trains to assist the public in completing building location permit or land use applications by directing them to general and technical information regarding site plans, floodplain, stormwater plans, application details, manufactured home rehabilitation, wetlands information, etc.
- ~~13. Assists staff planners with long-range planning projects, such as comprehensive plan and ordinance updates, by researching topics as directed.~~
13. Regular attendance and ability to deal with the public and associated regular interruptions/stresses is an essential function of the position.
14. Review and process administratively approved land use files, such as: vacation rental permits, administrative variances, administrative exceptions, minor land divisions, etc.

Secondary Functions

1. Assists with the research and preparation of handouts, application documents, checklists, and other public and department information necessary or helpful for the operation of the Planning Department, as directed.
2. Performs clerical duties as assigned
3. Performs all other duties as assigned.

Job Specifications

High school diploma or GED equivalent; Additional post-high school courses or training in planning or a related area helpful.

One year experience as permit or planning technician or comparable combination of experience and education in the building or planning industry.

COMPETENCY REQUIREMENTS

Knowledge of:

1. Methods, procedures, objectives, and standard practices of County planning and zoning and application of development codes;
2. Methods and procedures for building location permit application and site plan processing, review, and analysis;
3. County and other applicable building, subdivision, zoning, maintenance, and other applicable ordinances and codes;
4. State code governing public meeting, hearing, and actions scheduling, posting, and advertising;
5. Operation of standard office equipment and a personal computer and job-related software applications for G Suites, word processing, spreadsheets, and other required applications;
6. Operation of specialized computer applications for mapping and land use research and planning;
7. Applicable deadlines;
8. Customer service procedures, techniques, and objectives;
9. English grammar and punctuation;
10. Current office practices and procedures;
11. Record keeping and filing practices and procedures;
12. Current office environment best practices and procedures.

Ability to:

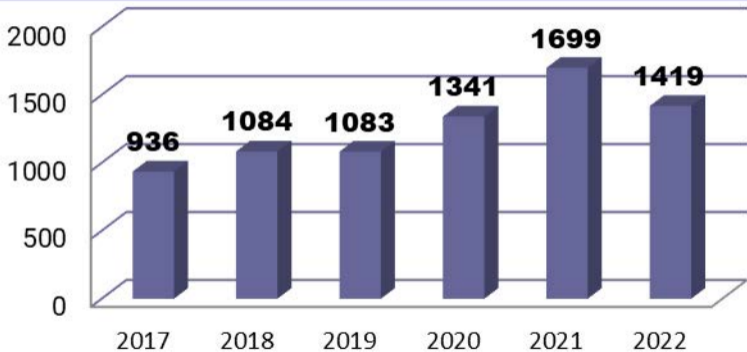
1. Follow written and oral instructions;
2. Analyze issues, independently make decisions, and exercise good judgment in administrative management tasks;
3. Maintain complex records efficiently;
4. Perform office management functions;
5. Conduct research and analysis of special projects;
6. Establish and maintain effective working relationships with the public, applicants, supervisory personnel, local elected officials, representatives of other agencies, and other County employees;
7. Operate standard office equipment, including a personal computer using program applications appropriate to assigned duties;
8. Evaluate and analyze customer needs to provide exceptional customer service;
9. Communicate effectively orally, in writing, and using graphic presentations;
10. Perform time management and scheduling functions, meet deadlines, and set project priorities;
11. Perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;

12. Perform multiple tasks simultaneously, including handling interruptions, and return to and complete tasks in a timely manner.
13. Current state driver's license, with history of good driving record.

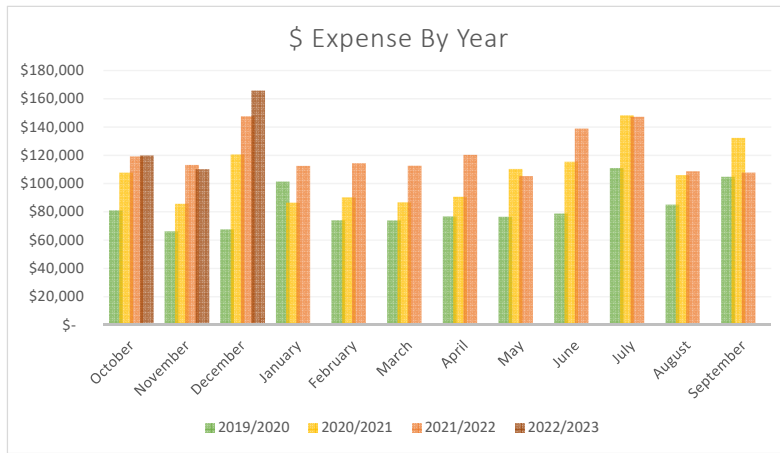
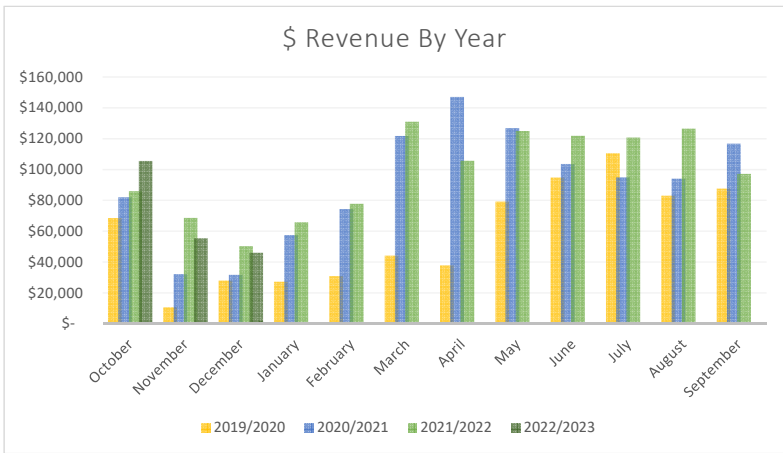
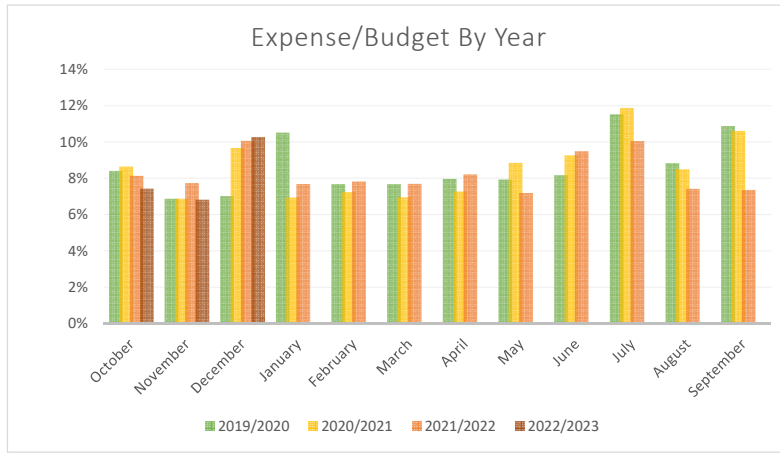
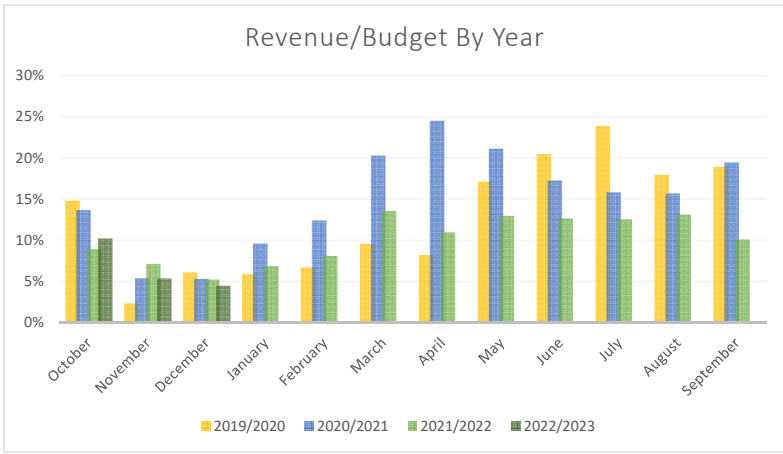
Working Conditions

Ability to perform those physical activities necessary to complete the essential functions of the job, either with or without reasonable accommodation. Requires continual communication (hearing and talking); frequent fingering, grasping, walking, and repetitive motions. Requires good general vision. Occasional stress related to public demands and deadlines. Requires occasional travel outside the area for training or public meetings.

BLP



		1	2	3	4	5	6	7	8	9	10	11	12			Budget	Actual
		October	November	December	January	February	March	April	May	June	July	August	September	Total	Budget	Re/Ex	Re/Ex
2022/2023	Revenue	\$ 105,692	\$ 55,423	\$ 46,004										\$ 207,119	\$ 1,035,822	64%	52%
	Expense	\$ 119,867	\$ 110,137	\$ 165,872										\$ 395,876	\$ 1,614,594		
	R % of Budget	10%	5%	4%										21%			
	E % of Budget	7%	7%	10%										27%			
2021/2022	Revenue	\$ 85,977	\$ 68,619	\$ 50,324	\$ 65,836	\$ 77,795	\$ 131,067	\$ 105,661	\$ 124,919	\$ 121,878	\$ 120,728	\$ 126,508	\$ 97,131	\$ 1,176,443	\$ 964,250	66%	81%
	Expense	\$ 119,124	\$ 113,228	\$ 147,522	\$ 112,478	\$ 114,433	\$ 112,594	\$ 120,260	\$ 105,252	\$ 138,907	\$ 147,215	\$ 108,644	\$ 107,724	\$ 1,447,381	\$ 1,464,471		
	R % of Budget	9%	7%	5%	7%	8%	14%	11%	13%	13%	13%	13%	10%	122%			
	E % of Budget	8%	8%	10%	8%	8%	8%	8%	7%	9%	10%	7%	7%	99%			
2020/2021	Revenue	\$ 82,062	\$ 32,162	\$ 31,675	\$ 57,540	\$ 74,310	\$ 121,772	\$ 147,203	\$ 126,851	\$ 103,614	\$ 94,902	\$ 94,096	\$ 116,739	\$ 1,082,926	\$ 600,100	48%	85%
	Expense	\$ 107,770	\$ 85,737	\$ 120,514	\$ 86,477	\$ 90,232	\$ 86,713	\$ 90,623	\$ 110,299	\$ 115,442	\$ 148,225	\$ 105,950	\$ 132,262	\$ 1,280,244	\$ 1,247,444		
	R % of Budget	14%	5%	5%	10%	12%	20%	25%	21%	17%	16%	16%	19%	180%			
	E % of Budget	9%	7%	10%	7%	7%	7%	7%	9%	9%	12%	8%	11%	103%			
2019/2020	Revenue	\$ 68,519	\$ 10,711	\$ 28,030	\$ 27,279	\$ 30,899	\$ 44,207	\$ 37,884	\$ 79,248	\$ 94,770	\$ 110,552	\$ 83,020	\$ 87,619	\$ 702,738	\$ 462,850	48%	70%
	Expense	\$ 81,050	\$ 66,281	\$ 67,615	\$ 101,379	\$ 74,040	\$ 73,969	\$ 76,804	\$ 76,476	\$ 78,731	\$ 111,085	\$ 85,161	\$ 104,829	\$ 997,420	\$ 964,336		
	R % of Budget	15%	2%	6%	6%	7%	10%	8%	17%	20%	24%	18%	19%	152%			
	E % of Budget	8%	7%	7%	11%	8%	8%	8%	8%	8%	12%	9%	11%	103%			



Below are the proposed amendments to each specific section and the description of the changes. The language in red and underlined is recommended as additions to the existing code. Those words in ~~red and strike through~~ would be deleted from the ordinance.

11-101: BUILDING LOCATION PERMITS REQUIRED:

Except as otherwise provided in this title, no structure subject to the provisions of this title shall be erected, constructed, reconstructed, set, placed, installed, enlarged, extended, moved or converted in unincorporated Bonner County without first procuring a building location permit from the Bonner County planning department prior to the start of construction. Applications for such permit shall be made on forms provided by the planning department.

11-219: DEFINITIONS - S:

STRUCTURE: A combination of assembled materials providing shelter, support or an extension of shelter or support, including, but not limited to, buildings, signs, towers, tanks, decks, platforms, porches, walls, pools, roofed storage areas, manufactured buildings, or offices, located above or below ground, whether constructed, assembled or erected on site or preconstructed and placed on site. The following are exceptions to the structure definition: (See subsection 11-104 of this title for process to exempt certain structures not exceeding one thousand eighty (1,080) square feet of floor area.)

The exceptions below are subject to the land use standards specified in title 12 of this code:

A. Accessory buildings or structures that are detached structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed four hundred (400) square feet.

B. An addition to an existing residential accessory structure used solely for storage or agricultural uses such as woodsheds, lean-tos, greenhouses, general storage, provided the addition:

1. Is an addition that has a total floor area not exceeding four hundred (400) square feet.

2. Has no sewage disposal utilities.

3. Does not cause a structure excepted by this title to exceed four hundred (400) square feet.

C. Agricultural structures designed or constructed solely for the purpose of storing or housing hay, grain, poultry, livestock, produce, horticultural products or agricultural equipment, provided the floor area does not exceed four hundred (400) square feet.

Such structure shall not be inhabited; or a place of employment excepting structures used for agricultural direct marketing activities. Such agricultural structures are subject to the land use standards specified in title 12 of this code.

D. Manufactured structures or mobile homes placed temporarily on licensed sales lots for retail or wholesale sales.

E. Motion picture, television and theater stage sets and scenery used only for the duration of the event.

F. Platforms, walks and driveways not more than thirty inches (30") above grade and not over any basement or story below. This does not include attached decks.

G. Reroofing not affecting the structural roof framing.

H. Row covers, high tunnels, hoop houses, or other membrane covered structures used in raising of crops to extend the growing season.

I. Signs affixed to a building that are not greater than sixty four (64) square feet.

J. Swimming pools not exceeding four thousand (4,000) square feet of area (15-20,000 gallons.).

K. Water tanks not exceeding five thousand (5,000) gallons.

L. Window replacement or window awnings supported by an exterior wall.

M. Yurts, teepees, tents, or other membrane structures without rigid walls that do not contain a kitchen and plumbing facilities.

N. Buildings, construction trailers, equipment and materials used in conjunction with construction work during the period of construction. Such facilities shall be removed upon occupancy of the structure unless otherwise excepted or permitted by this title.

The exceptions below are subject to the land use standards in Title 12; however, they are not subject to the setback standards specified in title 12 chapter 4 of this code:

O. Fences not over eight feet (8') in height measured at grade.

P. Retaining walls not over four feet (4') in height measured at grade.

Q. Residential propane tanks not exceeding one thousand (1,000) gallons.

R. Repair of any structure in accordance with the definition of repair as provided in this title.

11-218: DEFINITIONS - R:

RECONSTRUCTED: To rebuild, in part or in whole, a structure that was removed, provided the structure was not damaged or destroyed by an involuntary event such as fire, explosion, collapse or similar catastrophe.; ~~make over; to build up from remaining parts.~~

REPAIR: To rebuild, in part or in whole, a structure that was damaged or destroyed by an involuntary event such as fire, explosion, collapse or similar catastrophe. To perform regular structural maintenance such as roof or window replacement. Such repairs and maintenance shall not result in an increase in any dimensional size, floor area, or bulk of the structure.

Summary of Proposed Title 12 Updates:

12-215: APPLICATIONS FOR ZONE CHANGES AND COMPREHENSIVE PLAN MAP AMENDMENTS, CONTENTS:

Proposed modification of section “A” removing some site plan requirements from a zone change request. This modification was recommend from legal, and conforms to how the county has always processed zone change requests. These site plan requirements appear to have been copied from the CUP site plan requirements in section 12-222 I.

12-223: CONDITIONAL USE PERMITS, STANDARDS FOR REVIEW OF APPLICATIONS, PROCEDURES:

State Code 67-6512 reads: “A special use permit may be granted to an applicant if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance, subject to the ability of political subdivisions, including school districts, to provide services for the proposed use, and when it is not in conflict with the plan.” The proposed code change brings the county revised code more in line with state code.

12-225: APPROVAL, DISAPPROVAL, APPEAL OF DECISION:

The Hearing Examiner’s power and authority to make decision on CUP files is established in section 12-127. 12-223 was modified earlier this year to clarify the CUP code, this code section should have been updated at the same time but was missed.

12-484: VACATION RENTALS:

The “occupancy” section of the code currently can be interpreted that each structure on a property that has an active VRP can have a total 20 persons, rather than a total of persons on a property. BCRC section 12-3.3 contains provisions for uses such as a “Resorts”, “Hotels/motels”, and “Retreats” which better regulate large commercial uses for short term rentals.

12-496: RECREATIONAL VEHICLES:

There is a discussing the intention of the establishing the RV code and the Vacation Rental code with the current BOCC it was decided that the intent in adding the RV code was to provide additional housing options across the county, not to provide addition option for short term rentals.

12-621: LOT AND PARCEL DESIGN:

Currently, the MLD code, section 12-660 (D) (2) (g), restricts the creation of lots from being “divided by boundary of any city, county, zoning designation, railroad right-of-way, or public right-of-way”. This proposed change would apply this code to the remainder of land divisions or lot/parcel adjustments, to include subdivisions, lot line adjustments, boundary line adjustments, family exemptions, etc.

12-661: ADMINISTRATIVE REVIEW OF MINOR LAND DIVISION:

Minor update to the MLD code removing the 30 day clause which requires staff to make an administrative decision within 30 days. There is no state statute requirement to back this time limit requirement and the county survey review has been taking up to 30 days alone. This time requirement has not been challenged in a judicial review, but County Legal Counsel has advised that this code provision be removed.

The other minor change is to clean up code section “C” to better align and clarify the final plat procedures if the MLD is approved.

12-812: DEFINITIONS - L: LOT MEASUREMENTS

There is confusion in how to interpret the current code, this change is to clarify the code to make it easier to interpret.

12-818: DEFINITIONS – R: RECREATIONAL VEHICLE (RV) PARK

Proposed change to the definition of a RV Park. There is conflicting code throughout Title 12 as to when a CUP is required for an RV Park. This change clarifies and supports other code sections, specifically BCRC 12-496.

12-819: DEFINITIONS – S: STREET

The proposed change to the definition of a Street to avoid creating future non-conforming properties, and aligns with the Road and Bridge department, and GIS department street definitions.

Appendix A

Below are the proposed amendments to each specific section and the description of the changes. The language in red and underlined is recommended as additions to the existing code. Those words in ~~red and strike through~~ would be deleted from the ordinance.

12-215: APPLICATIONS FOR ZONE CHANGES AND COMPREHENSIVE PLAN MAP AMENDMENTS, CONTENTS:

An applicant for a zone or comprehensive plan map change shall submit the following:

A. A plan of the proposed site, drawn to scale, ~~showing the location of all buildings, parking and loading areas, traffic access and circulation, undisturbed areas, open spaces, landscaping, refuse and service areas, utilities, signs and yards.~~

12-223: CONDITIONAL USE PERMITS, STANDARDS FOR REVIEW OF APPLICATIONS, PROCEDURES:

The Zoning Commission or Hearing Examiner, except as otherwise provided in this title, is charged with conducting at least one public hearing on the conditional use permit application, at which time interested persons shall have an opportunity to be heard. The Zoning Commission or Hearing Examiner shall review the particular facts and circumstances of each proposal submitted. To grant a conditional use permit, the Zoning Commission or Hearing Examiner must find there is adequate evidence showing that the proposal is not in conflict is in accordance with the ~~general and specific objectives policies~~ of the comprehensive plan and this title, and that the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.

12-225: APPROVAL, DISAPPROVAL, APPEAL OF DECISION:

A. Following the public hearing, the Zoning Commission or Hearing Examiner shall consider the application and may approve or deny the conditional use permit.

B. If the Zoning Commission or Hearing Examiner denies the conditional use permit, the Zoning Commission or Hearing Examiner shall state in writing the reasons for the decision and shall specify any actions the applicant could take to obtain approval.

C. The final decision of the Zoning Commission or Hearing Examiner on a conditional use permit may be appealed to the board as set forth at section 12-262 of this chapter.

12-484: VACATION RENTALS:

3. Occupancy:

a. The maximum occupancy for a vacation rental shall be three (3) persons per bedroom plus an additional three (3) people persons up to a total of twenty (20) persons, regardless of age. ~~This shall also be based on Panhandle Health or the sewer district~~

~~recommendation and the space available for off-street parking. If there is to be more than~~
~~If the cumulative total occupancy exceeds~~ twenty (20) ~~persons~~ ~~people allowed per lot or~~
~~parcel created in accordance with chapter 6 of this title in the rental~~, a conditional use permit is required.

b. No recreational vehicle, travel trailer or other temporary shelter shall be used as a vacation rental or in conjunction therewith to provide additional sleeping areas or otherwise.

12-496: RECREATIONAL VEHICLES:

A. Dwelling Unit, Recreational Vehicle.

1. Limited to one (1) per lot or parcel for lots or parcels less than one (1) acre in size, or limited to two (2) per lot or parcel for lots, or parcels greater than one (1) acre in size without respect to density.

2. Each recreational vehicle dwelling unit requires a building location permit.

3. Shall meet all residential building setbacks.

4. Each recreational vehicle dwelling unit may be inside a garage or under a snow roof.

~~5. It may be used as a vacation rental subject to the standards and conditions in BCRC 12-484.~~

~~5.6.~~ RV 's used in conjunction with an open building location permit shall not require an additional permit.

12-621: LOT AND PARCEL DESIGN:

A. All proposed lots which are three hundred feet (300') or less in width shall maintain a depth to width ratio of not greater than three to one (3:1); and lots which are more than three hundred feet (300') in width shall maintain a depth to width ratio of not greater than four to one (4:1).

B. All proposed lots one hundred feet (100') or less in width shall be designed so that the angle of intersection of the side lot lines with the fronting road is between eighty five (85) and ninety five degrees (95°), for a distance of not less than fifty feet (50') from the point of intersection.

C. Submerged lands are exempt from the requirements herein.

D. ~~Resulting lots or parcels shall not be divided by boundary of any city, county, zoning designation, railroad right-of-way, or public right-of-way.~~

12-661: ADMINISTRATIVE REVIEW OF MINOR LAND DIVISION:

Upon receipt and review of completeness, the planning and zoning department shall:

A. Review the MLD plat and supplemental information to determine compliance with these ordinances and prepare its report, which shall include comments received from other departments.

B. Distribute the application to the county surveyor, the Assessor, the road and bridge department, GIS and floodplain administrator for review and compliance.

C. Based on the above findings, the planning director shall approve, conditionally approve, or deny the application ~~within thirty (30) days, from the date a completed application was stamped received.~~

D. ~~If administratively approved once the director has made a recommendation,~~ the ~~final plat MLD plat map and the legal descriptions~~ shall be ~~signed as approved and~~ transmitted to the board of county commissioners at the next business meeting for review and possible approval.

12-812: DEFINITIONS - L:

LOT MEASUREMENTS: ~~A. The depth of a lot shall be considered the horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line or the most distant point of another lot line if there is no rear lot line.~~

A. The depth of a lot shall be a measurement of the distance between the furthest two points between any two lot lines and/or lot line vertices. The depth of a parcel shall be a measurement of the distance between the furthest two points between any two parcel lines and/or parcel line vertices. The depth of a tract shall be a measurement of the distance between the furthest two points between any two tract lines and/or tract line vertices.

B. The width of a lot, parcel or tract shall be calculated in feet by dividing the area of the lot, parcel or tract measured in square feet by the length depth of the lot, tract or parcel, as measured according to the depth calculation instructions above.

12-818: DEFINITIONS – R:

RECREATIONAL VEHICLE (RV) PARK: Any premises designed for the rental of ~~two (2)~~ three (3) or more recreational vehicle parking stalls or spaces.

12-819: DEFINITIONS – S:

STREET: A travelway - excepting driveways and trails (as defined in BCRC 12-820) - which provides vehicular access to adjacent properties, including the following:

A. Legal Access: A public or recorded thoroughfare which affords a primary means of access to adjoining properties. A recorded thoroughfare may be a recorded easement for ingress or egress or a platted street right of way used as a thoroughfare for access to abutting property, but for which the county assume no responsibility for maintenance. A thoroughfare not recorded with the county recorder shall not be considered legal access.

B. Local Roads: A public or recorded thoroughfare which affords primary access to adjoining property. A local road may be a recorded easement for ingress and egress or a platted street which provides access to abutting property.

C. Major Collector: A public thoroughfare that links minor collectors and local access routes with routes of higher classification. Frontage and access is limited.

D. Minor Arterial: A public thoroughfare that serves less dense population concentrations. Minor arterials may connect to principal arterials or provide intermediate routes. Frontage and access is limited.

E. Minor Collector: A public or recorded private thoroughfare which affords access to adjoining property and connects local access roads to roads of higher classification.

F. Principal Arterial: A public thoroughfare that connects a network of continuous routes. Serves large intercounty population concentrations and is designed to carry heavy traffic loads. Frontage and access is limited.

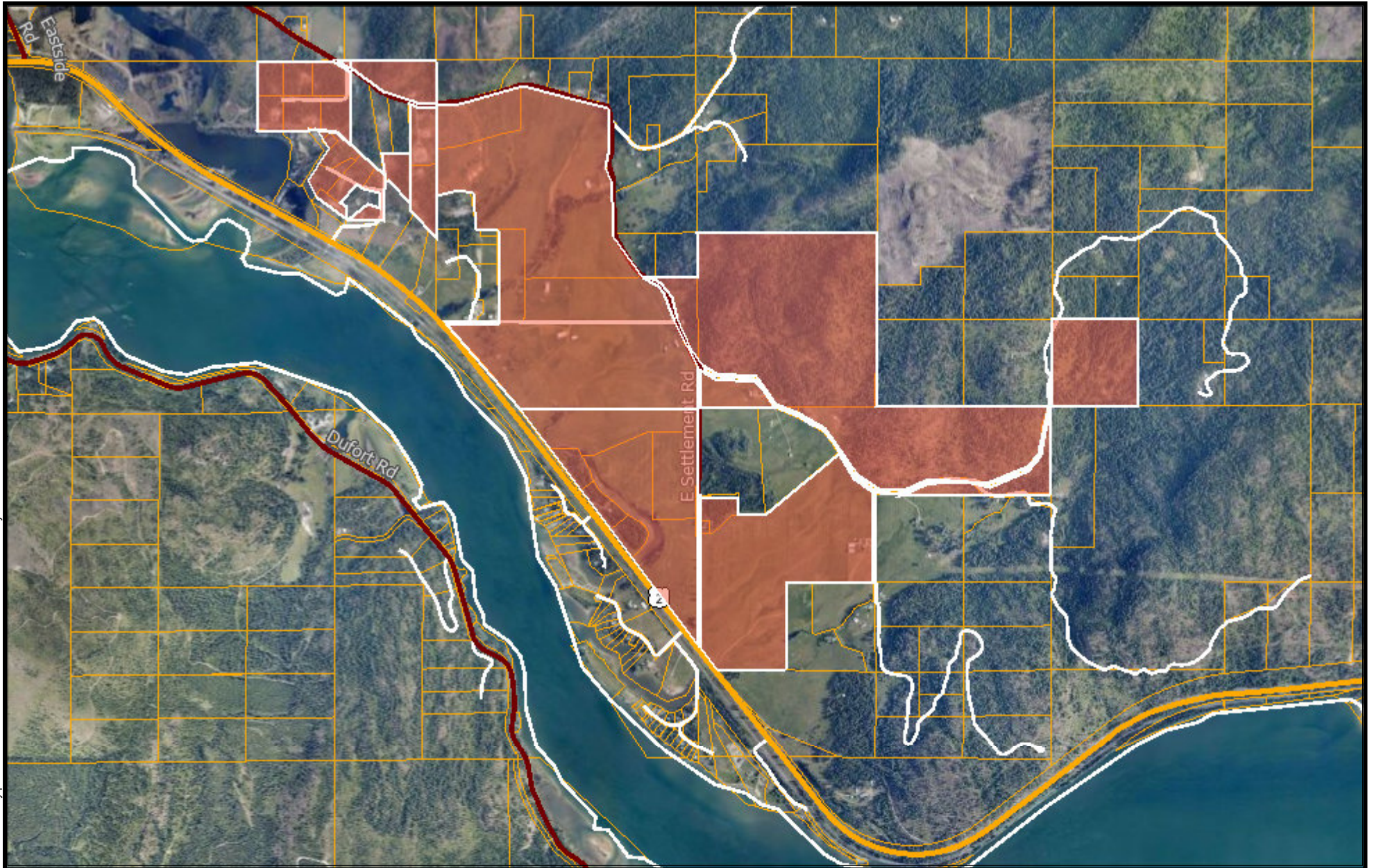
G. State Highway: A public thoroughfare that serves interstate and intrastate populations. These highways are designed to carry maximum traffic loads. Frontage and access is restricted to Idaho department of transportation standards.

The term "street" shall not mean a private easement or travelway that provides access to two (2) or fewer single-family residential lots or parcels ~~beyond the subject lot or parcel.~~

Summary of Changes Made in the Proposed Amendment to BCRC Title 14




1. Changes to the adoption language of the ordinance, allowing for the amendment and not the replacement of the current BCRC Title 14 Flood Damage Prevention ordinance.
2. All 19 instances of the phrase “Flood Fringe” have been struck from the code, including the definition of “Flood Fringe” that has been removed from the definitions section BCRC 14-206.
3. Several misc. typos and formatting errors have been corrected, resulting in no change to code interpretation or requirements. Examples include correcting missing or extra spaces or extra carriage returns in the text.
4. Several additions have been made to the existing text to clarify existing permit requirements. These are not new requirements. Examples include:
 - a. Clarifying language for how plot plans and building/foundation plans should be prepared;
 - b. Clarifying that any stamp-bearing design professional in surveying, building, or landscape design may certify a plot plan;
 - c. Clarifying that a Building Inspection is required prior to final approval of a Floodplain Development Permit.
 - d. Please note that none of the proposed clarifying language introduces any new permit requirements. Failure to adopt this language will not change, alter, or reduce any existing floodplain permitting requirements.
 - i. These requirements have all been in place and enforced by the department since 2017, and the existing code has always allowed for these requirements to be in place.
 - ii. The new language adds clarity and detail to these existing and ongoing permitting requirements.
 - iii. Failure to adopt this language will leave in place existing language that has led to applicant confusion over permitting requirements in the past.
5. Permit abandonment is now allowed with new language.
 - a. Previously, when an applicant abandoned a flood permit, the department had no way to expire or close out the abandoned permit. Language has been added to allow for this, providing that adequate notice and an opportunity for application correction is given to the applicant first.
 - b. The proposed permit abandonment language is a copy-paste from the existing language and abandonment process of BCRC Title 11, including all the noticing requirements.
6. Proposed language to adopt a permit expiration date of one (1) year, to make the flood code more consistent with the Bonner County BLP code.
7. Eliminated all references to the “floodplain administrator” throughout the code. Bonner County no longer has this position.
 - a. Eliminated the definition of “floodplain administrator” in BCRC 14-206. No other section of code refers to BCRC 14-206, so no cross-reference updates were needed.
 - b. Added the definition of “Planning Director or designee” to BCRC 14-216. The definition for “Planning Director or designee” is a copy-paste from the eliminated definition of “floodplain administrator.”
 - c. Changed “floodplain administrator” to “Planning Director or designee” throughout the code wherever “floodplain administrator” appeared. 31 changes were made in total.

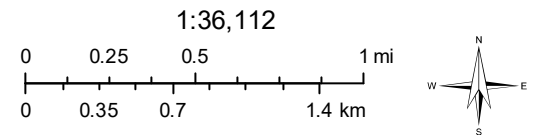
Deannexed Priest River Properties



Bonner County provides the data "as is" with no claim as to its accuracy.

12/9/2022, 12:12:56 PM

- Road Centerlines**  **Parcels**
-  Primary
 -  Secondary
 - Local; Ramp



Source: Esri, Maxar, Earthstar Geographics, and the Bonner County Planning none | Maxar |

BONNER COUNTY BOARD OF COMMISSIONERS
Resolution 22- 100

**Establishing a Moratorium on certain
De-Annexed Land from the City of Priest River**

Whereas, The Board of Bonner County Commissioners may establish an emergency moratorium on land use actions pursuant to Idaho Code §67-6523; and

Whereas, Bonner County desires to uphold the purpose of land use regulations established in Bonner County Revised Code Title 12, chapter 1.1; and

Whereas, the Bonner County Revised Code does not contain provisions for regulating un-zoned properties; and

Whereas, the City of Priest River recently de-annexed several properties, leaving them without a zoning designation; and

Whereas, unrestricted development of the un-zoned properties listed in Appendix A without reasonable and ordinary limitations imposed by zoning regulations poses an imminent peril to the public health, safety, and welfare;


Now, therefore be it resolved by the Board of County Commissioners of Bonner County, Idaho, that a moratorium is hereby established on the de-annexed land from the City of Priest River, to include the properties listed in Appendix A, restricting all land use actions on these properties for no more than 182 days, to expire on June 13th, 2023, unless otherwise repealed.

Adopted as a resolution of the Board of County Commissioners of Bonner County, Idaho, done this 13th day of December 2022 upon a majority vote.

BONNER COUNTY BOARD OF COMMISSIONERS



Dan McDonald, Chairman

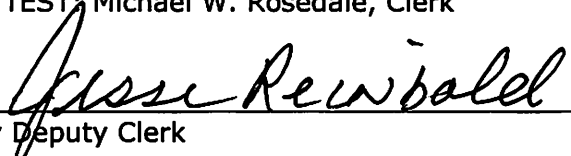


Jeff Connolly, Commissioner



Steve Bradshaw, Commissioner

ATTEST: Michael W. Rosedale, Clerk



By Deputy Clerk

12/13/2022

Date

Legal: _____

Appendix A

De-Annexed Priest River Properties Listed by Real Property Numbers

RP027690010010A	RP56N04W284802A	RP56N04W294806A	RP56N04W302251A
RP027690010020A	RP56N04W284803A	RP56N04W299001A	RP56N04W320005A
RP027690010030A	RP56N04W291205A	RP56N04W300010A	RP56N04W320311A
RP027690010040A	RP56N04W292451A	RP56N04W300151A	RP56N04W320312A
RP0276900101A0A	RP56N04W293020A	RP56N04W300160A	RP56N04W320460A
RP027730010010A	RP56N04W293205A	RP56N04W300301A	RP56N04W322032A
RP027730010020A	RP56N04W293612A	RP56N04W300311A	RP56N04W322033A
RP56N04W276001A	RP56N04W294150A	RP56N04W300451A	RP56N04W330003A
RP56N04W331200A	RP56N04W333751A	RP56N04W333800A	



Bonner County Planning Department

"Protecting property rights and enhancing property value"

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (208) 265-1463

Email: planning@bonnercountyid.gov - Web site: www.bonnercountyid.gov

December 13, 2022

Memorandum

To: Board of County Commissioners

From: Jake Gabell, Bonner County Planning Director

Re: Establishing a Moratorium on Certain De-Annexed Land from the City of Priest River

The Planning Department became aware the land that was de-annexed from the City of Priest River the potential negative impacts it has un-zoned property. The properties are listed in Annex A of the proposed resolution.

The Planning Department request that the Board of County Commissioners approve the resolution to establish a moratorium, in accordance with Idaho Code §67-6523, to restrict all land use actions on these properties until a zoning designation can be established in the near future.

Legal Review: Bill Wilson – December 9, 2022

Auditor's Review: _____

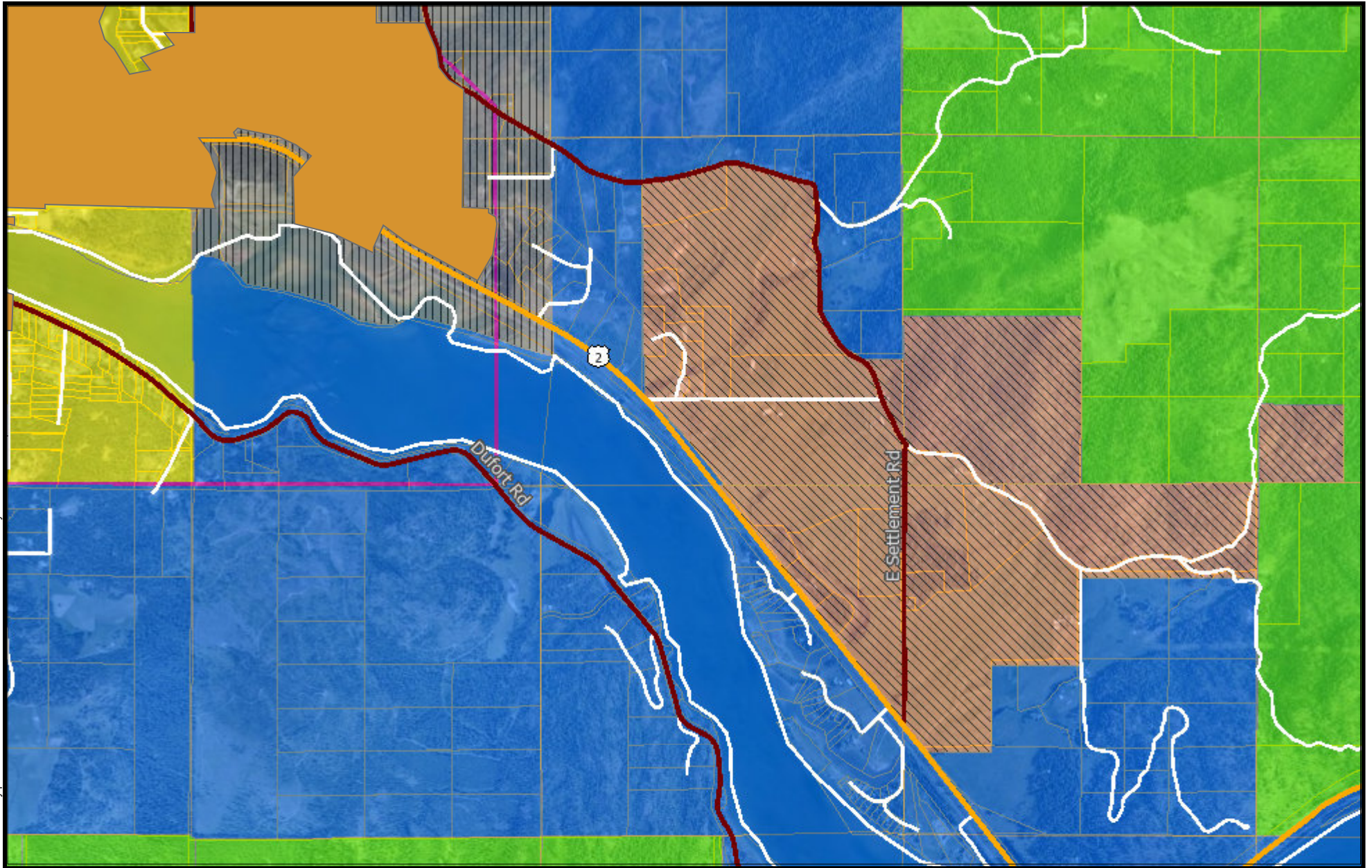
Distribution: Jake Gabell
Bill Wilson

Suggested Motion: I move to approve Resolution 22-¹⁰⁶ establishing a moratorium on certain de-annexed land from the City of Priest River.

Recommendation Acceptance: Yes No

 Date: 12/13/22
Commissioner Dan McDonald, Chairman

Comp Plan Map



Bonner County provides the data "as is" with no claim as to its accuracy.

1/5/2023, 2:26:07 PM


Cities


 Priest River

Road Centerlines

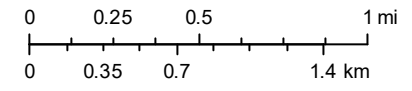
 Primary

 Secondary

 Local; Ramp

 Area of City Impact

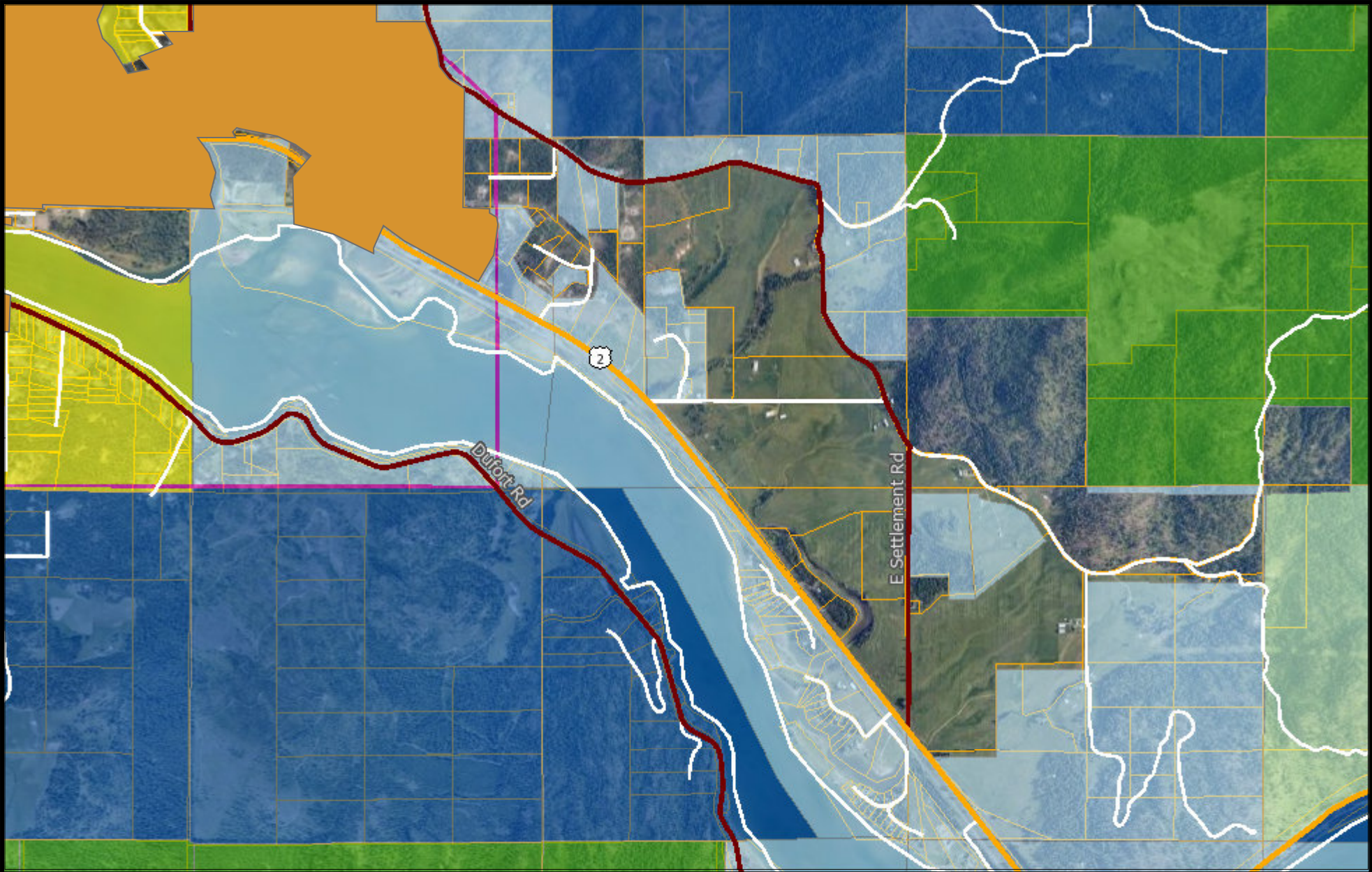
1:36,112



Source: Esri, Maxar, Earthstar Geographics, and the Bonner County Planning none | Maxar |

Bonner County Map

Bonner County provides the data "as is" with no claim as to its accuracy.



1/5/2023, 2:25:13 PM


Cities


 Priest River

Road Centerlines

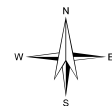
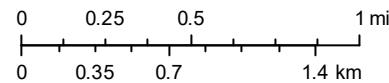
 Primary

 Secondary

 Local; Ramp

 Area of City Impact

1:36,112



Source: Esri, Maxar, Earthstar Geographics, and the Bonner County Planning none | Maxar |

Transition: The Transition classification is reserved for those areas of the County where a mixture of land uses can occur which may include higher density residential uses, commercial, industrial and light industrial uses. Due to the intensity of land use, these areas require primary transportation routes, urbanlike water and sewer services, fire and police services.

Resort Community: The Resort Community provides for urban-like densities for areas centered around the recreational areas developed for winter and water sports, golf and hiking, where urban services are provided.

Rural Residential: The Rural Residential area provides for residential development in areas where urban services are not available and slopes may vary up to 30%. These areas include hazard areas and critical wildlife habitats, where lower densities reduce potential impacts to resources and exposures to loss of property or lives. Small-scale agricultural uses and residential development are permitted.

12-324: SUBURBAN DISTRICT:

A. The suburban district is established to promote the development of residential uses located on the edges of the incorporated cities or other developed communities or areas, where urban sewer and water services are either available or have the potential to become available in the near future by reason of their inclusion in service districts, city service areas, or are adjacent to those areas or areas of city impact. Access to primary transportation routes and a system of hard surfaced roads are expected. The purpose can be accomplished by:

1. Providing for single-family detached dwelling units and other compatible housing forms, with a variety of densities in locations appropriate for urban densities.
2. Allowing only those accessory and complementary nonresidential uses that are compatible with urban residential communities.
3. Establishing density designations to facilitate advanced areawide planning for public facilities and services, and to protect environmentally sensitive sites from over development.
4. Encouraging conservation development configurations that create permanent open space, protect sensitive environmental features, reduce infrastructure costs and/or enhance recreational opportunities.
5. Requiring conservation development configurations in areas where all urban services are not available to provide the opportunity in the future to subdivide the land at urban densities.

B. Use of this zone is appropriate in areas designated by the comprehensive plan as transition, urban growth area, resort community or suburban growth area in the comprehensive plan where a network of hard surfaced roads provides good access to primary transportation routes or potential public transportation systems. Urban services may not be available immediately, but are capable of being extended or constructed in the area.

12-328: RECREATION DISTRICT:

A. The recreation district is established to provide a wide range of recreational uses in areas where if access is by road rather than solely by waterways, the road shall be located within a recorded easement or public right of way, except where subject to the terms of an approved special use permit or a state or federal agency, adequate water and sewer services and fire services. Consideration shall also be given to access to potential public transportation systems. The recreation district is intended to provide for a range of housing types and uses that are accessory and complementary to recreational and residential uses. These purposes are accomplished by:

1. Allowing for a range of housing types provided adequate services are available.
2. Providing for commercial and private resorts which contain provisions for a range of recreational activities.
3. Excluding uses that are not compatible with the desired recreational character of the area.
4. Encouraging conservation development configurations that create permanent open space, protect sensitive environmental features, reduce infrastructure costs and/or enhance recreational opportunities.
5. Applying simple design standards that enhance the recreational opportunities and character of the area.

B. Use of this zone is appropriate in areas designated as transition, neighborhood commercial, urban growth area and resort community with the following conditions:

1. Land is physically suitable to accommodate a broad range of residential and recreational uses.
2. Sites are served by adequate sewage disposal service, water supply, roads and other needed public facilities and services.

12-327: RURAL SERVICE CENTER DISTRICT:

A. The rural service center district is established to promote the development of local commercial services in small communities to meet the needs of rural residents as well as limited tourist commercial services and limited light industrial uses consistent with the maintenance of the rural character of the area. The rural service center district is also intended to provide opportunities for a variety of affordable housing types that are within walking distance of commercial services. These purposes are accomplished by:

1. Providing for a range of small scale retail and rural service uses.
2. Allowing for mixed use buildings (housing over office or retail) and a range of housing types, including detached single-family dwelling units, cottage housing, townhouses, apartments and mobile home parks where sufficient services are provided.
3. Allowing for light industrial uses where activities are conducted primarily indoors and impacts to adjacent uses are mitigated.
4. Excluding commercial uses with extensive outdoor storage.
5. Excluding large scale commercial uses that would be more effectively located in incorporated cities.
6. Applying simple design standards that enhance pedestrian access and improve the character of the area. (Ord. 501, 11-18-2008)

B. Use of this zone is appropriate in areas designated as neighborhood commercial, resort community or transition by the comprehensive plan and community plans and that are served at the time of development by adequate sewage disposal services, water supply, roads and other needed public facilities and services. Expansion of existing rural service center districts or the creation of new rural service center districts may be considered only if the expansion will not negatively impact the safety and function of a state highway or other roadway.

12-323: RURAL DISTRICT:

A. The rural district is established to allow low density residential uses that are compatible with rural pursuits. The purpose can be accomplished by:

1. Limiting residential densities and permitted uses to those that are compatible with rural character and nearby resource production districts and sites and can be adequately supported by rural service levels.

2. Allowing small scale farming and forestry activities, and tourism and recreation uses that can be supported by rural service levels and are compatible with rural character.

3. Encouraging conservation development configurations that create permanent open space or farming areas, protect sensitive environmental features, reduce infrastructure costs and/or enhance recreational opportunities.

B. Use of this zone is appropriate in areas designated by the comprehensive plan as follows:

1. R-10 in areas designated as rural residential in the comprehensive plan that meet one or more of the following criteria:

a. Characterized by slopes that are steeper than thirty percent (30%).

b. Located within critical wildlife habitat as identified by federal, state or local agencies.

c. Contain prime agricultural soils.

d. Served by a network of public and/or private roadways that generally do not meet applicable roadway standards set forth in title 2 (public roads) of this code or [appendix A](#) (private roads) of this title or are absent.

e. Within the floodway.

f. Contain limited access to public services.

2. R-5 in areas designated rural residential in the comprehensive plan that are already developed at or near the one dwelling unit per five (5) acre density and/or do not meet the criteria for R-10 above.

2023 Planning Dept Hearing & Workshop Schedule

JANUARY							FEBRUARY						
SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7	8	9	10	11	12	13	14
15	16	17	18	19	20	21	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28				
29	30	31											

MARCH							APRIL						
SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

MAY							JUNE						
SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	

JULY							AUGUST						
SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30	31		
30	31												

SEPTEMBER							OCTOBER						
SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
3	4	5	6	7	8	9	8	9	10	11	12	13	14
10	11	12	13	14	15	16	15	16	17	18	19	20	21
17	18	19	20	21	22	23	22	23	24	25	26	27	28
24	25	26	27	28	29	30	29	30	31				

NOVEMBER							DECEMBER						
SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
5	6	7	8	9	10	11	3	4	5	6	7	8	9
12	13	14	15	16	17	18	10	11	12	13	14	15	16
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

IMPORTANT DATES

- NEW YEAR'S DAY OBSERVED
JANUARY 2
- MARTIN LUTHER KING DAY
JANUARY 16
- PRESIDENTS DAY
FEBRUARY 20
- MEMORIAL DAY
MAY 29
- JUNETEENTH OBSERVED
JUNE 19
- INDEPENDENCE DAY
JULY 4
- LABOR DAY
SEPTEMBER 4
- COLUMBUS DAY
OCTOBER 9
- VETERAN'S DAY OBSERVED
NOVEMBER 10
- THANKSGIVING
NOVEMBER 23
- CHRISTMAS EVE OBSERVED
DECEMBER 24
- CHRISTMAS OBSERVED
DECEMBER 25

- PLANNING COMMISSION
- ZONING COMMISSION
- HEARING EXAMINER
- BOCC HEARING
- 3RD FLOOR CONFERENCE ROOM



DATE	WS FOR COMM. DISCUSSION	WS W PUBLIC COMMENT	PC HEARING
9.6.22			
9.20.22	Property Rights Recreation		
10.4.22	Community Design Special Areas or Sites School Facilities and Transportation	Property Rights Recreation	
10.18.22	School Facilities and Transportation Transportation	Community Design Special Areas or Sites	
11.1.22	School Facilities & Transportation Transportation	Hazardous Areas Community Design Special Areas or Sites	Property Rights Recreation
11.15.22	Agriculture	School Facilities & Transportation Transportation	Community Design
12.6.22	Public Airports Population	Agriculture	Hazardous Areas Special Areas or Sites
1.17.23	Housing Economic Development	Public Airports Population Agriculture	School Facilities & Transportation Transportation
2.7.22	Natural Resources Public Services Facilities and Utilities		
2.21.22			

	COMPONENT	PC HEARING	BOCC 1st HEARING	BOCC 2nd HEARING
AM0012-22	Goals, Objectives and Policies	30-Aug-22 (cont. 20-Sep-22)	26-Oct-22 (cont. 03-Nov-22)	21-Dec-22
AM0015-22	Property Rights	1-Nov-22	7-Dec-22	
AM0015-22	Recreation	1-Nov-22	7-Dec-22	
AM0017-22	Community Design	15-Nov-22	21-Dec-22	22-Feb-23
AM0018-22	Hazardous Areas	6-Dec-22		
AM0018-22	Special Areas or Sites	6-Dec-22		
AM0019-22	School Facilities & Transportation	17-Jan-23		
AM0019-22	Transportation	17-Jan-23		