



BONNER COUNTY PLANNING DEPARTMENT

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TITLE 12 TEXT AMENDMENT APPLICATION

FOR OFFICE USE ONLY:

FILE # AM0002-24	RECEIVED: Received by Bonner County Planning Department on 03/22/2024
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PROPOSED AMENDMENT:

The applicant is requesting an amendment to Bonner County Revised Code, Title 12
Updates to the following code sections: proposed changes to Chapter 2 subchapters 12-216, 12-222, 12-223, and 12-233, see attached Appendix A.

APPLICANT INFORMATION:

Landowner's name: Bonner County		
Mailing address: 1500 Hwy 2 Suite 208		
City: Sandpoint	State: ID	Zip code: 83864
Telephone: 208-265-1458	Fax:	
E-mail: planning@bonnercountyid.gov		

REPRESENTATIVE'S INFORMATION:

Representative's name: Jake Gabell		
Company name: Bonner County Planning		
Mailing address: Same as applicant		
City:	State:	Zip code:
Telephone:	Fax:	
E-mail:		

ADDITIONAL APPLICANT REPRESENTATIVE INFORMATION:

Name/Relationship to the project:		
Company name:		
Mailing address:		
City:	State:	Zip code:
Telephone:	Fax:	
E-mail:		

PROJECT DETAILS:

Current code states:

Proposed changes to Chapter 2 subchapters 12-216, 12-222, 12-223, and 12-233, see attached Appendix A for additional detail.

Effective date of the current code:

10-12-2022, 11-18-2008, 10-12-2022, and 1-4-2017.

Proposed code:

See attached Appendix A for additional detail.

Explain in detail the reason for requested code amendment:

See Appendix A for a detailed explanation of each proposed change.

What circumstances warrant an amendment to title 12? Explain why an amendment to title 12 is appropriate, detailing changes that have occurred since the present code was adopted or circumstances that warrant a reconsideration of the code: (attach additional pages if necessary)

The proposed changes would align Title 12 with Idaho State Code and better regulate amendment, conditional use permit, and variance applications.

What effect will the proposed code change have on public or private service?

No effect to public or private services is expected.

How is the proposed title 12 amendment in accordance with the specific objectives of the comprehensive plan?

Property Rights:

The proposed amendment is directly supported by the goal of this component.

Population:

The proposed amendments will not likely impacted school facilities and transportation.

School Facilities & Transportation:

The proposed amendments will not likely impacted school facilities and transportation.

Economic Development:

The objectives of this component do not conflict with the proposed amendment.

Land Use:

The proposed amendment is supported by the goal of this component and objective 1.

Natural Resources:

The objectives of this component do not conflict with the proposed amendment.

Hazardous Areas:

The objectives of this component do not conflict with the proposed amendment.

Public Services, Facilities, and Utilities:

The objectives of this component do not conflict with the proposed amendment.

Transportation:

The objectives of this component do not conflict with the proposed amendment.

Recreation:

The objectives of this component do not conflict with the proposed amendment.

Special Areas or Sites:

The objectives of this component do not conflict with the proposed amendment

Housing:

The objectives of this component do not conflict with the proposed amendment.

Community Design:

The objectives of this component do not conflict with the proposed amendment.

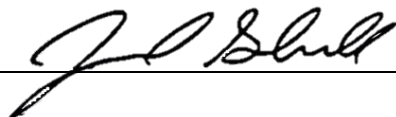
Agriculture:

The goal and objective of this component does not conflict with the proposed amendment.

Implementation: (Not required to complete this element)

I hereby certify that all the information, statements, attachments and exhibits submitted herewith are true to the best of my knowledge.

Applicant's signature: _____



Date: 3/23/2024

Appendix A

Summary of Proposed Title 12 Updates:

BCRC 12-216: EVALUATION OF AMENDMENT PROPOSALS:

Proposed modification to the evaluation criteria of zone change applications, modifying the comprehensive plan review be align with Idaho Code 67-6511.

BCRC 12-222 APPLICATION, CONTENTS:

Proposed removal of variance language from the conditional use permit application contents.

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

Proposed modification to the evaluation criteria of conditional use permit applications, modifying the comprehensive plan review be align with Idaho Code 67-6512.

BCRC 12-233: APPLICATION, CONTENTS:

Modification to establish a complete variance application content criteria rather than using the conditional use permit application criteria. The proposal removes the requirement the variance application to provide a review and analysis of the comprehensive plan.

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.

12-216: EVALUATION OF AMENDMENT PROPOSALS:

Staff and the Governing Bodies shall review the particular facts and circumstances of each proposal submitted and shall determine whether there is adequate evidence that the proposal is not in conflict with the policies in accordance with the general and specific objectives of the comprehensive plan, as found in the adopted Implantation Component. For zone change proposals, the request shall be evaluated against chapter 12 subchapter 3.2 or as hereafter amended.

12-222: APPLICATION, CONTENTS:

An application for a conditional use permit must be submitted to the Planning Department. At a minimum, the application shall contain the following information:

- G. Description of proposed conditional use ~~or nature of variance~~ requested.

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 with the policies in accordance with the general and specific objectives of the comprehensive plan, as found in the adopted Implantation Component, and this title, and that the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.

12-233: APPLICATION, CONTENTS:

~~The contents of a variance application shall be the same as for a conditional use permit, but shall also address the standards of section 12-234 of this subchapter. See section 12-222 of this chapter.~~

An application for a variance must be submitted to the Planning Department. At a minimum, the application shall contain the following information:

- A. Name, address and phone number of applicant.
- B. Authorized signature of at least one owner of the property for which the conditional use permit is proposed.
- C. Legal description of property.
- D. Applicant's interest in title.
- E. Description of existing use.
- F. Description of proposed variance requested.
- G. A narrative statement that addresses the standards of section 12-234 of this subchapter.
- H. A site plan showing all property lines; existing and proposed structures; and the property size in acres.
- I. Other information that the Planning Director or Governing Body requires to determine if the proposed variance meets the intent and requirements of this title, which may include site specific details or potential impacts of the proposed variance.