

**BONNER COUNTY PLANNING DEPARTMENT  
BOARD OF COUNTY COMMISSIONERS  
STAFF REPORT FOR OCTOBER 23, 2024**



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**Project Name:**           **Trexler**

**File Number, Type:**   **ZC0009-24, Zone Change**

**Request:**                       The applicant is requesting a zone change from  
Agricultural/Forestry-20 to Agricultural/Forestry-10

**Legal Description:**       7-54N4W TAX 12

**Location:**                    Beare Road, Sandpoint, Idaho

**Parcel Number(s):**       RP54N04W072406A

**Parcel Size:**                Approximately 20.73-acres

**Applicant:**                   Lisa Trexler

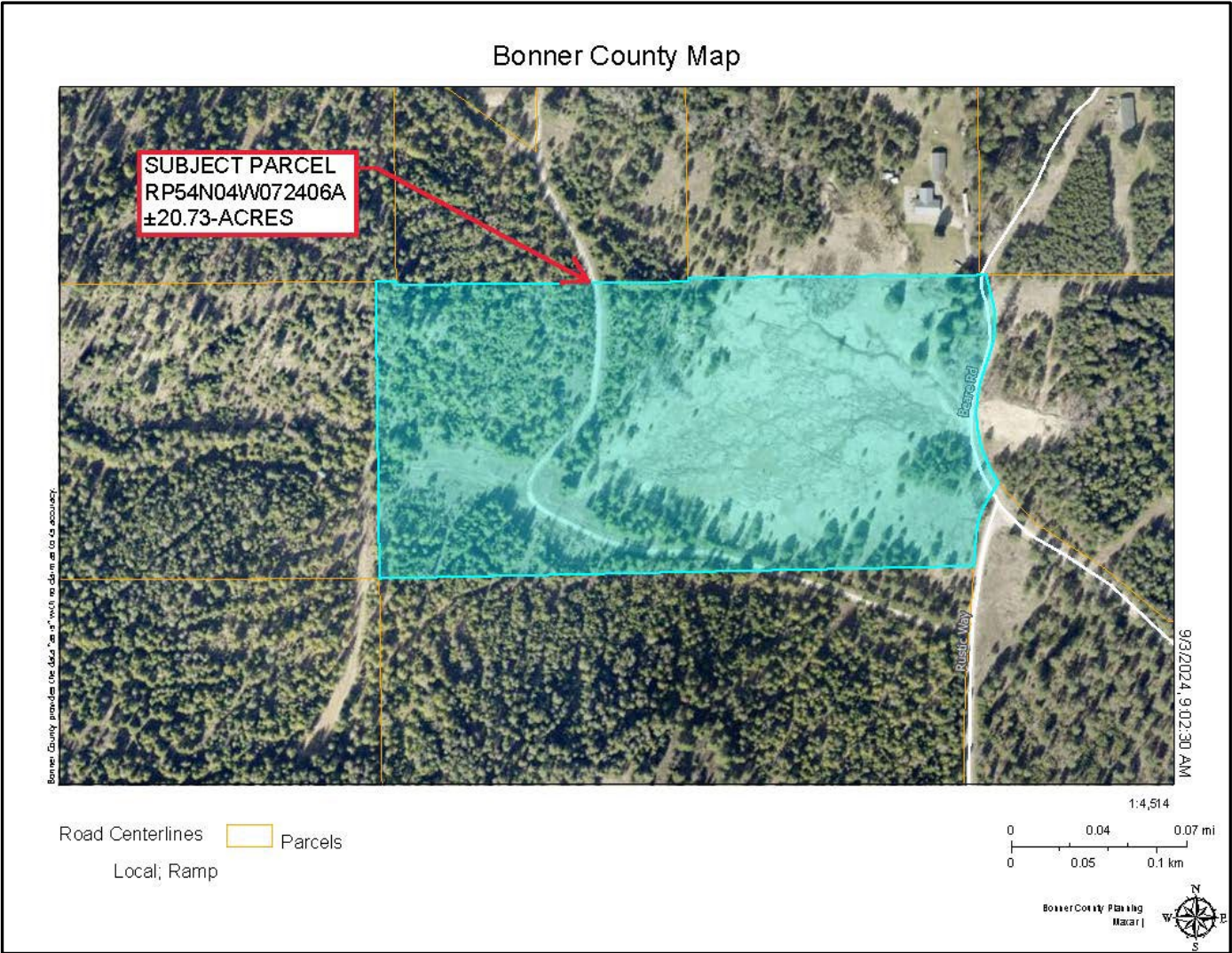
**Project  
Representative:**       Glahe & Associates

**Application filed:**       June 17, 2024

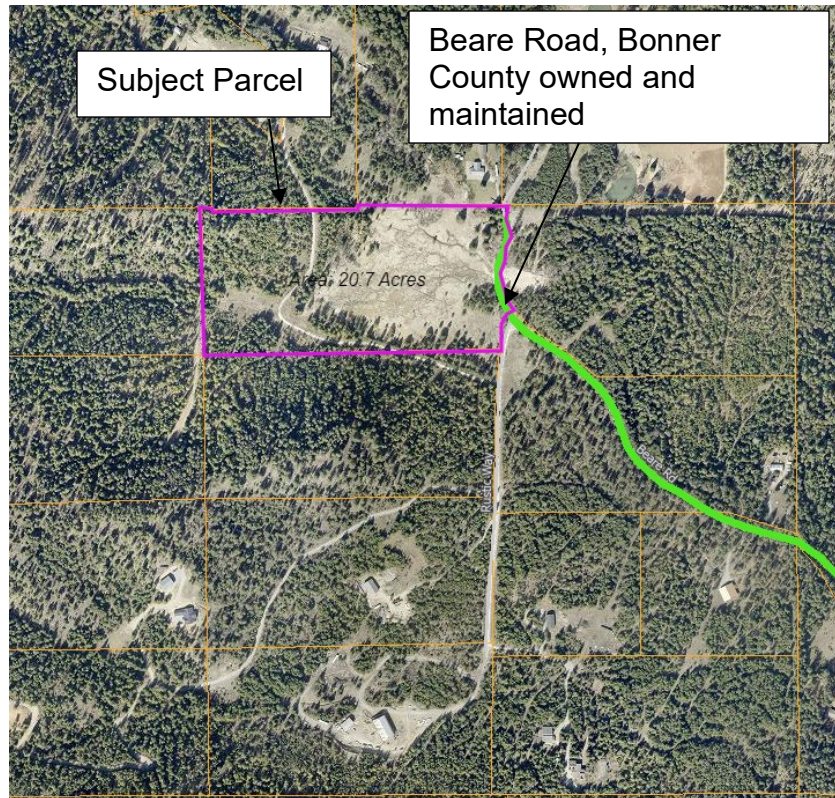
**Notice provided:**       Mail: September 24, 2024  
Site posting: October 8, 2024  
Published in newspaper: September 24, 2024

**Attachment:**               Annex A – complete list of agencies routed

Site Plan



## Vicinity Map



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### Project summary:

The applicant is requesting a zone change from Agricultural/Forestry 20 (A/F-20) to Agricultural/Forestry 10 (A/F-10) on one (1) parcel consisting of approximately 20.73-acres. The project is located off Beare Road in Section 7, Township 54 North, Range 4 West, Boise-Meridian. The comprehensive plan designation is Ag/Forest Land (10-20 AC).

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### Applicable laws:

The following sections of BCRC, Title 12, apply to this project:

- BCRC 12-210 et seq, Title Amendments, Comprehensive Plan Amendments and Zone Changes
- BCRC 12-111: Purpose et seq, health, safety, and general welfare
- BCRC 12-320.1 – Zoning districts and map designation, purpose
- BCRC 12-320.2 – Zoning districts and map designations established
- BCRC 12-322 – Agricultural Forestry District
- BCRC 12-800 et seq., Definitions

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### Background:

#### A. Site data:

- Use: Vacant



- Unplatted
- Size: Approximately 20.73-acres
- Zone: Agricultural/Forestry 20 (A/F-20)
- Land Use: Ag/Forest Land (10-20 AC)

#### **B. Access:**

- The parcel is accessed from Beare Road and Rustic Way. Beare Road is a Bonner County owned and maintained public right of way. Rustic Way is a privately owned and maintained gravel easement along the eastern boundary of the subject parcel.

#### **C. Environmental factors:**

- The site does contain few mapped slopes of 0-30+%. (USGS)
- The site does contain mapped wetlands. (USFWS)
- The site does contain frontage on an unnamed intermittent stream. (NHD)
- The site is within SFHA Zone X per FIRM Panel Number 16017C1100E, Effective Date 11/18/2009.
- Soil Types:
  - i. Description: Vay-Ardtoo association, 35 to 65 percent slopes
  - ii. Type: Association
  - iii. Drainage: Well drained
  - iv. Classification: Not prime farmland
- Soil Types:
  - i. Description: Pend Oreille silt loam, 5 to 45 percent slopes
  - ii. Type: Consociation
  - iii. Drainage: Well drained
  - iv. Classification: Not prime farmland
- Soil Types:
  - i. Description: Rathdrum silt loam, 0 to 2 percent slopes
  - ii. Type: Consociation
  - iii. Drainage: Well drained
  - iv. Classification: Prime farmland

#### **D. Services:**

- Water: Individual well
- Sewage: Individual septic
- Fire: Spirit Lake Fire District
- Power: None.
- School District: West Bonner School District #83

#### **E. Comprehensive Plan, Zoning and Current Land Use**

<b>Compass</b>	<b>Comp Plan</b>	<b>Zoning</b>	<b>Current Land Use &amp; Density</b>
<b>Site</b>	Agricultural/Forestry	Agricultural/Forestry 20	Vacant – 20.73-acres
<b>North</b>	Agricultural/Forestry	Agricultural/Forestry 20	Residential – 20.464-acres Residential – 20.00-acres
<b>East</b>	Agricultural/Forestry	Agricultural/Forestry 20	Vacant – 21.996-acres

<b>South</b>	Agricultural/Forestry	Agricultural/Forestry 20	Vacant – 20.00-acres
<b>West</b>	Agricultural/Forestry	Agricultural/Forestry 20	Vacant – 20.00-acres

## **F. Standards review Bonner County Revised Code**

- **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 in accordance with the general and specific objectives of the comprehensive plan. For zone change proposals, the request shall be evaluated against chapter 12 subchapter 3.2 or as hereafter amended.

- **12-320.1: Zoning Districts and Map Designation, Purpose**

The purpose statements for each zone and map designation set forth in the following sections shall be used to guide the application of the zones and designations to all lands in unincorporated Bonner County. The purpose statements also shall guide interpretation and application of land use regulations within the zones and designations, and any changes to the range of permitted uses within each zone through amendments to this title.

- **12-320.2: Zoning Districts and Map Designations Established**

In accordance with the provisions of Idaho Code and the objectives set forth in this code, all land in the unincorporated areas of Bonner County is hereby classified according to the following zoning designations and zoning map symbols, which shall be applied as shown on the official zoning district map.

### **Comprehensive Plan Designation:**

#### **Ag/Forest Land:**

The agricultural/forestry district is established to provide for agricultural and forestry pursuits, including livestock production, forestry, horticulture, floriculture, viticulture, and necessary accessory uses for treating, storing and processing agricultural products. The purpose of the A/F district is to preserve, protect and maintain areas that are rural in character and the integrity of the forest/woodland areas where viable agricultural pursuits can be feasible and to avoid fragmentation of forests and farms.

### **Comprehensive Plan Analysis:**

#### **Property Rights**

**Goal:**

1. Protect property rights and enhance property values through conscientious land use planning that complies with state law relevant to all county land use actions.

**Objective:**

1. Private property should not be taken for public uses without just compensation or due process of law.
2. Impacts to other properties should be taken into account when considering land use proposals, policies and codes.

**Staff:** The application was routed to neighbors 300' from the property line, informing neighbors of the proposed zone change. As of the date of this report, Bonner County has received public comments.

**Population****Goal:**

1. Ensure that the impact of demographic changes including generational issues and economic diversity are identified and considered during planning activities and decisions

**Objective:**

1. Maintain current and projected county population estimates and utilize this information when making land use decisions.

**Staff:** Bonner County, according to 2022 population estimates census data, has seen a 9.1% increase in population since the 2020 census was performed; increasing from 47,105 to an estimated 51,414. With the increase in the population, there is upward pressure on housing availability in Bonner County, both in the unincorporated portion of the County, and in the incorporated cities. Approval of this proposal could provide additional opportunities for housing.

**School Facilities & Transportation****Goal:**

1. Preserve the county's commitment to and ability to provide quality education to the current and future students of Bonner County.

**Objective:**

1. Ensure that the proposed developments and county land use decisions do not adversely impact the local school districts and their ability to provide adequate school facilities and transportation systems.
2. The county should encourage school districts to proactively review development applications to determine particular school needs and concerns.
3. Bonner County roads, trails and bicycle paths should be designed and maintained to allow safe passage of students to schools.

4. Long-term consequences of land use proposals should be considered, including the adequacy of existing facilities and the siting of future schools.

**Staff:** The West Bonner School District #83 and West Bonner School Transportation that serves the property were notified of the proposed zone change. Neither organization provided a comment.

## **Economic Development**

### **Goal:**

1. Support and encourage economic development.

### **Objective:**

1. Support small businesses such as markets, restaurants, recreational activities, campgrounds, and marinas that provide services which support resort residents and visitors in their local communities.
2. Enable development of small-scale cottage industries and home-based occupations while protecting the surrounding areas from adverse impacts.
3. Policies regarding economic development activities should seek to mitigate the impacts of such factors as noise, light glare, odors, fumes and vibrations on the surrounding community.
4. Support local economic development by increasing support for outdoor recreation in Bonner County. Encourage and protect public access to public lands and water, campgrounds, and recreational areas.
5. Support local businesses by enabling development of workforce housing in proximity to commercial, industrial and agricultural uses.

**Staff:** The proposed zone change will not have any impact in terms of factors such as noise, light glare, odors, fumes and vibrations on the surrounding community as the parcel is vacant. The proposal is not in conflict with the above goal.

## **Land Use**

### **Goal:**

1. Bonner County intends to balance and integrate its land use policies and proposed land use map with the components of the comprehensive plan to enable the community to grow while retaining its rural character and protecting its unique natural resources.

### **Objective:**

1. Bonner County should develop and maintain a future land use map and land use codes that acknowledge and protect its agricultural, timber and mining lands, protects the water and wildlife resources, identifies and avoids hazard areas, provides areas for economic growth, encourages affordable housing and centers growth in areas where adequate public and private services can be provided.

2. Encourage clustered development for medium and large scale commercial and industrial uses.
3. Commercial and industrial uses should be located and operated in a manner to ensure the protection of our natural resources including clean air and water, dark skies, and overall environmental quality and rural character of Bonner County.

**Staff:** Within the general vicinity there are a number of parcel sizes, to included 5 acre, 10 acre, 20 acre, and larger. The proposed zone change from Agricultural/Forestry 20 (A/F-20) to Agricultural/Forestry 10 (A/F-10) is compatible with surrounding land uses as the parcel would remain designated as Agricultural/Forestry and be within the densities of the area. It would also retain its rural character as it would remain viable for Agricultural/Forestry pursuits.

## **Natural Resources**

### **Goal:**

1. Protect, enhance and maintain the County's natural resources such as air, water, forest, minerals, plants and wildlife for long-term benefits to the public.
2. Acknowledge and consider agency comments regarding natural resources.

### **Objective:**

1. Bonner County's system of lakes and waterways is one of its greatest assets, and Bonner County should strive to preserve both the quality and quantity of its water resources.
2. Bonner County values its productive agricultural lands and forests, mining lands, its fisheries, wildlife, wetlands and aquifer recharge areas and should provide measures to protect and maintain these natural features.
3. Bonner County should protect its water resources by requiring adequate sewer treatment systems based on soil, density, and intensity of use to reduce impacts to water resources.

**Staff:** Many public agencies were provided an opportunity to make comments on the applications. Impacts to natural resources were not identified by any agency. Bonner County Revised Code requires setbacks from natural resources such as streams, wetlands, and other waters.

## **Hazardous Areas**

### **Goal:**



1. Bonner County's system of lakes and waterways is one of its greatest assets, and Bonner County should strive to preserve both the quality and quantity of its water resources.
2. Bonner County values its productive agricultural lands and forests, mining lands, its fisheries, wildlife, wetlands and aquifer recharge areas and should provide measures to protect and maintain these natural features.
3. Bonner County should protect its water resources by requiring adequate sewer treatment systems based on soil, density, and intensity of use to reduce impacts to water resources.

**Objective:**

1. Bonner County intends to regulate the location and density of new development in floodplain to reduce the potential for the loss of lives and property within flood hazard areas.
2. Future development should be designed to reduce exposure to wildland fire and to provide for emergency and escape routes for residents.
3. Development within areas of excessive slopes, unstable areas and avalanche zones should be discouraged.

**Staff:** Potential damage to property or people due to soil erosion or avalanches are minimal as the project parcel is mostly flat on the eastern portion with a small portion of the property containing 30+% slopes on the western portion. The parcel is not located in a mapped floodplain or floodway. Furthermore, the property is afforded emergency services.

## **Public Services, Facilities & Utilities**

**Goal:**

1. Future development approvals should require adequate services and should not adversely impact the services or utilities of the utility provider.
2. Require adequate public services, facilities, and utilities in future development approvals.

**Objective:**

1. New development should be adequately served by fire protection, roads, sewer, schools, law enforcement, ambulance, power and emergency services, water and other public or private services.
2. Require the developers to provide infrastructure, utilities or financial support to offset the capital costs of expansion of services, required by the proposed development.
3. Bonner County shall require adequate provisions for future utility services in areas of commercial, industrial, residential or other similar uses.

**Staff:** Any future development to this parcel should not affect service as the parcels would be served by a private individual well and private individual septic systems. The parcel has public services, including electricity provided by Northern Lights, Inc., Bonner County EMS & Sheriff, and the Spirit Lake Fire District.

## **Transportation**

### **Goal:**

1. Provide a transportation system that is safe, uncongested, and well maintained.

### **Objective:**

1. Future development should not adversely impact the existing transportation system by reducing the quality or level of service or creating hazards or congestion.
2. Roads within new development should be built to county standards and at the expense of the developer.
3. Roads within new development should provide adequate access for fire and emergency vehicles as well as routes of escape.
4. Future access roads should be designed and built to integrate with the state and county system of roads without overburdening the transportation system.
5. To reduce transportation costs, road building and environmental impacts, cluster development should be encouraged.
6. Bonner County intends for certain intense land use developments to provide paved roads.
7. Bike ways and pedestrian paths should be considered in development plans to provide an integrated community transportation system wherever possible.
8. To communicate and work cooperatively with other jurisdictions within the county to ensure the best possible flow of traffic county-wide.

**Staff:** The applicant's property is bordered on the east by Beare Road and Rustic Way. Beare Road is a Bonner County owned and maintained public right of way. Rustic Way is a privately owned and maintained gravel easement. Bonner County Road & Bridge Department was routed on this proposed zone change. They did not provide any response. Spirit Lake Fire District was also routed and did not provide a response with respect to emergency vehicle access.

## **Recreation**

### **Goal:**

1. Protect and encourage public and private recreational opportunities as an important asset that supports a key segment of the County's economy.

### **Objective:**

1. Ensure public legal recreational access and amenities are not obstructed or adversely impacted by future development.

**Staff:** Re-zoning this property from Agricultural/Forestry 20 (A/F-20) to Agricultural/Forestry 10 (A/F-10) will not affect any existing recreational activities.

## **Special Areas or Sites**

### **Goal:**

1. To protect, preserve and maintain special areas and sites both natural and manmade in relation to land use.

### **Objective:**

1. Future developments should not adversely affect or destroy culturally or ecologically sensitive sites.

**Staff:** No cultural or ecologically sensitive sites have been identified by any public agency.

## **Housing**

### **Goal/Objective:**

1. Provide an environment that enables opportunities for diverse housing needs.

**Staff:** The application is consistent with the housing component of the comprehensive plan as the rezone may result in more opportunities for different housing options in Bonner County.

## **Community Design**

### **Goal:**

1. To enable a variety of lifestyles while maintaining the rural character in the future development of Bonner County.

### **Objective:**

1. New development should be located in areas with similar densities and compatible uses.
2. The adverse impacts of new development on adjacent areas should be minimized.
3. Consider the protection of natural resources, rural features and surrounding uses of the community in the design and location of new development.

**Staff:** Changing the zone of the property may result in increased density, but that increase in density will be compatible with the surrounding area. Additionally, there are other properties near the subject property that are already zoned either Agricultural/Forestry 10 (A/F-10) or Rural 10 (R-10). The property is maintaining the Agricultural/Forestry land use plan designation and, if the zone change is approved, uses will be similar to the Agricultural/Forestry 20 (A/F-20) currently allowed on the property.

## **Agriculture**

### **Goals/Objectives:**

1. Protect the rural character and agricultural heritage of Bonner County by retaining large and small-scale commercial agriculture and hobby farms as viable uses.
2. Support the local economy by encouraging production, distribution, and retail sales of locally grown food and other agricultural products.
3. Develop policies to discourage fragmentation of very large productive agricultural lands.

**Staff:** This proposal has the potential to create approximately one additional lot, if approved. The current comprehensive plan land use is Agricultural/Forestry and allows for small scale farming and forestry activities. This is not proposed to change.

## **G. Agency Review:**

Refer to Annex A for the complete list of agencies that were routed for comment.

### **The following agencies replied "No Comment":**

Spirit Lake Fire District  
Idaho Transportation Department  
Idaho Department of Fish and Game  
Kootenai-Ponderay Sewer District  
Idaho Department of Environmental Quality

**All other agencies did not reply.**

## **Public Notice & Comments**

Public comments were received at the time that this staff report was written.

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## **Staff Analysis:**

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## **Current Zoning:**

### **BCRC 12-322: AGRICULTURAL/FORESTRY DISTRICT (B-1, A/F-20):**

A. The agricultural/forestry district is established to provide for agricultural and forestry pursuits, including livestock production, forestry, horticulture, floriculture, viticulture, and necessary accessory uses for treating, storing and processing agricultural products. The purpose of the A/F district is to preserve, protect and maintain areas that are rural in character and the integrity of the forest/woodland areas where viable agricultural pursuits can be feasible and to avoid fragmentation of forests and farms. These purposes are accomplished by:

1. Establishing residential density limits and conservation development standards to retain areas sized for efficient farming.
2. Allowing for uses related to agricultural production and limiting nonagricultural uses to those compatible with agriculture, or requiring close proximity for the support of agriculture.

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

1. A/F-20 in all areas designated as prime ag/forest land in the comprehensive plan. The A/F-20 zone is also appropriate in areas designated ag/forest land in the comprehensive plan that also feature:

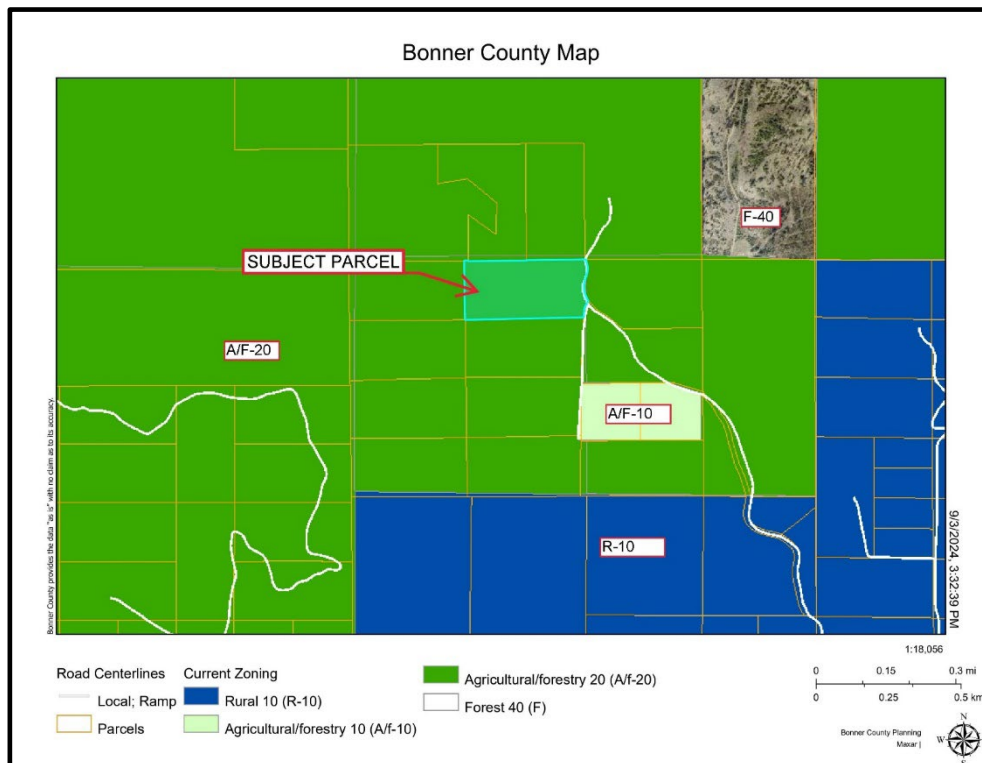
- a. Prime agricultural soils.
- b. Are characterized by agricultural or forestry uses.
- c. Areas where one or more of the following apply: limited services; characterized by slopes steeper than thirty percent (30%); where access may be absent or limited to substandard road systems or where large tracts of land may be devoted to ag/forest production.

### **Proposed Zoning:**

#### **BCRC 12-322: AGRICULTURAL/FORESTRY DISTRICT (B-2, A/F-10):**

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

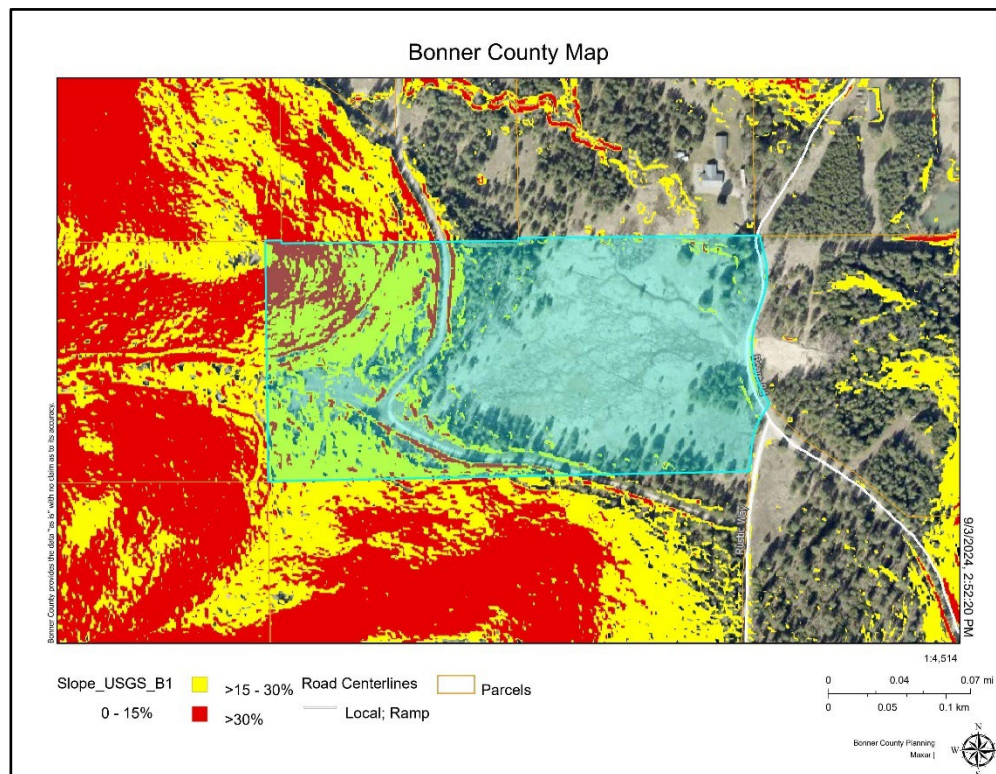
2. A/F-10 in areas designated as ag/forest land in the comprehensive plan that do not feature prime agricultural soils, but where agricultural and forestry pursuits remain viable. These areas may be within or adjacent to areas of city impact or where lands are afforded fire protection, access to standard roads and other services. (Ord. 501, 11-18-2008).



## Comparisons of the current zoning, A/F-20 to the proposed zoning, A/F-10

A/F-20 Standards	A/F-10 Standards
<ul style="list-style-type: none"> <li>• Characterized by slopes steeper than 30%</li> <li>• Characterized by prime agricultural/forestry land</li> <li>• Access may be absent or limited to substandard road systems roads</li> <li>• Contains large tracts of land devoted to ag/forest production</li> <li>• Limited access to public services</li> </ul>	<ul style="list-style-type: none"> <li>• Do not contain prime ag soils, but where ag/forestry pursuits remain viable</li> <li>• Within or adjacent to areas of city impact</li> <li>or</li> <li>• Afforded fire protection, access to standard roads and other services</li> </ul>

### Agricultural/Forestry 20 (A/F-20):



### Characterized by slopes steeper than 30%:

The parcel does contain slopes steeper than 30% (as shown as red below, see legend). The parcel has mostly areas of 0-15% grade (approximately 13.5-acres), and contains approximately 6.5-acres of areas with slopes that are approximately 15-30% grade or steeper. According to the land use portion of the comprehensive plan for density ranges, properties that are level to moderately slopes are appropriately sized to be 5-10 acres.

### Characterized by Agricultural or Forestry Uses:

According to Bonner County Assessor data, the parcel is not currently receiving any tax exemptions for timber or agricultural production.



**Access may be absent or limited to substandard road systems roads:**

Access to the parcels is by way of Beare Road and Rustic Way. Beare Road is a Bonner County owned and maintained gravel right of way. Rustic Way is a privately owned and maintained easement. Bonner County Road & Bridge Department did not comment on the construction and state of Beare Road, and no information was provided by the applicant to the Planning Department on the construction and state of Rustic Way.

**Contain limited access to public services:**

The parcel is not limited in terms of access to public services. Public services that are available for this parcel include: fire protection, emergency services and power.

**Large Tracts of land may be devoted to ag/forest production**

Within 1200 feet of this property, there are 19 properties. 11 of these properties, including the project site, are sized at 20-acres or larger; ranging from 20-80-acres. These larger parcels all appear to have the capability to be devoted to ag/forest production or are currently being used for ag/forest production.

**Agricultural/Forestry 10 (A/F-10):****Do not contain prime ag soils, but where ag/forestry pursuits remain viable:**

The parcel contains three types of soil: Pend Oreille silt loam, 5 to 45 percent slopes, Vay-Ardtoo association, 35 to 65 percent slopes, Rathdrum silt loam, 0 to 2 percent slopes. According to the Natural Resources component of the Bonner County Comprehensive Plan, Pend Oreille silt loam, 5 to 45 percent slopes (green), Vay-Ardtoo association, 35 to 65 percent slopes (blue) are considered "Not Prime Farmland"; these soils make up approximately 12-acres of the project site. Not Prime Farmland is considered as: "All other soil types not classified as Prime Farmland or Farmland of Statewide Importance are classified as Not-Prime Farmland", per the Natural Resources component of the Bonner County Comprehensive Plan.

Rathdrum silt loam, 0 to 2 percent slopes (magenta) are considered "All areas are prime farmland". Rathdrum silt loam is classified as "4e" when irrigated or not irrigated. "4e" classification is described as "Class IV (4) soils have very severe limitations that restrict the choice of plants, require very careful management, or both." And "Subclass e is made up of soils for which the susceptibility to erosion is the dominant problem or hazard affecting their use. Erosion susceptibility and past erosion damage are the major soil factors that affect soils in this subclass." (See soil map below).



**Within or adjacent to areas of city impact**

This property is not within an Area of City Impact. The parcel is located approximately 3.5-miles from the Spirit Lake Area of City Impact.

**Afforded fire protection:**

This property is located within the service area of the Spirit Lake Fire District. Additionally, this parcel is afforded other services including Bonner County EMS, Bonner County Sheriff, and have plans for an individual well and an individual septic system, if developed in the future.

**Access to standard roads and other services:**

Access to the parcels is by way of Beare Road and Rustic Way. Beare Road is a Bonner County owned and maintained gravel right of way. Rustic Way is a privately owned and maintained easement. Bonner County Road & Bridge Department did not comment on the construction and state of Beare Road, and no information was provided by the applicant to the Planning Department on the construction and state of Rustic Way.

**Planner's Initials:** AF

**Date:** October 16, 2024

**Zoning Commission Recommendation:** DENIAL

**Date:** September 19, 2024

**Vote:** 4-1

**Note:** The final decision rests with the governing body after the completion of the public hearing and consideration of all relevant oral and written testimony and evidence.

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## Zone Change - Motion by the Governing Body:

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### BOARD OF COUNTY COMMISSIONERS

**MOTION TO APPROVE:** I move to approve this project, FILE ZC0009-24, requesting a zone change from Agricultural/Forestry-20 to Agricultural/Forestry-10, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following conclusions of law, and based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. I further move to adopt the findings of fact and conclusions of law as set forth in the Staff Report (or as amended during the hearing) and direct planning staff to draft written findings and conclusions to reflect this motion, have the Chairman sign, and transmit to all interested parties. This action does not result in a taking of private property.

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### Zone Change Conclusions of Law:

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**Based upon the findings of fact, the following conclusions of law are adopted:**

#### Conclusion 1

The proposal **is/is not** in accord with the elements of the Bonner County Comprehensive Plan.

#### Conclusion 2

This proposal was reviewed for compliance with Title 12, Bonner County Revised Code, and **was/was not** found to be in compliance.

#### Conclusion 3

The proposal **is/is not** in accord with the purpose of the Agricultural/Forestry-10 zoning district, provided at Chapter 3, Title 12, Bonner County Revised Code.

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### Zone Change Findings of Fact

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1. The parcel contains very few mapped slopes that range from 15-30+% grade. Therefore, the parcel is not characterized by slopes steeper than 30%.
2. The parcel has a Comprehensive Land Use designation of Ag/Forest Land (10-20 acres).
3. The parcel contains three types of soils: Pend Oreille silt loam, 5 to 45 percent slopes, Vay-Ardtoo association, 35 to 65 percent slopes, Rathdrum silt loam, 0 to 2 percent slopes. Pend Oreille silt loam, 5 to 45 percent slopes, Vay-Ardtoo association, 35 to 65 percent slopes are considered "non-prime farmland". Rathdrum silt loam, 0 to 2 percent slopes is considered "prime farmland". Rathdrum silt loam is classified as "4e" when irrigated or not irrigated. "4e" classification is described as "Class IV (4) soils have very severe limitations that restrict the choice of plants, require very careful management, or both." And "Subclass e is made up of soils for which the susceptibility to erosion is the dominant problem or hazard affecting their use. Erosion susceptibility and past erosion damage are the major soil factors that affect soils in this subclass."

4. The parcel is accessed via Beare Road, a Bonner County owned and maintained public right-of-way and by Rustic Way, a privately owned and maintained easement.
5. Services are provided by Spirit Lake Fire District, Bonner County EMS, and Bonner County Sheriff. Individual wells and septic systems would serve the property if it is ever developed.
6. The parcel is approximately 3 miles from the Area of City Impact of Spirit Lake.
7. The parcel does contain a mapped wetland.
8. The parcel is located within FEMA Special Flood Hazard Area X.

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**Zone Change Ordinance Motion: Roll Call Vote**

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I move to approve an Ordinance of Bonner County, Idaho, the number to be assigned, citing its authority, and providing for the amendment of the Official Zoning Map of Bonner County by the classification of lands located in Section 7, Township 54 North, Range 4 West, Boise Meridian, Bonner County, Idaho to Agricultural/Forestry 10, and providing for an effective date.

### **BOARD OF COUNTY COMMISSIONERS**

**MOTION TO DENY:** I move to deny this project, FILE ZC0009-24, requesting a zone change from Agricultural/Forestry-20 to Agricultural/Forestry-10, based upon the following conclusions: [REFER TO FOLLOWING CONCLUSIONS OF LAW AND SPECIFY WHICH CONCLUSIONS THE PROJECT MEETS AND FAILS TO MEET]. The decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. I further move to adopt the findings of fact and conclusions of law as set forth in the Staff Report as amended during the hearing and direct planning staff to draft written findings and conclusions to reflect this motion, have the Chairman sign, and transmit to all interested parties. This action does not result in a taking of private property. The actions that could be taken are:

- 1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
- 2) Pursue such remedies as may be applicable at Title 67, Chapter 65, Idaho Code.

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The complete file is available for review in the Planning Department, 1500 Highway 2, Suite #208, Sandpoint, ID. Staff reports are available online prior to the scheduled hearing at [www.bonnercountyid.gov](http://www.bonnercountyid.gov) Bonner County Revised Code (BCRC) is available at the Planning Department or online.

## **ANNEX A-LIST OF AGENCIES AND TAXING DISTRICTS ROUTED**

## **RECORD OF MAILING**

**Page 1 of 1**

**File No.: ZC0009-24**

**Record of Mailing Approved By:**



I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **24th** day of **September, 2024**.



Jessica Montgomery, Hearing Coordinator

Assessor - Email

Bay Drive Recreation District - Email

Bonner County Airport Manager - Email

Bonner County EMS - Email

Bonner County Road & Bridge - Email

Bottle Bay Water & Sewer District - Email

City of Dover - Email

City of Hope - Email

City of Oldtown - Email

City of Priest River - Email

City of Spirit Lake - Email

Coolin-Cavanaugh Bay Fire District - Email

East Bonner Library - Email

Ellisport Bay Sewer - Email

GEM STATE MINER - U.S. Mail

Idaho Department of Environmental Quality (DEQ) - Email

Idaho Department of Lands - CDA - U.S. Mail

Idaho Department of Lands - Navigable Waters & Mining - Email

Idaho Department of Water Resources - IDWR - Email

Idaho Transportation Department- District I - Email

Kalispel Bay Sewer & Water - U.S. Mail

KPBX-FM 91 SPOKANE PUBLIC RADIO - U.S. Mail

Laclede Water District - Email

Lake Pend Oreille School District, #84 (Transportation) - Email

Little Blacktail Ranch Water Association - U.S. Mail

Northern Lights, Inc. - Email

Northside Fire District - Email

Panhandle Health District - Email

Priest Lake Public Library District - Email

Sagle Valley Water & Sewer - Email

Schweitzer Fire District - Email

Selkirk Fire, Rescue & EMS - Email

Southside Water & Sewer District - Email

Spokesman-Review - U.S. Mail

Swan Shores Sewer District - U.S. Mail

Tamarack Village Water & Sewer - U.S. Mail

Trestle Creek Sewer District - Email

U.S. Fish & Wildlife Service - Email

Avista Utilities - Email

Bayview Water & Sewer - Email

BONNER COUNTY DAILY BEE - U.S. Mail

Bonner County Floodplain Review - Email

Bonner County Sheriff - Email

City of Clark Fork - Email

City of East Hope - Email

City of Kootenai - Email

City of Ponderay - Email

City of Sandpoint - Email

Coolin Sewer District - Email

Drainage District #7 - Email

East Priest Lake Fire District - Email

Garfield Bay Water & Sewer District - Email

Granite Reeder Water & Sewer District - Email

Idaho Department of Fish & Game - Email

Idaho Department of Lands - Coolin - Email

Idaho Department of Lands - Sandpoint - Email

Idaho Transportation Department (Aeronautics) - U.S. Mail

Independent Highway District - Email

Kootenai-Ponderay Sewer District - Email

KSPT-KPND-KIBR RADIO - U.S. Mail

Lake Pend Oreille School District, #84 (Admin Office) - Email

Lakeland Joint School District, #272 - Email

North of the Narrows Fire District - Email

Northland/Vyve Cable Television - Email

Outlet Bay Sewer District - Email

Pend Oreille Hospital District - Email

Priest Lake Translator District - Email

Sam Owen Fire District - Email

SELKIRK ASSOCIATION OF REALTORS - U.S. Mail

Selkirk Recreation District - Email

Spirit Lake Fire District - Email

State Historical Society - Email

Syringa Heights Water Association - Email

Timber Lake Fire District - Email

U.S. Army Corps of Engineers - Email

U.S. Forest Service - U.S. Mail