

Bonner County Planning Department

"Protecting property rights and enhancing property value"

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BONNER COUNTY COMPREHENSIVE PLAN

GOALS, OBJECTIVES AND POLICIES:

RECOMMENDED UPDATES – SEPTEMBER 20, 2022

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Notes:

1. This document contains the recommended updates to the Goals, Objectives and Policies of the existing Comprehensive Plan by the Bonner County Planning Commission. The language in **red** is suggested as additions and the words in ~~black and strike through~~ are proposed to be deleted.
2. Summary notes from the Commission's Discussions in each section are only a short summary of their discussion during several workshops. The actual discussions can be followed on the YouTube recordings of the Bonner County Planning Commission's workshops and hearings.

PROPERTY RIGHTS

GOAL:

- ~~The issue of property rights is a “two-way street” and the property rights of the applicant, adjoining landowners and future generations shall be considered, as well as the short-term consequences of decisions.~~
- **Protect property rights and enhance property values through conscientious land-use planning that complies with state law relevant to all county land use actions.**

OBJECTIVES:

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

POLICIES:

- Bonner County ~~shall consider~~ **will follow** the attorney general’s checklist, proscribed at Idaho Code §67-8003 and provided in the “Property Rights” component of the county’s comprehensive plan, for all land use decisions.
- ~~For all land use applications, specific findings shall be adopted and conclusions reached reflecting that the governing body’s decision has not resulted in a takings.~~
- ~~Decisions shall~~ **For all land use decisions, findings of fact and conclusions of law will be adopted that** reflect the justifications for exactions, conditions and restrictions and shall confirm that a taking of private property has not occurred.
- **The property rights of the applicant, adjoining and nearby landowners and future generations will be considered, as well as the short-term and long-term consequences of decisions.**
- **Avoid reductions in land use intensity (called “down-zoning”) in any County initiated zoning map or development code text amendments, unless there is a clear useful and significant public purpose which is not unduly oppressive to the landowner.**
- **Avoid increases in land use intensity (called “up-zoning”) via zoning map or land use designation text amendments unless such a change is required to address a clear, useful and significant public purpose or denial would be unduly oppressive**

to the landowner.

SUMMARY NOTES FROM THE COMMISSION'S DISCUSSION:

- Ambiguity in the phrase "two-way street". The following sentence is really the crux of the matter - The property rights of the applicant, adjoining landowners and future generations shall be considered, as well as the short-term consequences of decisions.
- The Attorney General has established a process and a checklist for the local governments to make sure unconstitutional takings does not occur through any land use regulations or actions.
- An analysis of regulatory takings must follow the attorney general's checklist to ensure that a takings has not occurred. Consider is a weak word. "Shall follow" makes it necessary to follow the checklist.
- An analysis of regulatory takings must follow the attorney general's checklist to ensure that a takings has not occurred. Consider is a weak word. "Shall follow" makes it necessary to follow the checklist.
- Each land use file should be evaluated against the Attorney General's checklist to ensure that a taking has not occurred.
- "Avoid reductions in land use intensity (called "down-zoning") in any County initiated zoning map or development code text amendments, with the exceptions being a property owner's voluntary agreement to a change, or if there is a clear useful and significant public purpose." – This is perhaps better suited to land use section.

Bonner County is not starting with a clear slate. Investments, plans, and expectations have been made on existing zoning designations. Without a clear and significant public purpose, as it relates to health, safety, and general welfare, those current property rights should not be infringed.

Discussion on practical application of this.

- A potential addition of public engagement component. Noticing requirements for land use files can also be addressed in the implementation section of the Comprehensive Plan.
- "Protect property rights and enhance property values through conscientious land-use planning that complies with state law relevant to all county land use actions."
– Better worded and specific to land use.

POPULATION:

GOAL:

- ~~Multi-generational, multi-economic diversity shall be encouraged within Bonner County.~~
- Ensure the impact of demographic changes including generational issues and economic diversity, are identified and considered during planning activities and decisions.

OBJECTIVES:

- ~~Bonner County shall keep current with county census data, population estimates and projections and shall use the data to analyze community needs and project impacts.~~
- Maintain current and projected county population estimates and utilize this information when making land use decisions.

POLICIES:

- Population projections ~~shall~~ will be analyzed ~~annually~~ regularly to determine if changes need to be made to the Comprehensive Plan goals, objectives and policies and/or the Zoning Ordinance to ensure that the public and community needs are being met through land use decisions.
- Population forecasts and census data ~~shall~~ will be used to evaluate housing and school needs, and impacts to the transportation system and other county services impacts.
- Bonner County ~~shall~~ will cooperate with its incorporated cities and neighboring counties to address growth challenges ~~on a regional scale~~ within the ACI areas and coordinate planning efforts whenever possible.

SUMMARY NOTES FROM THE COMMISSION'S DISCUSSION:

- The first goal "Multi-generational, multi-economic diversity shall be encouraged within Bonner County" does not seem to be related to land use nor is it promoted through any of the objectives or policies of the Comprehensive Plan. Therefore, it's been deleted.
- Population increases or decreases impact services. While the county does not control any services, existing services in the county are taken into consideration

to allow population density in an area.

- While census data is useful for a broad perspective, data and numbers from the Planning Department such as number of Building Permits/ Building Location Permits, number of Vacation Rental Permits and other such data will be more useful as an indicator of the local conditions and of the static and transient county population.
- On a regular basis, evaluation of current population and forecasted population should be used to check if any land use policies need to be updated to accommodate the changes in the population.
- Services is understood to mean all public and private services that the landowner doesn't provide themselves but do use them.
- Comp Plan policies and the zoning code should change to drive changes in the land use decisions.
- Policies should align with the goals and should take the goal further.
- A lot of data about Building Location Permits can be mined from the Planning Department itself.
- Suggestion to analyze population regularly or at least five years will not result in a land use regulation that would require to the applicants to produce those results. This suggestion is aimed more at the County their role in implementation of this. This could be perhaps be better addressed in another component.

SCHOOL FACILITIES AND TRANSPORTATION:

GOAL:

- ~~Full consideration shall be given to the county's ability to provide quality education to the current and future students of Bonner County.~~
- Preserve the county's commitment to and ability to provide quality education to the current and future students of Bonner County.

OBJECTIVES:

- Ensure that the proposed developments and county land use decisions shall do not adversely impact the local school districts and their ability to provide adequate school facilities and transportation systems.
- The county should involve school districts in proactive reviews of development applications to determine particularized school needs and concerns.
- Bonner County roads, trails and bicycle paths should be designed and maintained to allow safe passage of students to schools.
- Long-term consequences of land use proposals should be considered, including the adequacy of existing facilities and the siting of future schools.

POLICIES:

- ~~The county shall keep current with school capacity and transportation issues associated with growth and development.~~
- Current data regarding school capacity and transportation issues associated with driven by population changes, development and demographic changes in Bonner County, will be included in the assessment of all land use proposals.
- ~~The county shall involve school districts in proactive reviews of development applications to determine particularized school needs and concerns.~~
- ~~School bus, walking and bicycling routes shall be considered when making land use decisions.~~
- ~~Bonner County shall consider and promote higher education needs.~~
- Bonner County shall will examine the impacts of land use proposals to the school system by land use proposals and shall will seek mitigation from the developers

by **such as** providing facilities, safety features, fees or other measures as permitted by Idaho Code, relative to **address** the impact of the proposals.

- ~~Long term consequences of proposals shall be considered, including the adequacy of existing facilities and the siting of future schools.~~

SUMMARY NOTES FROM THE COMMISSION'S DISCUSSION:

- Bonner County should execute land use policies that allow technology advances to benefit local schools, encourage the building information technology infrastructure and coordinate location of facilities with other service providers and affected agencies. – No relation to land use.
- The County already does include all school districts in proactive reviews of the land use applications.
- In discussions with East Bonner County School District, the district said that it's unlikely that this development will ever tip over the school system
- The schools are currently funded through state and federal money. Currently Idaho Code, does not allow schools to collect impact fee.
- During the update of the 2005 Comprehensive Plan, was there an analysis of the school capacity to come up with regulations that may indicate if an area "must remain in 5-acre zoning?"
- A comment was once received from a School District where they said that any increase in the number of students could be handled through addition of portable classrooms and more could be added if needed. That's how it has been done historically and the schools have the funds to add portable classrooms.
- Some schools may have some old and failing infrastructure. That is an infrastructure issue, not a land use issue. Population has no impact on the age of the schools' infrastructure and therefore an issue that cannot be solved by land use regulations.
- All schools districts have their capacity and projection plans as well as facilities plans resulting in levies.
- Clustering has never been a popular option in the County. It doesn't seem to meet the objective and seems counter-productive, other than that clustering will help manage transportation better.
- Clustering is more appropriate in the housing section.

- Both East and West Bonner County Districts relayed some issues in the area of transportation. The school districts often get complains from the parents of the students – why don't school buses come up the road? If the roads are private with no turn-arounds, the buses can't go there. That results in parents taking the kids down to the public road or driving them to the school altogether.
- Road standards could address trails and bicycle paths to allow safe passage of students to schools.
- It is not clear why school districts would not provide stops on private roads. Each district has a map that show which roads are provided school bus services on.
- Road design should take care of turnarounds at dead-end streets for school buses can turn around. Public road standards already address that.
- During the 2005 comprehensive plan, trails was a big issue. There was also a lot of push-back from the rural community regarding not wanting to have trails on their property. It was still put in this section as a good idea.
- How many subdivisions have had an internal walking system to bring the kids to a central point? Very few. There is a possible liability in requiring the developers to build pathways and trails in the subdivisions. Non-compliance to ADA standards could open the county up to lawsuits. ADA standards are federally applicable.
- Bonner County roads, trails and bicycle paths should be designed and maintained to allow safe passage of students to schools. – This needs to be revisited for more discussion and possibly being addressed in the transportation section.
- Bonner County land use decisions and ordinances should not adversely impact local schools and their ability to provide adequate school facilities and transportation systems. – This policy requires a lot of review and further work.
- The County should keep current with data regarding school capacity and transportation issues associated with population changes, development and demographic changes in Bonner County – It is supposed to be in the text of the component as the analysis. Not sure if it useful as a policy.
- Schools comment on inadequate sized playfields. Does that result in a land use regulation? For instance, could developers around the school be required/encouraged to dedicate some acre of land to the school when they develop?
- The County should examine impacts of land use proposals to school systems and should seek mitigation from the developers to provide facilities, safety features,

or other measures as permitted by Idaho Code.

School districts have never commented on any development in a way that says that if such and such development happened, it would overburden the system. Schools are funded by school fees and have multiple other ways of dealing with such issues. Those ways would not result in a land use regulation.

This policy will likely be applicable to only big development projects – say where a developer wants to come in put five thousand homes in. Leaving this policy in as a contingency for such projects.

- Bonner County should work to continually improve road quality and suitability for school student transportation needs – Not a school policy, it’s a transportation policy. In any case, it would not result in a land use regulation. Needs to be removed.
- Bonner County should encourage multiple uses of school facilities, coordinate information, integrate land uses, avoid hazards, consider impact of school enrollments when rezoning and advocate for safe, accessible schools. Schools should be encouraged to be focal points of community activities, especially in rural areas. Community policy, not a land use policy.
- Bonner County should promote post-secondary, vocational and continuing education needs. Not a land use policy.
- Bonner County should advocate for educational programs on safe routes and other safety issues. Not a land use policy.

ADDITIONAL COMMENTS/ POINTS FOR FURTHER DISCUSSION:

- School district(s) information; possible discussion with superintendents?
- Review: Lakeland school district in BC - Timberlake elementary 343 students; talk with district or school staff; get best map available - any within Blanchard area?; page 8 Table 3 shows school populations; dissect the effectiveness of the issues and policies and action plan - are these really achievable and probable?; most of the action items are not related to land use rather to general philosophy and stances BC could take in the broader community;
- Apparently, the Lakeland School District issue is off the table. 5/16/22 correct, Lakeland is no longer serving any Bonner County residents
- Still need updated classroom adequacy and enrolment estimates from the districts.

- We do need to have a frank discussion with both districts about adequacy of facilities for the next five(or more?) years and more on the adequacy of bus routes and extension of MLD "roads" into the woods and getting kids to and from the bus.
- We should get from the districts some sense/numbers of students that ride the bus versus parental transport to and from the elementary schools. Middle and High School numbers also would reveal the pressure on the districts but not sure to what end analytically and toward establishing goals.

WILL THE KNOWLEDGE OF TRENDS IN SCHOOL POPULATION AND DISTRIBUTION OR THE NEEDS OF SCHOOL TRANSPORTATION RESULT IN LAND USE REGULATIONS OR ACTIONS? HOW?

The overall question remains, Tom Albertson, Lake Pend Oreille School District outgoing superintendent, says the school population forecasts don't warrant any impact fee type mitigation. Busing is an issue with long rides and early morning hours but what land use regulation or action can come from it?

ECONOMIC DEVELOPMENT:

GOALS

- ~~• Bonner County shall encourage economic diversity for the financial health of the community and maintenance of its rural atmosphere.~~
- Support and encourage economic development.

OBJECTIVES:

- ~~• Bonner County shall provide areas for the growth of businesses, professional and technical services without adversely impacting the integrity of residential neighborhoods.~~
- ~~• Future commercial and industrial developments shall provide adequate public/private services and access to suitable transportation systems.~~
- ~~• Commercial and industrial areas shall be located in defined areas which encourage clustered development and discourage sprawl and strip development.~~
- ~~• Bonner County's highway systems shall be viewed primarily as transportation corridors for the efficient flow of traffic and shall not be viewed merely as frontage roads for commercial development.~~
- ~~• Bonner County shall consider the impact of commercial and industrial development on natural resources.~~
- Encourage clustered development for medium and large scale commercial and industrial uses.
- 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.
- 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.
- Enable development of small scale cottage industries and home based occupations while protecting the surrounding areas from adverse impacts.
- 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.

- 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.
- Support local businesses by enabling development of workforce housing in proximity to commercial, industrial and agricultural uses.

POLICIES:

- ~~Land use codes should be reviewed and revised to permit home occupations while still protecting the residential nature of neighborhoods.~~
- ~~Neighborhood commercial areas to serve the rural and tourist needs should be encouraged, where transportation and infrastructure is adequate and residential neighborhoods are not unduly impacted.~~
- ~~Low impact and light industrial uses should be encouraged to provide a stable economic base while avoiding environmental impacts.~~
- ~~Historic commercial developments serving rural neighborhoods should be recognized.~~
- ~~Historic natural resource based industries such as mining, timber production, woodworking plants and agri-business are recognized as viable components of Bonner County's economic health and shall be retained and encouraged to develop.~~
- ~~Landscaping and buffering standards should be developed to retain the rural character of the community.~~
- ~~The design and location of future commercial and industrial development shall not impede the flow of traffic on the state and county highway systems. Frontage roads shall be developed whenever possible to ensure free flowing traffic.~~
- ~~The art community is recognized as an important economic factor in the community and should be encouraged to develop while avoiding adverse impacts to residential neighborhoods.~~
- ~~Designated scenic byways and their natural views shall be preserved and protected when considering commercial and industrial development.~~
- ~~Bonner County supports the development of industrial, commercial and rural service areas in locations where services and transportation networks are readily~~

~~available and it will work to develop business and industrial parks where land use designations and services have been pre-planned.~~

- Commercial and industrial uses will be unconditionally permitted only in areas identified in the Comprehensive Plan as being suitable for such development. Evaluation of suitability shall be based on availability of urban services, adequate access to hard surfaced publicly maintained roads and other factors that may impact the surrounding community.
- Commercial and industrial uses may be conditionally permitted in areas not identified for such uses in the Comprehensive Plan if a critical review of the proposed use determines that with appropriate conditions the use will not adversely impact the surrounding area.
- Small scale cottage businesses and home occupations will be allowed in all areas of the county. Reasonable conditions on such uses will be set to minimize adverse impacts to the neighborhood based on factors including, but not limited to, hours of operation and traffic volume generated by the business.
- Develop land use regulations to allow Bonner County's agricultural heritage to be maintained by enabling local food production, distribution, congregation, and retail sales. Examples include community gardens, school gardens, farm related education programs, farmers or public markets, and other small-scale, collaborative initiatives.
- Develop standards for commercial and industrial development that are appropriate for the surrounding community, including: appropriate site sizes, use types, buffering and design standards that encourage both attractive and efficient function, while protecting the environment.
- Review and update land use regulations for employee housing to support the goal of enabling this use in proximity to commercial, industrial and agricultural uses.

SUMMARY NOTES FROM THE COMMISSION'S DISCUSSION:

- Some of the common themes that emerged during the preliminary review of the existing comprehensive plan and the sub-area plans were:
 - Encourage economic development while protecting the rural character and natural resources of the county.
 - Encourage/allow home based businesses while protecting neighborhoods from impact of same.
 - Encourage/protect agricultural economy of the county. This could potentially be a part of the agricultural section instead of Economic

Development.

- Locate commercial/industrial uses in defined areas that are well supported by transportation infrastructure, urban services, etc.
 - Enable/encourage land use that supports the county's outdoor recreation segment.
- Promote a healthy and diverse economy... - Not a goal or a policy that is related to land use.
 - Uses beyond the scope of home occupations should be located in defined commercial and industrial areas.
 - Strip development – Hasn't been defined in code. It's a group of properties like a commercial subdivision such as Sagle Center. It is not a strip development but similar to it.
 - The idea is to concentrate commercial and industrial development along United States Highway 95. How a commercial or an industrial building is designed is less of an issue, the bigger concern is the location of such uses.
 - 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 – The intent here was to address some specific areas like Schweitzer, Garfield Bay, Bottle Bay, some areas in Coolin or other areas that are predominantly identified as recreation areas.

It makes sense to be located in the Economic Development Section.

- Small cottage industries need to be defined in terms of the number of employees, number of customer visits per day, etc. to differentiate between home occupations and cottage industries located in non-commercial and non-industrial areas.
- Does an aggregation of several home occupations or small cottage industries lead to development of area that is similar to commercial/ industrial in nature? In that case, the first person to request a home occupation/small cottage industry may be granted the request. Going forward, when home occupations/ small cottage industries start to accumulate in an area, how could the last person in that requesting another home occupation permit be denied that use when other members of his community have been permitted to do the same? The land use regulations cannot be different for different individuals just because someone is the last person to request a home occupation in an area.

In such an instance the Commission should revisit the code to see if updates are required to the code to redefine that particular area as commercial.

- Discussions regarding small cottage industries need to be revisited.
- The type of review of these uses will be dependent on the intensity of the use – Board review, Planning/Zoning Commission review or administrative review.
- Policies regarding economic development activities shall seek to mitigate the impacts of such factors as noise, light glare... might be redundant with the third goal above - Commercial and industrial uses shall be located and operated in a manner to ensure the protection of our natural resources including clean air & water.... Eventually those two goals/objectives could be combined into one.
- It is to be recognized that outdoor recreation is a significant component of the County's economy. We want to encourage it to grow.
- Preservation of existing public access is encouraged. But pursuing or requiring future potential development to provide public access across their development is can result in severe legal actions. If new public access is pursued and required without just compensation, that may result in a taking.
- Workforce housing is a big issue and needs to be addressed, especially in areas like Schweitzer. This is required to support local businesses. This may require allowing workforce housing in more zones than already permitted in the zoning ordinance today.
- Commercial and industrial uses shall be unconditionally permitted only in areas identified in the Comprehensive Plan as being suitable for such development. Evaluation of suitability shall be based on availability of urban services, adequate access to hard surfaced publicly maintained roads and other factors that may impact the surrounding community.

In this context, urban services are defined as community water and community sewer.

Commercial and industrial uses that don't have urban services and have not been identified for such uses may be permitted conditionally.

On the other hand, there are areas in the County that are adjacent to highways that are suitable for Commercial and Industrial zones that don't yet have urban services but are suitably located to developed as such. Limiting commercial and industrial uses with availability of urban services will severely limit the opportunity of such areas to grow.

Imposing restrictions such as Conditional Use Permits on Commercial and Industrial uses in Commercial and Industrial zoned areas will make it difficult for

the development to come in those areas.

There is very limited land for commercial and industrial areas in the County. The county seems to have lost many businesses over years that wanted to come in but couldn't due to limited areas designed for that. The County could certainly use those businesses coming in and use the tax base generated from those businesses.

This goal/objectives needs to be revisited.

- Foster agricultural opportunities by protecting agricultural practices and activities.

This policy was in reference to Right to Farm Act. It seems to be a laudable goal but how is it implemented? How does it get implemented short of public subsidizing farming? If someone is interested in selling their property because they can't sustain farming due to low income generation, are we supposed to say that they have to maintain agricultural possibilities? Federal government does that all the time – they sell those lands too, but for a loss.

This policy needs to be removed from here.

The sub-area plan that refers to this was envisioning a policy that prevents farmers from doing what they do.

- Support Bonner County's agricultural heritage by enabling local food production, distribution, congregation (?), and retail sales. Congregation here is understood to mean grouping agricultural/ farming lands together.

Many agricultural related activities such agricultural direct marketing are permitted as Conditional Uses and not permitted by right because uses that require increase in traffic due to customers coming to the site require higher standards.

- Develop standards for commercial and industrial development that are appropriate for the surrounding community, including: appropriate site sizes, use types, buffering and design standards that encourage both attractive and efficient function, while protecting the environment.

These standards have already been addressed in the current land use regulations.

LAND USE:

GOALS:

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

OBJECTIVES:

- Bonner County will develop and maintain a future land use map and land use codes that acknowledges and protects the values of its agricultural, and 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.

SUMMARY NOTES FROM THE COMMISSION'S DISCUSSION:

- As other components have been discussed, there aren't many goals, objectives or policies here, which is a bit of a surprise because it is the operative component. The other components inform this component with checks, balances and pressures and good ideas to look into and so forth.
- The current goals and objectives seem to be inconsistent with the other components. Therefore, there is a need to look at the language of the component itself, specifically the land use designations and their descriptions, the land use designation table which currently guide the applications for Comprehensive Plan Map amendments.
- The text of the land use component picks up language from other components and starts reiterating the objectives and policies from the other components but they have not been translated to the goals, objectives and policies of this component.
- This is an issue with the current comprehensive plan, where the operative section was supposed to be the goals, objectives and policies. This was, however, not true for the land use component where the operation part has been stated in the text of the component and not the goals, objectives and policies.
- On the other hand, the current goals is short and concise. Since the land use section is informed by other components, should the goals, objectives and policies

of other sections be reiterated in this section?

- In a way the land use descriptions really are in effect the policies of the land use section. The land use designations and their descriptions need to be updated because the current zoning designations don't completely align with the zoning descriptions in the current zoning ordinance. The descriptions of land designations are the crux of the whole thing.
- There is a certainly a need to address the text of this component, however, like all other components, this should be updated once the text of all other components has been updated.
- The current goal is stated in such way there is nothing to disagree with. It seems like an attempt to summarize the goals, objectives and policies of all the other components. These goals and objectives, however, may not be very useful in the long run or how these goal and objectives could be administered down the road.
- This section needs to incorporate a policy that guides the zoning ordinance to say that applications for Comprehensive Plan Map amendment should be reviewed against the land use descriptions and the comprehensive plan map.
- In the verbiage "Bonner County will develop...", how often does Bonner County develop a future land use map? It is maintained but it's not necessarily developed.
- The future land use map is a vision of what an area should look like in the future. It doesn't necessarily need to reflect what's on the ground right now. But other land use actions such as zone changes etc. are a tool to move towards that vision. For instance, if there is a need for industrial area, some land may be designated as Transition in area where it's needed and appropriate, even if it is not currently zoned as Industrial. Then it's up to the landowners or even the County to bring that change about over time.
- In terms of format, numbering and cross-referencing of goals, objectives and policies should be looked at. An example would be the City of Driggs comprehensive plan.

NATURAL RESOURCES:

GOALS:

- ~~• Bonner County places a high value on its natural resources and amenities and desires to protect these features that make the county unique place to live, work and play. The county recognizes that natural resources, such as pure water, clean air and diverse wildlife, are important to preserve and once lost, they may not be recovered. Bonner County will strive to manage its natural resources to attain the greatest long term public benefit.~~
- **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.**

OBJECTIVES:

- Bonner County's system of lakes and waterways is one of its greatest assets, and Bonner County will strive to preserve both the quality and quantity of its water resources.
- Bonner County values its productive agricultural lands and forests, **mining lands**, its fisheries, wildlife, ~~and~~ **wetlands and aquifer recharge areas** and will provide measures to protect and maintain these natural features.
- Bonner County will protect its water resources by requiring adequate sewer treatment systems based on soil, density, and intensity of use to reduce impacts to water resources.
- ~~• Bonner County intends to consider wetlands and aquifer recharge areas in the location and density of future development.~~
- ~~• Bonner County intends to maintain or enhance its fish and wildlife resource.~~

POLICIES:

- ~~• Bonner County in cooperation with affected municipalities shall seek grants and funding for aquifer and watershed studies. Watershed and wellhead protection standards shall be employed in future land use codes to protect water quality. Individual development proposals shall be examined for their ability to preserve water quality. **Watershed standards will be employed in land use codes to protect water quality.**~~
- Best management practices for waterway setbacks, ~~and~~ earth-moving activities and road construction ~~should~~ **will** be instituted to reduce erosion and

sedimentation into waterways.

- ~~Goals of sustaining natural resources should be measured for long-term benefits.~~
- Development standards ~~should~~ **will** be designed to encourage clustered development **resulting in** ~~and~~ the preservation of open space and wildlife habitat.
- Bonner County will recognize its critical wildlife habitat and create zoning districts and standards to protect these areas and mitigate development impacts to these habitats.
- ~~Proximity of development to waterways and the ability to protect water quality from development impacts shall be examined when developing future zoning maps, land use standards and individual applications.~~ **Protect water quality by creating standards for development in close proximity to shorelines.**
- Productive farmland, ~~and~~ timberland **and mining lands** ~~shall~~ **will** be identified and protected from adverse effects of adjoining developments.
- ~~Bonner County recognizes voluntary conservation easements, land trusts and other private and public land conservation programs are important tools to preserve open space and productive forest and farm lands and to protect sensitive areas such as wetlands, floodplains, or critical wildlife habitat. Because Bonner County recognizes the public benefits to the private and public programs, it will provide avenues and incentives for land conservation through its land use ordinances.~~

SUMMARY NOTES FROM THE COMMISSION'S DISCUSSION:

- "Bonner County places a high value..." reads more like the analysis in the text of the natural resources component and a philosophical statement rather than a goal that the county needs to pursue. This goal/objective will be simply and better stated as "Protect, enhance and maintain the County's natural resources such as air, water, forest, minerals, plants, animals for long-term benefits to the public".
- Sustainable resources are plants, air, water etc. Non-sustainable resources could be mineral resources.
- County can protect, enhance and maintain the natural resources but the County does not manage natural resources.
- Should minerals be protected? We don't necessarily protect minerals.

As per the state code section 67-6508 (f) Natural Resources- "An analysis of the

uses of rivers and other waters, forests, range, soils, harbors, fisheries, wildlife, minerals, thermal waters, beaches, watersheds, and shorelines.”

- “Bonner County will strive to preserve, enhance and maintain its natural resources and all their key elements that relate to each for the betterment of present and future generations.” – This policy is very similar to the proposed goal. This policy is redundant and should be taken out.
- County is responsible for preservation of water quality. It has been addressed in the current zoning regulations through storm water management, shoreline setback provisions etc.
- Water quantity – It’s been an argument that has been heard several times – there isn’t enough water. How can that be addressed in land use regulations? County is not responsible for approving wells.

The quantity of ground water in an area can lead to the understanding of the density and the zones. For instance, an area with shallow water table may not be able to support Rural 5 or Ag/Forestry 10 zoning.

- Idaho Department of Water Resources are interested in meeting with the Commission and we will meet them at some point.
- “Bonner County values its productive agricultural lands and forests...” – Should productive agricultural lands be referenced back to the Agriculture section of the comprehensive plan?
- “Bonner County intends to maintain or enhance its fish and wildlife resource.” – Is there going to be land use regulation that could result from this? If we further learn, that Bonner County has critical habitats, wildlife corridors or wintering sites, we would regulate development in those areas to maintain and enhance the wildlife resources.
- We already do things in the current regulations such as shoreline setbacks and erosion control which protects the water quality and thus protects the fish habitat. If there had been some stronger comments from the Idaho Department of Fish and Game on some land use files, it probably would have resulted in some land use actions that would have addressed that.
- “Bonner County intends to maintain or enhance its fish and wildlife resource.” – This objective has already been addressed in the second objective above. This can be removed from here.
- “Bonner County in cooperation with affected municipalities shall seek grants and

funding for aquifer and watershed studies.” – This is governmental action. It is not a land use policy or land use action and should be removed.

- “Bonner County intends to consider wetlands and aquifer recharge areas...” The location of such recognized aquifers is not known to us, yet. Idaho Department of Water Resources may have that information about the location of these recognized aquifers and may be able to provide it. There are only three aquifers in the County. Rest of the county is served by ground water. Aquifer is technical term and should not be used loosely. South or south-west Bonner County does not have an aquifer.
- There are a lot of good things listed in the Comprehensive Plan but they don't necessarily belong to the land use code.
- Wellhead protection overlay is a very specific thing under the state code. It kind of says – here's my well and it's got this protection. Unsure about this but it results in septic systems being located a certain feet away from the well. However, Panhandle Health District and Idaho Department of Water Resources already do that. It may also mean that if you have one high functioning turbine well, the other well would have to be located at least some X feet away from that one.
- Watershed protection – We only know of the Sandpoint watershed in the area that's protected. Not sure if we have any in Bonner County that is designated and enforced. What watershed protection land use standards can be implemented? We can protect it by not polluting it or having detrimental development. It may result in some sort of density regulations.
- “Individual developments...” note seems backwards. If at all, it should state that our individual developments should not harm water quality or minimize harm to water quality. In fact the next policy “Best management practices...” goes into detail in what actions are to be taken to control water quality.
- Current zoning regulations already have provisions for cluster development such as conservation subdivisions which allow for cluster development by conserving the rest of the site as open space.
- How is waterway defined? Bonner County revised code defines shorelines as “The applicable natural or ordinary water mark, or the applicable "artificial high water mark", as defined in this chapter, of any lake, river, stream, channel or other body of public water.” Therefore replacing waterways with shorelines will add clarity to this.
- The reasoning behind the policies belongs in the text/analysis of the component. “Bonner County recognizes...” should be removed.

- In addition, Bonner County plays no role in incentivizing conservation easements on the properties. These are federal programs that the county does not regulate. Conservation easements basically mean “taking a piece of property out of land development picture”. Land use regulations can’t provide any incentives or avenues for conservation easements. Conservation easements are recorded directly with no land use oversight.

HAZARDOUS AREAS:

GOALS:

- ~~Bonner County desires to protect its community from the loss of lives and property and to reduce public and private financial losses due to flood, fire, mass wasting, avalanches and excessive slopes by setting standards for development within hazard areas and discouraging development in high hazard areas.~~
- **Protect Bonner County from the loss of lives and property due to natural hazards.**
- **Reduce public and private financial losses due to flood, fire, landslides, avalanches and excessive slopes by setting standards for development in high hazard areas.**

OBJECTIVES:

- 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.
- Future development ~~shall~~ **should** be designed to reduce exposure to wildland fire and to provide for emergency and escape routes for residents.
- Development within areas of excessive slopes, unstable areas and avalanche zones ~~shall~~ **should** be discouraged.

POLICIES:

- Flood mitigation standards ~~shall~~ **will** be adopted that meet or exceed the National Flood Insurance Program minimum requirements.
- Residential, commercial or industrial development within the floodway ~~should~~ **will** be ~~prohibited~~ **discouraged**.
- Fill within the floodplain ~~should~~ **will** be discouraged.
- The county's wildland fire, urban/wildland interface policies and plans ~~should~~ **will** be integrated into development ~~patterns and~~ standards.
- Excessive slopes ~~should~~ **will** be identified and development discouraged by providing lower densities within these areas.
- **Larger developments will have multiple points of ingress/egress.**
- ~~Avalanche zones should be identified and avoided.~~ **Development will be avoided**

in avalanche zones.

SUMMARY NOTES FROM THE COMMISSION'S DISCUSSION:

- In relation to development in the floodplains and floodways, the current Bonner County Revised Code may or may not exceed the National Flood Insurance Program.
- The Floodplain program in Bonner County follow the FEMA guidelines. Development in floodway too follows guidelines of Bonner County Revised Code Title 14 based on the National Flood Insurance Program.
- Bonner County doesn't identify avalanche zones. However development should be discouraged in identified avalanche zones.
- Mass wasting needs to be changed to landslides for better understanding.
- The county's wildland fire, urban/wildland interface policies and plans should be integrated into development patterns and standards. – In discussions with West Bonner Fire District, the fire district indicated as an important point to consider. Though, what land use regulation can result from this and how does County enforce defensible space around structures?

Generally, local jurisdictions send out letters to property owners telling them to remove a certain amount of space around their home to prevent fire damage and allows the property owners to have a certain amount of time to implement that. Then inspections are done to verify if the property owners have done that. If not, the county goes out and clears the owner's property and charges the landowner for that.

In another example of a jurisdiction enforcing this, the Fire District is the enforcing authority.

Unsure how this policy can be integrated in development patterns. It may be integrated into development standards.

- New developments should have multiple points of ingress/egress. – Though it's important to note that this policy will not be universally applicable. It will only be applicable to big developments with over a certain number of lots. That is yet to be decided what those number of lots would be.

PUBLIC SERVICES, FACILITIES AND UTILITIES:

GOALS:

- Future development **approvals** shall ~~provide~~ **require** adequate services and should not adversely impact the services or utilities of **the utility provider**. ~~present-day users.~~
- **Require adequate public services, facilities, and utilities in future development approvals.**

OBJECTIVES:

- **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.**
- ~~Bonner County intends for new development to offset the capital costs of expanding services to its area by requiring~~ **Require** the developers to provide infrastructure, utilities or financial support **to offset the capital costs of expansion of services generated** **required** by the proposed development.
- ~~New development shall not unduly overburden the current system.~~
- ~~New development should be adequately served by fire protection, roads, sewer, schools, law enforcement, ambulance and emergency services, water and other public/private services.~~
- Full urban **Urban** services and provisions for continued operation and maintenance of the systems shall **will** be provided **required** for urban and suburban densities.
- **Bonner County shall require adequate provisions for future utility services in areas of commercial, industrial, residential or other similar uses.**

POLICIES:

- Bonner County will ~~identify sewer and water service areas,~~ and encourage development **to take place** within the boundaries of **existing sewer and water** ~~these~~ areas.
- Bonner County will seek comment from existing service providers on their ability to serve future developments without adversely impacting **the ability of the utility providers to serve** current users.

- Bonner County will provide adequate facilities for responsible disposal of solid waste to protect the health and welfare of the public as well as the County's natural resources.
- ~~Measures to mitigate development impacts shall be explored by the county and service providers.~~
- ~~The county is encouraged to provide assistance and expertise to develop broadband connections, high speed internet services and other high tech utility connections.~~

SUMMARY NOTES FROM THE COMMISSION'S DISCUSSION:

- The existing goals states "Future development shall provide adequate services and should not adversely impact the services or utilities of present-day users." However, the impacts should be assessed to the existing utility providers and their ability to continue providing utilities to their users rather than the users of those existing services.

The development does not provide services either, it is the utility providers that provide services. In terms of roads, EMS etc. it is the County that provides services.

While the services are provided by providers, the installation of utilities happens with individual development.

- Existing utility providers live and die with new growth. They require growth to continue functioning and expanding. For instance, a development comes up and they go to a utility provider asking them if the development is going to adversely impact their current services. There is unlikely to be a situation in which the provider will say that the development will adversely impact their capacity to provide services. The providers usually want the development to invest in the expansion of the provider's utilities if the development is interested in getting their services.
- The limit on services is usually because of the provider's existing infrastructure. That does not necessarily mean complete inability to provide new connections or service to new developments. It means current limitation to provide new services till the expansion of existing structure such installation of a new main line happens.
- Currently Panhandle Health District looks at the each property individually and assesses the feasibility of providing a septic system at each of those properties or for each development individually. Currently, there is no system in place where

we look at a large area and analyze how many septic systems or the density of septic systems an area can handle. Such a study would give us some guidance regarding the ultimate density of septic systems that an area can tolerate without impacting the quality of water. It would be similar to the study done for Rathdrum Prairie, that may look at the soil characteristics and how fast is it going to drain or maybe how long before it gets down to the water table, what happens to it chemically over that period of time given the soil packaging. Panhandle Health District may not have that kind of expertise, however.

This discussion may be more pertinent to Natural Resources section as this component deals with public utilities and not private systems.

- If a new development proposal overburdens something, it should either be corrected for the utility or the utility provider puts a moratorium on its services. Though it should be the service provider's decision.
- New development shall not unduly overburden the current system. – This objective is covered by the preceding objective - Bonner County intends for new development to offset the capital costs of expanding services to its area by requiring the developer to provide infrastructure, utilities or financial support for services generated by the proposed development. Therefore, this policy should be removed.
- Two different but closely related thoughts – one says that new development should be adequately served. The other says that if expansion of utilities is required, the cost of expansion should be borne by the new development. Both of these objectives are important and required.
- If a subject property exists within the bounds of an existing water and sewer district, they are not required to get connections from the existing service provider and can still install a septic system on site. However, in that case the minimum lot size may not reduce below 2.5 acres if no urban water and urban sewer is available.
- Full urban services may be understood to mean city water and sewer systems with perhaps tertiary treatment systems. In rural areas, urban systems may be less complicated with maybe secondary treatment systems. LLUPA says urban development should be in urban areas. Therefore, it should be removed from there implying even a possibility.
- Urban services shall be provided for ~~urban~~ and suburban densities. – Here urban services mean shared well and shared septic systems. Bonner County does not have urban densities like cities do, with 4,500, 6,000 or 7,000 square foot lots.

The smallest lot size permitted in Bonner County is 10,000 square feet provided urban services such as shared well system or large scale absorption facilities can be provided in Suburban zones. Other similar zones permit a minimum lot size of 12,000 square feet where both such services are available. Urban services, as currently defined in the code also means electric power and telephone utilities; and hard surfaced roads constructed to the standards set forth in title 2 of this code.

- For some commercial, industrial and rural service center zoned properties, urban services may not be required since no one lives on those properties. For instance, there are several lots/ parcels in the County that have so called commercial operations on them but have just an employee or two running the operation. In that case, the requirement for water and sewage services is even less than that of single-family home. Why should such uses be required to prove availability of urban services to be permitted?

For bigger commercial or industrial operations, the septic system would have be adequate according to Panhandle Health District and would perhaps be addressed through a septic permit.

- Zoning for commercial/ industrial uses or operations also creates a potential for urban services to be extended into that area in the future, even if they don't exist at the moment. Discussions required with service providers as to where they see growth happening for them. For instance, such areas then might be better suited for commercial or industrial uses.

While it would be ideal to have such discussions with utility providers, sometimes smaller utility providers only provide short-term solutions and don't develop long-range plan for themselves which makes it difficult to understand what way the growth is likely to move.

- Perhaps there could be a goal along the lines of encouraging the private sewer systems to expand in areas where growth is anticipated so it sets up a reason to have ongoing discussions with service providers to understand where they see growth happening. Such discussions will be useful in planning for future expansion of utilities such as creating utility corridors or easements for utilities with new developments.

Areas could be identified in the County where there is a potential for growth. In such areas, utilities need to be planned for, through easements and other provisions.

- Perhaps there could also be a goal encouraging County's discussions with service

providers – County shall seek input from utility providers. While it is an important action for County, it does not necessarily lead to a land use goal or action. A land use action is to approve a permit. Such an objective on the other hand is not to lead to a goal, it's good for guiding general actions of the County.

- Similarly, there are several other “interests” that people would like to see the County do. They, however, are not going to lead to a land use action or code because they will not lead directly to telling a development to do or provide something.
- Continued operation and maintenance of the urban service systems will not lead to a land use action or code. This should be removed from the objectives.
- Bonner County may identify sewer and water service areas, and encourage development within the boundaries of those areas – Bonner County does not go out and identify areas that ought to be in water or sewer districts, it is outside of the County's authority. Bonner County can only encourage growth within the boundaries of existing water and sewer districts. This should be understood to mean that the County should encourage/advise developments on the fringe of existing water and sewer districts to seek connections to the district.

This also means encouraging growth within the boundaries of existing water and sewer districts by providing zoning incentives or allowing higher density developments to occur within the boundaries of those districts.

- “Bonner County shall seek comment from existing service providers...” – It should be understood that the County shall seek comment from service providers. However, that does not mean that it's necessary to receive the service provider's comment for the project to move forward if the service provider chooses to not provide comment.
- Keeping consistent with the goal above, the impact to existing utility providers should be assessed as opposed to the current users.
- Fire districts are taxing districts. They levy their own taxes for their growth. Growth of these fire districts is not a County action because County can't collect or raise taxes on fire districts' behalf. Additionally, why focus on one public service specifically but not address other such as power, emergency services, libraries, hospital district etc.?
- Bonner County has/ should have adequate facilities such as transfer sites for responsible disposal of solid waste. Idaho Code section 67-6508 also makes a reference to solid waste disposal sites in the Public Services component of the Comprehensive Plan and should be addressed.

- According to the federal law, broadband/ communication towers should not be turned down, except in instances where there is an opportunity to co-locate.

TRANSPORTATION:

GOALS:

- ~~Bonner County intends to provide~~ **Provide** a transportation system that is safe, uncongested, and well maintained.

OBJECTIVES:

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

POLICIES:

- ~~The county should review opportunities to offset the impacts to current users from future users of the transportation systems.~~
- ~~Levels of service for the county road system should be developed and thresholds and standards for the transportation system set.~~

- ~~The needs for future road extensions or new transportation corridors should be examined and a future acquisitions map developed.~~
- A long-term transportation system plan will be developed and regularly updated to ensure reasonable levels of service can be maintained in the future, and that needs for future road extensions or transportation corridors are identified as early as possible.
- Development in areas that are not served by county standard roads or where transportation is inadequate should be discouraged.
- ~~A mechanism for ensuring the maintenance of private road systems should be developed and imposed on new developments to reduce the likelihood of the roads becoming a burden to the taxpayers.~~
- Bike and pedestrian trails need to be included **will be considered** in development proposals to connect the communities with existing and planned bike and walking paths **wherever possible**.

SUMMARY NOTES FROM THE COMMISSION'S DISCUSSION:

- From the state code –

"Transportation - An analysis, prepared in coordination with the local jurisdiction(s) having authority over the public highways and streets, showing the general locations and widths of a system of major traffic thoroughfares and other traffic ways, and of streets and the recommended treatment thereof. This component may also make recommendations on building line setbacks, control of access, street naming and numbering, and a proposed system of public or other transit lines and related facilities including rights-of-way, terminals, future corridors, viaducts and grade separations. The component may also include port, harbor and other related transportation facilities."

In this case, the local jurisdictions will not be the cities or the incorporated areas because cities have no authority over Bonner County's public highways and streets.

General locations and widths of a system of major traffic thoroughfares and other traffic ways, and of streets and the recommended treatment thereof is all a part of Bonner County's transportation plan.

Traditionally developments were required to dedicate a certain width of land along the public right-of-way to bring it upto standards.

One of the ways of implementing that would be to allow the development to have the same permitted density that they would have if they didn't have to dedicate any land for the right-of-way.

Most of the things mentioned in the state code above are described in the County's roadway plan – that is also a list of capital improvements that are visioned over a long range time.

- Asking the development to dedicate a certain width of land for an adjacent right-of-way could have some major problems for the development in question. For example – displacement of structures that are already in place – wells, telephone poles, electricity poles or other services etc.

Making it a requirement in the code may require County to go in and buy land to expand the right-of-way which is additional public expenditure. That's why implementation of such a regulation has not been held up the courts.

- Bonner County intends to provide a transportation system that is safe, uncongested, and well maintained. – This a good goal but it's questionable if it will lead to a land use regulation. Unless Bonner County sees a large development (say, a development with three thousand lots), none of the traffic engineers are going to say that this development has any impact on the county roads.

What is uncongested? What's the standard of congestion? It's defined by level of service. At the moment, county has only two roads and some intersections that are at Level of Service C.

Congestion is not defined by sporadic events. Congestion is defined by average conditions.

Local code, however, can define the Level of Service differently. In discussions with the Bonner County Road and Bridge Department, the department did engage in some level of review for assessing potential for congestion and no critical areas were found that needed to be addressed.

Therefore, to have uncongested roads as a goal may not lead to a land use regulation. Safe and well-maintained roads is an appropriate goal, though.

Generally, many other jurisdictions say that something should be done when the Level of Service on a road drops to D in peak hours of traffic.

- Unless the county wrote a road plan and identified traffic hazard areas, then there might be some substance to the goal of uncongested roads.

- Bonner County's traffic statistics show that most accidents in the County are related to speeding and in-attentive driving issues.
- Some ways of addressing widening of roads could be to require easements within subdivisions. So that when the need arises for a two-lane road to be turned into a three/four lane road, there would adequate space to do that.
- Bonner County intends for certain intense land use developments to provide paved roads – It may make sense to implement this in some situations but not all. For instance, why should a development be required to provide paved roads in the middle of nowhere if there are no other paved roads around?
- Though studies have shown that paving roads saves taxpayers money in the long run. Usually, when the traffic on a particular road reaches 400 ADT (Average Daily Traffic), then the County assesses if the road needs to be paved.
- County decided nearly 20 years ago that it's not worth it for us to have the developer to even bring the roads up to the standards because County doesn't have funds to maintain those roads.
- There have been instances, both within the County and cities where a subdivision was developed with roads and sidewalks. After twenty years of use, the roads and sidewalks don't only need repair, they need to be replaced. The county's budget for maintenance of roads thus suddenly goes up. For several years, no new roads have been accepted into the public road system for the same reason.
- It would be a good public practice to require the private roads to be built to some standards.
- Bike ways and pedestrian paths, again, it's a good goal to have and should be included in development plans of any subdivisions that may be a more intense use than an MLD.

Currently there is no requirement to come down to the County Road from within a big subdivision.

- The county should review opportunities to offset the impacts to current users from future users of the transportation systems. – Say, a big development comes in, they should make contribution to the improvements of the transportation system, and the current tax payers shouldn't have to pay for the transportation improvements.
- The needs for future road extensions or new transportation corridors should be examined and a future acquisitions map developed. County doesn't do that. This

relates to land exactions for right-of-way.

Alternatively, a better and more manageable way to do this is to make sure that no lots/parcels are created in the county without an access.

- Road maintenance for private road systems – Further research required of how it's handled in other jurisdictions.
- Implementation of bike and pedestrian trails have some limiting factors such as topography and water bodies. This policy, specific to a development may be applicable. But wanting to connect all parcels across the county with pedestrian paths and walkways is a lofty goal.

Some developers already include provisions for pedestrian walkways in their developments because it's good selling point.

ADDITIONAL COMMENTS/ POINTS FOR FURTHER DISCUSSION:

- Specific to each planning area, most public roads are under the jurisdiction of the Idaho Transportation Department or Bonner County Road and Bridge. The county is updating its long range transportation plan so that should be referenced and cited as to roadway specifics. The state highway system probably doesn't have any long range plans but ITD needs to be consulted for forecasts and trends as well as future funding forecasts. The analysis should then take (essentially, lack of funding either county or state) forecasts into account and how the status and condition (physically and operationally) of the public road system affects land use. Here's the place for building line setbacks recommendations as well as findings, conclusions and recommendations on access, grade separations for roadways and railway crossings. This is a huge undertaking for committee members and may have to have a consultant assisting the analysis. Hopefully, the county's long range transportation plan will be robust enough to be the platform for each area's analysis, conclusions and recommendations.
- Road and Bridge has completed the update of the long range transportation plan which basically amounts to a needs list for roads and bridges with a listing of ongoing funding sources. Nowhere is the impact of more residents or the need to logically expand the road system addressed. Therefore, that type of analysis is needed under this component. The aim of the analysis would be to determine the level of impact incremental area specific building has on the road system and set up goals and policies.
- The broad issue of extending the county public road system and ensuring continuity of the public system needs to be analyzed. GOALS MIGHT BE TO UPDATE PRIVATE ROAD STANDARDS AS AN ACTION ITEM.

Look at the county's long range transportation plan for list of roads and improvement/maintenance program. However, none of that leads to any land use regulation because there is no road that is anywhere near it's theoretical operating capacity and safety is fully taken care of by road and bridge. Need some findings on what traffic volumes are reasonably acceptable for two lane rural roads. Road standards for MLDs and higher land uses. The setback stuff should only pertain to front yard or road setbacks. The other setbacks can be supported in the land use component maybe including the front yard to make it all in one place. All the potentially covered items in this component may not lead to land use regulation, however, if a transportation need is identified and a proposed development directly affects it there could be some regulation.

The entire transportation component needs to be replaced with new required facts, conclusions and goals. All of the existing write-up is out of date and the format of the write-up is far too stretched out whereas a simple paragraph or two can cover the text. The setback presentation in the component can be a reference to Title 12 perhaps with a comp plan goal addressing the need to set back from the public rights of way and easement to protect the setback areas from thrown snow and utility work. The airport section is now its own component and all info needs to be updated.

RECREATION:

GOALS:

- Protect and encourage ~~Public~~ **public** and private recreational opportunities are recognized as an ~~major county~~ **important** asset **that supports a key segment of the county's economy** ~~to be protected and encouraged.~~

OBJECTIVES:

- Ensure ~~Public~~ **public legal** recreational accesses and amenities ~~shall~~ **are** not be obstructed or adversely impacted by future development.

POLICIES:

- Bonner County ~~needs to~~ **is encouraged to** develop a waterways and park access program to preserve and develop access to public recreational lands and waterways. The program should include retaining access parcels that may be acquired from tax sales or private donations. ~~As development of the area's waterways continues, public access to public waterways is being eroded.~~
- A plan for a system of green belts and pathways (bike and pedestrian) ~~should~~ **will be** considered as areas develop, so that a connected system can be developed and preserved.
- ~~Bike and "multi use" trail and recreation systems should be developed by the county as a "economic bootstrap" for the area to add to the existing attractions.~~
- **Under no circumstances, will Bonner County require access easements on private property as a condition of development. This policy does not preclude providing voluntary incentives to developers in return for access easements.**

SUMMARY NOTES FROM THE COMMISSION'S DISCUSSION:

- Under no circumstances will Bonner County require access easements on private property as a condition of development. – Property owners should not be tied to having to provide access on their property simply because that is the way it has always been.

It is to be understood that this will not be applicable to prescriptive easements.

Exaction of land certainly mustn't occur without just compensation.

Another instance to consider, a property is being developed with a subdivision. As

it gets developed, can the first owner be required to reserve an access easements to the adjoining property if, for the neighboring property, that would be only potential access to the property?

- Public recreational accesses and amenities shall not be obstructed or adversely impacted by future development. It is to be understood that this objective refers to only legal accesses and amenities. The reasoning “because it’s always been” is not justified here. Therefore, addition of the word “legal” is needed in this objective.
- Current zoning regulations do have provisions for additional densities to be awarded for providing public access in conservation subdivisions.
- Bonner County needs to develop a waterways and park access program... - that potentially means that county needs to buy land, especially from the public taxes. Could be from private donations. The county should be encouraged to do that but shouldn’t necessarily have to do that.
- Bike and “multi-use” trail and recreation systems should be developed by the county as a “economic bootstrap” for the area to add to the existing attractions. What is meant by “economic bootstrap?” This policy will not result in a land use action. Needs to be removed from here.

SPECIAL AREAS OR SITES:

GOALS:

- ~~Bonner County will attempt to protect special archeological and historical sites and unique visual and ecological features of the region.~~
- To protect, preserve and maintain special areas and sites both natural and man-made in relation to land use.

OBJECTIVES:

- Future developments shall **must** not adversely affect or destroy culturally or ecologically sensitive sites.

POLICIES:

- A generalized map of the known pre-historic and historic sites ~~should~~ **will** be developed so that future developments are aware of special areas of concern and are connected with the historical society and Native American tribes for appropriate preservation and protection.
- ~~Protection of the view sheds of recognized scenic by ways should be included in considerations for development of these areas of the state highway system.~~
- **Bonner County will implement road side development standards for recognized scenic byways to protect the view sheds.**
- ~~Natural special~~ **Special** areas ~~should~~ **will** be recognized and addressed when development is proposed in these areas.

SUMMARY NOTES FROM THE COMMISSION'S DISCUSSION:

- Do we define special areas and sites? The existing comprehensive plan lists a lot of places, some of which are not even in the unincorporated Bonner County.
- From the State Code, Section 67-6508 (k), Special Areas or Sites — An analysis of areas, sites, or structures of historical, archeological, architectural, ecological, wildlife, or scenic significance.

It is not really Bonner County's job to enhance awareness of these things.

- Shouldn't wildlife be addressed in the natural resources in component? It is unclear why this is a part of the Special Areas and Sites component.

- “Protection of the view sheds...” – County is not involved in protection of view sheds. This should be removed from this component.
- “Bonner County, in conjunction with municipalities, agencies...” – This policy will not result in a land use action. For the sites located in the cities, the county shall have no say in that. For the sites located in the County, the cities won’t have a say unless the site straddles on the line between cities and counties.

In any case, this policy will not result in a land use regulation or action.

- “A generalized map of...” – Bonner County doesn’t have an ordinance that talks about historical preservation. In discussions with people dealing with historic preservation, there are plenty of documentation of historic sites around Bonner County. Typically, offices of historic preservation do not want such maps to be generated because of potential robberies, vandalism, treasure seeking etc. In fact, the best way to protect those sites might be just not let people know where historical sites are.
- “Special areas should be recognized and addressed when development is proposed in these areas.” – This policy addresses any potential development in special areas and sites.
- “Protection of the view sheds of recognized scenic by-ways should be included in considerations for development of these areas of the state highway system.” – This policy should be reworded to make sure that everyone understands that in this case, the policy only refers to signage/billboards adjacent to scenic highway.

HOUSING:

GOALS/ OBJECTIVES:

- ~~Bonner County recognizes diverse housing needs are to be addressed to provide adequate shelter for all, regardless of age, income or physical abilities.~~ Provide an environment that enables opportunities for diverse housing needs.

POLICIES:

- Encourage development of a variety of housing options including mobile home parks, tiny home communities and recreational vehicle parks located in areas that are compatible with their density.
- Work with municipalities and private parties to find solutions for all types of housing projects and developments.
- Clustering of housing in developments to save on infrastructure and transportation costs ~~is shall~~ will be encouraged through mechanisms such as density bonuses.
- Bonner County recognizes opportunities should be made for assisted living and group shelters ~~because it is not just an urban housing function.~~
- Enable workforce housing in direct proximity to agricultural, commercial and industrial uses.

SUMMARY NOTES FROM THE COMMISSION'S DISCUSSION:

- Does County really has the ability to provide shelter based on age, income levels or physical abilities? How is that/ can be addressed as a land use action in Bonner County Revised Code? Currently, our code allows a single-family dwelling unit in all zones in the County or if someone wants to request a multi-family housing, they can request a Conditional Use Permit. Is that the only land use action that will come out of this code? It can perhaps be stated in more simple terms.
- County doesn't provide affordable housing. As of yet, County has not been able to provide affordable housing/ small development solutions for first-time home buyers. That does seem to be primary responsibility of cities though where they can implement affordable housing strategies in a higher density setting. Perhaps cities should be working with the County to provide smaller lots and smaller homes in ACIs as an affordable housing solution for first-time home buyers, where urban services are available.
- There is generally a county-wide need to provide diverse housing options. For

instance, the Commission addressed a zone change that was brought to them several months ago, where an employer bought a property across their own to build employee housing for their summertime employees. They, however, had to request a zone change to accommodate that. Our zoning codes need to make it easier for the employers to be able to provide workforce housing for their employees. Schweitzer seems to have similar problems.

- If we say that it's not the County's responsibility to provide affordable housing, then it may adversely impact existing businesses in areas like Sandpoint or Schweitzer because people working those jobs can't afford to live here. We need to be able to provide for such people to come and live here. Affordable may or may not be the correct word here but there needs to be some sort of solution here.
- Several years ago, Bonner County discussed the idea of planning developments such as cottage housing, mobile home parks, tiny housing solely for the purpose of housing workers, especially seasonal workers. All these planning developments were an idea to support that. There are several places in the county where we should be looking at those kind of solutions.
- A solution to this is increasing density of housing. But then there is this concern of keeping Bonner County rural. How do you balance the two? How do you keep the county rural while planning for affordable housing? Most sub-area plans want a rural environment. Sagle sub-area plan planned for some high densities along Highway 95 corridor. The plan suggested 12,000 square foot lots depending on presence of services. Doing that kind of thing provides a release valve that takes some pressure off the rural parts of Sagle.
- The thought of multi-family housing in terms of creating affordable options kicks on the idea of "Not In My Back Yard." However, there has to be a backyard to be able to provide affordable living options.
- On the other hand, county's intent to provide affordable housing may prove to be an overreach because to be able to provide affordable housing, you need to have an affordable piece of land to put it on, have affordable materials to build it out of and have a contractor who's willing to build affordable housing when they have the opportunity to make more money by building something else.
- A lot of sub-area plans also said that a single lot should allow only a single-family dwelling unit, no ADUs, no RV DUs. That's undoing and going against a lot of the discussion about providing affordable housing options.
- The county should enable opportunities for diverse housing options through

zoning decisions and then it's up to the developers to use these opportunities with various other affordable housing solutions. This goal would lead into the various zones or lot sizes that allows for something more than just a single-family home on a lot.

- Building in wetlands and floodplains and other such terrains is not going to be an option to make housing cheaper. However, there is indeed a need for a variety of housing options such as single-family dwellings, ADUs and RV DUs.
- Several times developers come to the Planning Department asking what the community's needs are and what they can do to serve those needs. In order to address such questions County needs to work with other municipalities to address that. For instance, the County has been meeting with cities to discuss such issues together. This policy is, however, directed at County administration all the County departments such as Planning and Road and Bridge departments. This policy will not result in a land use action or result in zoning ordinance. It's desirable goal but it's not necessarily related to a land use action.
- Should ACIs be addressed in the discussion of providing diverse housing options? Once the options in the cities are exhausted, the next place to look for such options will be in the ACIs. However, the city's onerous requirements and fees push the developers to develop outside of the city limits and ACIs on 5 to 10-acre parcels, because that's where the opportunity is, to build affordably. This necessitates the County to work with cities in the ACIs to incentivize growth there so that growth is not pushing out of those areas.
- Clustering of housing can perhaps be achieved through other mechanisms as well in addition to density bonuses.
- Group shelters is a housing type for people with special needs.

COMMUNITY DESIGN:

GOALS:

- ~~Bonner County's goal is to maintain~~ **To enable** a variety of lifestyles and **while maintaining the** rural character in the future development of Bonner County.

OBJECTIVES:

- ~~Bonner County intends for new~~ **New** development to **should be** located in areas with similar densities and compatible uses.
- ~~Bonner County intends for new development to minimize the~~ **The** adverse impacts **of new development** on adjacent areas **should be minimized**.
- ~~Bonner County intends to consider~~ **Consider** the protection of natural resources, and the rural features and surrounding uses of the community in the design and location of new development.

POLICIES:

- To promote and preserve the natural features and rural atmosphere of the community, the county ~~should~~ **will** enact development standards that address ~~building heights and view sheds, ridge top development, development within scenic byways and design standards that account for waterfront setbacks, wildlife corridors, commercial and industrial landscaping, reduced lighting~~ requirements **for reduced lighting**, cluster development, rural rather than urban setback standards and other design objectives aimed at preserving the rural, natural character of the community.
- ~~Bonner County recognizes it has a number of historic neighborhoods developed over the past century and realizes the need for flexibility for older neighborhoods and historic settlements so that standards fit those unique neighborhoods.~~ **Allow unique and flexible design standards such that new development within older neighborhoods and historic settlements is compatible with those unique neighborhoods.**
- ~~Bonner County recognizes it has a wealth of resort neighborhoods which require~~ **Allow** particularized design standards to address waterfront and mountaintop developments which may differ from standard design objectives.

SUMMARY NOTES FROM THE COMMISSION'S DISCUSSION:

- There is no analysis for the Community Design Component in the Comprehensive

Plan. Yet the component has goals, objectives and policies listed in the Implementation section.

- To promote and preserve the natural features... - Some elements of this policy have already been addressed in the zoning regulations such as landscaping standards, waterfront setbacks, lighting requirements, setback requirements.
- County should not be involved in protection of view sheds. View sheds are protected by view shed easements. That is not something the County can enforce. Same goes for ridge-top development. Ridge-top development means putting a development up on a ridge. There are communities in which that kind of development is prohibited. Bonner County does not prohibit such development.

The county doesn't have the ability to regulate view sheds or building heights because we don't have building codes.

- Sagle sub-area plan didn't discuss ridgetop development, view sheds or building heights. There were discussions about lighting, landscaping in commercial and industrial areas. Other sub-area plans too discussed landscaping standards.
- Scenic by-ways is state or federal system that has its own development standards. No junkyards along scenic by-ways. Signage/ Billboards are regulated along Highways. The state says that the cities or counties are responsible for the enforcement of those regulations. This needs more research to check the state and federal standards on development along scenic by-ways. We don't yet have a way of enforcing development along scenic by-ways.
- Waterfront setbacks are already enforced by the current zoning regulations. Idaho Department of Fish and Game will be commenting on the presence of wildlife corridors in Bonner County. Lighting requirements are available in the code.
- "Reduced lighting requirements" should be reworded as "requirements for reduced lighting" to add clarity to the phrase to encourage dark skies.
- Cluster development has been addressed in the current zoning regulations.
- The objectives currently stated are relevant as they are. No changes required.
- Bonner County recognizes it has a number of historic neighborhoods... - This policy potentially refers to historic neighborhoods that may have a number of small parcels in areas of larger zoning parcel size minimums. There may be some special regulations required for such areas to grant them relief from large setback requirements.

- National Register of Historic Places has 19 historic places listed in Bonner County. Only four of those historic places seem to be located in unincorporated Bonner County. The others are located in incorporated Bonner County. Is there going to be a special code addressing these four places for permissible variation in the setbacks?
- Land use regulations may be required for older neighborhoods to grant them more flexibility on requests for variance to setbacks etc. that may guide decision making on such files. The decision making body may have to review if the unique circumstances of a historic neighborhood or a historic place apply to a particular request to guide decision making on such applications.
- The areas around the lakes could potentially its own zoning designation with unique setback regulations. Most of the areas around the lake have Recreation zoning. However, this zoning was not implemented to all areas around the lake. The reasoning for that is unclear.
- Similarly Schweitzer has its own zoning and its own standards. So should the areas around the lakes.

AGRICULTURE:

GOALS/ OBJECTIVES:

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

POLICIES:

- Residential uses will continue to be are permitted in Agricultural zoning districts.
- Protect agricultural uses and activities from land use conflicts or interference created by residential, commercial or industrial development
- Land use regulations will support home occupations, cottage industries and farm-based family businesses on agricultural parcels. Examples include farm stands and other agri-business pursuits.
- Bonner County acknowledges the provisions of Idaho State's Right to Farm Act. Those shall be considered in the land use decisions.

SUMMARY NOTES FROM THE COMMISSION'S DISCUSSION:

- Agriculture as a component was analyzed in the existing comprehensive but no goals, objectives and policies listed in the implementation section.
- Hobby farms were stated in a number of sub-area plans.
- Support local food choices and the local economy... - This policy was stated in a number of sub-area plans. Though it's unclear what congregation means in this sentence. This could mean variety of uses such as farmer's markets, co-ops, farm stands, agro-tourism etc.
- How does supporting local food choices convert into a land use action?
- Supporting local food choices means supporting local food production in this context. That intent, however, is clearly stated through supporting local economy. Therefore supporting local food choices is ambiguous and can be removed.

- Farm-stands should be allowed in Agricultural and Rural zoning districts. However, farm stands are not addressed through retail sales. As per Bonner County zoning regulations, retail sales is understood to be year-round operations while farm stands are understood to be seasonal operations. Therefore, retail sales does not include operations like farm-stands.

Farm sales and farm stands need to be addressed in this policy further. They also need to be addressed the zoning ordinance.

- Animal establishments are permitted as Conditional Uses in Agricultural/Forestry, Rural, Commercial, Rural Service Center and Recreation zones, and not permitted in any other zones. Animal establishments are defined as *"Any structure, land or combination thereof used, designed or arranged for the boarding, breeding, grooming, selling, showing, training, care or treatment of domestic animals, except when accessory to an agricultural use."*
- Develop policies to discourage fragmentation of very large productive agricultural lands. – What possible land use actions can be taken to apply that? One of the sub-area plans suggested that lands of over 100 acres of area should be able to building more dwellings than permitted by the current regulations to accommodate families on the land without having to split the land. This is an interesting idea for families that want to take over the family agricultural business and live on the property. However, when there is no one left in the family who wants to continue to operate the farm, it will become a difficult parcel to sell so it may not be that attractive an idea for some people.

However, this policy could be put in place for some people to take advantage of, if they wanted to.

Other than that, the county does not have a lot of tools to actually apply that policy through land use actions.

According the current regulations, the landowners can have up to 3 dwelling units on parcels above the minimum lot size without subdividing the parcel. – How does that either encourage or discourage fragmentation of very large productive lands? It may encourage fragmentation by limiting the number of dwelling units on large parcels of land.

- Land use regulations shall protect larger parcel sizes (\geq 20 acres) in the Agricultural zoning districts in order to preserve agricultural uses as a viable economic base in the community. – This policy is in conflict with the existing zoning regulations that allow for 10 acre minimum lot sizes in the Agricultural zoning districts. We have dual headed land use designations and dual-headed

zoning districts which makes this policy conflict with the existing land use designation and zoning district designations.

- All along the roads there are several small parcels of land because they are not farmed. The original owners thus sold those parcels to other family members or others for the same reason. Some of this resulted from 60's and 70's when U.S. Government told farmers to stop producing milk. There used to be several hillside dairy farms in the county. There aren't so many now.
- A vast majority of agricultural land has been split because it fits the definition of Agricultural/Forestry 10 zoning more than it does Agricultural/ Forestry 20 zoning. The Comprehensive Plan land use designation for agricultural land too says – Agriculture/ Forest Land (10-20 acres) in the land use table.
- The zoning descriptions for Agricultural/ Forestry designations need to be redesigned. In some cases, the characteristics of the land are backwards. Steeper properties are allowed to prime agricultural land etc.
- Develop policies to discourage fragmentation of very large productive agricultural lands. – This policy may not be effective but there is no harm in leaving it in there.
- Usually, the challenge with not able to split the land to build homes for the family is related the financing. It is difficult for property owners to finance their homes without being able to split the land.
- Agricultural exemption is available to properties that can show an agricultural income of \$1000.00 or more. Timber exemption is available to properties with an area of 5-6 acres or more.
- In some other states, in return for putting on a deed restriction, the landowners can get some long-term tax benefits.
- Agricultural areas in the County are mainly supposed to show agricultural activity on land. Things have changed a lot in the County. You can see evidence of farming but it's unclear if even 50% the land currently zoned for Agriculture is actually devoted to active farming or forestry. Those figures should be looked into by gathering data from the Assessor's office.
- These policies do not address the population currently residing in the Agricultural zoning districts that do not have any active farming operations and would probably never would. Nothing in these policies thus, talks about a purely residential use in Agricultural/ Forest zones. This needs to be acknowledgement in this section that there exist singularly residential uses in Agricultural zones that occur without any simultaneous active farming and forestry operations. Because it has not been

acknowledged in the Comprehensive Plan, it is assumed that Agricultural zones are only supposed to be pushing agricultural uses in these areas.

- If the zoning map was to be updated today to match the activities on the ground, areas would be found in the county with Agricultural/ Forestry zoning that are purely residential and have no active farming/ forestry operations.

The Selle sub-area said acknowledged the presence of such areas as well.

Bonner County recognizes that residential uses are permitted in Agricultural zoning districts. – Therefore this acknowledge needs to be made in the goals, objectives and policies of this section. The statistics behind this should be reflected in the text/analysis section of this component.

- Areas in agricultural zones that are predominantly residential in nature ought to be zoned that way. For instance, a residential overlay in the agricultural zoning districts. It should be recognized that even though the properties are located in the Agricultural zone, people want to live there.

For instance, co-op typically exist to support agricultural uses on the land. However, the co-op owner now lives in Selle Valley on about an acre and a half parcel of land.

- “Create a spatial separation and buffering of land uses which will serve to protect existing farmland.” – This policy seems a reiteration of this policy – “Protect agricultural uses and activities from land use conflicts or interference created by residential, commercial or industrial development.”
- “Agricultural lands not classified as prime agricultural lands...” How would protection of lands that are not agricultural in nature reduce loss of agricultural lands and farming activities?

Assumption is that the sub-area committee that referred to this wanted to see these policies applied all across and not only to lands classified as areas of prime agricultural soils or farmlands of statewide importance.

Some very successful agricultural businesses have occurred on 10-acre properties and marginal soils. That’s how some people made a living.

IMPLEMENTATION:

POLICY STATEMENT:

- To keep the comprehensive plan current and to avoid costly, belated revisions to the plan, Bonner County needs to set aside a meeting once a year to examine the plan and determine whether updates/revisions are needed. This meeting should be scheduled at the beginning of each year and prior to the county's budgeting sessions so that adequate funding can be addressed, if need be.
- Bonner County needs to develop and maintain an effective zoning enforcement program so that the County can ensure that its land use laws are met.