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Planning Commissioners:

Throughout the 7/19/22 suggested update there are many clauses in which the statement can be made with the same or more clarity using fewer words. For example, a goal can clearly be stated without the pre-clause "Bonner County shall," but rather "To," as in "the goal is to ..." many of my suggested edits are in that vein and are not intended to change the intent of a given statement.

Several times during Commission deliberations the comment was made that a particular clause or statement was unnecessary because that particular issue is already addressed in the code. Recent history demonstrates that elected officials have no qualms about revising the code to suit their own liking. Having relevant provisions in the Comp. Plan even if redundant to the code, serves as an impediment to those kinds of revisions.

Following, my edits and comments are in italics.

I recommend replacing "shall" with "will" or "must" throughout the document. While it is important to establish the imperative, especially in Policies, the term "shall" is more appropriate in code than in this broad guiding document that expresses the People's vision.

PROPERTY RIGHTS

GOAL:

Suggest:

~~Bonner County shall protect property rights by complying with state law relevant to all county land use actions.~~

- To protect the property rights of all according to state law.
- ~~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.~~

POLICIES:

- Bonner County ~~shall~~ will ~~consider~~ **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.
- Decisions shall **For all land use decisions findings of fact and conclusions of law shall be adopted that** reflect the justifications for exactions, conditions and restrictions and shall confirm that a taking of private property has not occurred.
- For all land use applications, specific findings ~~shall be adopted~~ and

conclusions reached must show ~~reflecting~~ that the governing body's decision has not resulted in a takings.

- The property rights of the applicant, adjoining affected landowners and future generations must shall be considered, as well as the short-term and long-term consequences of decisions.

Landowners that may not be adjacent can be greatly affected by land-use decisions. We should be concerned by long-term consequences as well as short-term.

Regarding the final comment in the Summary notes that states: "Each land use file should be evaluated against the Attorney General's checklist to ensure that a taking has not occurred." The file MUST – not should - be evaluated against the list.

POPULATION:

GOAL:

- ~~Multi-generational, multi-economic diversity shall be encouraged within Bonner County.~~

- ~~Bonner County shall To~~ keep current with county census data, population estimates and projections and shall use the data to analyze community needs and project impacts.

SCHOOL FACILITIES AND TRANSPORTATION:

OBJECTIVES:

- Ensure that P 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 i~~Involve school districts in proactive reviews of development applications to determine particularized school needs and concerns.
- ~~Bonner County~~ Design and maintain roads, trails and bicycle paths should be designed and maintained to allow safe passage of students to and from schools.
- Consider ~~Long-term~~ consequences of land use proposals should be considered, including the adequacy of existing schools and facilities and the siting of future schools and facilities.

POLICIES:

- ~~The county shall should k~~Keep current with school capacity and transportation

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~~issues associated with growth and development~~ the data regarding school capacity and transportation issues associated with population changes, development and demographic changes in Bonner County.

- ~~The county shall involve school districts in proactive reviews of development applications to determine particularized school needs and concerns.~~
Suggest NOT deleting the above clause. The potential impact of land use decisions on schools is significant and districts should inform the process.
- ~~School bus, walking and bicycling routes shall be considered when making land use decisions.~~
Agree with this deletion provided it is taken up in the TRANSPORTATION element.
- ~~Bonner County shall consider and promote higher education needs.~~
- ~~Bonner County shall should will e~~ Examine the impacts of land use proposals to the school system by land use proposals and shall will seek mitigation from the developers by requiring them to provide providing facilities, safety features, fees or other measures as permitted by Idaho Code, relative to 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.~~
Suggest NOT deleting the above clause.

ECONOMIC DEVELOPMENT:

GOALS

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

GOALS/ OBJECTIVES:

- ~~Commercial and industrial uses beyond the scale of home occupations shall be located in defined areas in order to encourage clustered development.~~
- Encourage cluster developments for large scale commercial and industrial use.
- ~~Commercial and industrial uses shall be l~~located commercial and industrial uses 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 shall 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 appropriate locations.
- ~~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.~~

• **POLICIES:**

- Commercial and industrial uses *shall will* be unconditionally permitted only in areas identified in the Comprehensive Plan as being suitable for such development. Evaluation of suitability *shall will* 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 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.
- Enable small scale cottage businesses and home occupations in all areas of the county. Reasonable conditions on such uses should 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 appropriate areas of the county.
- 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.

Suggest NOT eliminating the above clause. These industries are vital to the economic health and well-being of Bonner County.

- 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.

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 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 acknowledge the values of its agricultural and timber land, 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.

POLICY

- Applications for land use actions shall be reviewed against the land use map and land use designations to ensure consistency with the 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, *animals 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, its fisheries, wildlife and wetlands, 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.

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- Bonner County intends to consider the preservation and protection of 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 future land use decisions to determine they do not degrade water quality.
- Best management practices for waterway setbacks and earth-moving activities and road construction should be instituted to reduce erosion and sedimentation into waterways.

- ~~Goals of sustaining natural resources should be measured for long term benefits.~~
- Development standards should be designed to encourage clustered development **resulting in** ~~and the preservation of open space and wildlife habitat~~ **and the preservation thereof.**
- 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.
- **Protect water quality by creating standards appropriate for development in close proximity to shoreline.** ~~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.~~
- Productive farmland and timberland ~~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.~~

Suggest NOT deleting the above clause. With the rapid growth the county is experiencing and likely will in the future, conservation easements and land trusts are valuable tools in the effort to preserve the rural character of the county, or at least mitigate the degradation thereof.

PUBLIC SERVICES, FACILITIES AND UTILITIES:

GOALS:

- Future development ~~shall provide adequate services and~~ should not adversely impact the services or utilities of present-day users.
- **To Require adequate public services, facilities, and utilities ~~in~~ as a condition for future development approvals.**

OBJECTIVES:

- **New development should be adequately served by fire protection, roads, sewer, schools, law enforcement, ambulance and emergency services, water and other public/private services.**

- 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.
- ~~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 ~~u~~For ~~U~~ urban services and provisions for continued operation and maintenance of the systems shall to be provided for urban and suburban densities.~~
- Bonner County ~~shall~~ *will* require adequate provisions for future utility services in areas of commercial, industrial or other similar uses.
The above would be a better fit under POLICIES.

POLICIES:

- Bonner County will ~~shall~~ *will* identify sewer and water service areas, and encourage development to take place within the boundaries of ~~existing sewer and water~~ these ~~areas~~ systems.
- Bonner County will ~~shall~~ 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 ~~shall~~ *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.

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- ~~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 broad band connections, high speed internet services and other high tech utility connections.~~

TRANSPORTATION:

GOALS:

- Bonner County intends to provide a transportation system that is safe, uncongested, and well maintained.
- Bonner County recognizes that high traffic volume and congestion on county roads has the potential to degrade the otherwise rural character of any area in which it occurs. While there currently is no standard to define "rural" strictly in terms of traffic flow, the County seeks to avoid negative impact due to traffic volumes.

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 designed and built in such a way as developed 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.
Vague statement – examples?
- Bike ways and pedestrian paths shall should be ~~included~~ **considered** in development plans to provide an integrated community transportation system wherever possible.

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- *To communicate and work cooperatively with other jurisdictions 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.
- **Reasonable** 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.~~
This is a vague statement and not really a policy. What is the intent?
- 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

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developed and imposed on new developments to reduce the likelihood of the roads becoming a burden to the taxpayers.

- ~~Consider~~ *B*bike and pedestrian trails ~~need to be included~~ *shall be considered* in development proposals to connect the communities with existing and planned bike and walking paths.

SPECIAL AREAS OR SITES:

GOALS:

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

OBJECTIVES:

- ~~Future~~ *For* developments ~~shall to~~ not adversely affect or destroy culturally or ecologically sensitive sites.

HOUSING:

GOALS/ OBJECTIVES:

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

POLICIES:

- Encourage development of a variety of housing options.
- Work with municipalities and private parties to find solutions for all types of housing projects and developments.
- *Incentivize* ~~C~~lustering of housing *in developments* to save on infrastructure and transportation costs is shall be encouraged *through mechanisms such as density bonuses.*

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- ~~Bonner County recognizes Provide opportunities ~~should be made~~ for *assisted* living and group shelters in areas with urban services. because it is not just an urban housing function.~~
- Develop incentives for developers to build workforce housing in areas with urban services.

COMMUNITY DESIGN:

GOALS:

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

OBJECTIVES:

- ~~Bonner County intends f For new development to locate in areas with similar densities and compatible uses.~~
- ~~Bonner County intends f For new development to minimize the adverse impacts on adjacent areas.~~
- ~~Bonner County intends f To 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 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.
- ~~Bonner County recognizes it has a wealth of resort neighborhoods which require Allow particularized design standards to address waterfront and mountaintop developments of resort neighborhoods which may differ from standard design objectives.~~

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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 locally based food production, distribution, and retail sales.
- Develop policies to discourage fragmentation of ~~very~~ large productive agricultural lands.

POLICIES:

- Bonner County recognizes that residential uses are permitted in Agricultural zoning districts.
- 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.
- Protect agricultural uses and activities from land use conflicts or interference created by residential, commercial or industrial development
- Land use regulations shall support home occupation—businesses, cottage industries and farm-based family businesses on agricultural parcels. Examples include farm stands and other agri-business pursuits.

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