



Bonner County

Board of Commissioners

Ron Korn

Steve Bradshaw

Asia Williams

October 28, 2024

Gail McPherson

Sandpoint, ID 83864

Subj: File ZC0007-24 – Zone Change – Rural-10 to Rural-5

Dear Ms. McPherson,

The Bonner County Commissioners at the October 23, 2024 public hearing denied the referenced application.

MOTION TO DENY: Commissioner Korn moved to deny this project, FILE ZC0007-24, requesting a zone change from Rural-10 to Rural-5, based upon the following conclusions. The decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. He further moved to adopt the findings of fact and conclusions of law as set forth in the Staff Report and as amended during the hearing and direct planning staff to draft written findings and conclusions to reflect this motion, have the Chairman sign, and transmit to all interested parties. This action does not result in a taking of private property. The actions that could be taken are:

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

Commissioner Williams seconded the motion.

Roll Call Vote:

Commissioner Korn	Aye
Commissioner Williams	Aye

VOTED upon and the Chair declared the motion carried, with a 2-0 vote.

Zone Change Findings of Fact:

1. The parcels are contain steep slopes of 30% or greater.
2. The parcels are not within a critical wildlife habitat as identified by federal, state, or local agencies.

3. The parcels do contain soils classified as "Prime Agriculture soils".
4. The parcels are accessed via Jenkins Road, a Bonner County owned, a privately maintained right-of-way.
5. The parcels are not within a floodplain or floodway.
6. Services are provided by individual well, individual septic system, Northern Lights, Inc. and Northside Fire District.
7. The parcels are not located near other parcels that are currently developed at or near five (5) acres.

Zone Change Conclusions of Law:

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

Conclusion 1: The proposal **is not** in accord with the Bonner County Comprehensive Plan.

Conclusion 2: This proposal was reviewed for compliance with Title 12, Bonner County Revised Code, and **was not** found to be in compliance.

Conclusion 3: The proposal **is not** in accord with the purpose of the Rural 5 zoning district, provided at Chapter 3, Title 12, Bonner County Revised Code.

NOTE: Following any final decision concerning a site-specific land use request, the petitioner has a right to request a regulatory taking analysis pursuant to Section 67-8003, Idaho Code (*Idaho Code §67-6535(3)*).

Please contact the Bonner County Planning Department if you have any questions.

Sincerely,



Asia Williams, Chair
Board of County Commissioners

c: Tessa Vogel, Project Representative