

Zoning Justification Letter

Justification for Zone Change from Rural-10 to Rural-5

Applicant: Jeremy D. & Sierra N. Nicolls

Parcel Number: RP57N03W271887A

Request: Zone change from Rural-10 to Rural-5

Comprehensive Plan Designation: Rural

I. Purpose of the Request

We respectfully request a zoning map amendment for our 10-acre parcel from Rural-10 (R-10) to Rural-5 (R-5) to better align the zoning designation with:

- Actual land use patterns in the immediate area;
- The goals and policies of the Bonner County Comprehensive Plan;
- The existing infrastructure and parcel sizes in the vicinity.

This request is made in accordance with Bonner County Revised Code (BCRC) §12-263, which provides for zoning map amendments when the proposed change is compatible with surrounding land uses, consistent with the comprehensive plan, and reflects the physical suitability of the site.

II. Why R-10 Is Not Appropriate for This Property

Bonner County Code §12-317 and the Comprehensive Plan Implementation Chapter define R-10 as suitable for areas with large-lot rural living, agricultural uses, or environmental constraints. However, the subject property and its surrounding area do not meet those conditions. The following points clarify why an R-5 designation is more appropriate:

1. Surrounding Lot Sizes Are Smaller

- The parcel is surrounded by multiple R-5-zoned lots and smaller residential parcels.
- Directly east and west are R-5 zones with similar residential uses.
- Parcels to the south are less than 5 acres (e.g., 3.435 and 3.666 acres), demonstrating a density pattern incompatible with R-10 zoning.
- The area has already evolved into a fragmented, residential setting, not consistent with agricultural or large rural estate development.

2. Slopes Do Not Preclude an R-5 Designation

- The property contains slopes greater than 30% on only approximately 2–5% of the land, located primarily in a small corner.
- Over 95% of the parcel is under the 30% slope threshold, with most slopes ranging from 0–15%.
- While BCRC §12-317 identifies steep slopes as a consideration for R-10 zoning, such slopes are not automatic disqualifiers for R-5.
- The limited extent and location of these slopes allow for safe and efficient site planning without impacting the suitability for low-density development.

3. Soils Are Not Prime Farmland

- The parcel contains two soil types: Dufort-Rock Outcrop Complex and Pend Oreille Silt Loam.
- According to USDA soil data, both are classified as “Not prime farmland.”
- As such, there is no significant agricultural resource being lost or compromised by the proposed rezone.
- This supports a shift away from agricultural zoning toward rural residential use consistent with R-5 standards.

4. Infill Development Aligns with the Comprehensive Plan

- The parcel sits between two R-5 zones and within a cluster of smaller residential lots.
- This proposal constitutes infill development—defined as residential growth within already developed areas—which promotes smart, cohesive land use.
- The Bonner County Comprehensive Plan (Policies 1.2.1 and 1.4.2) encourages this form of growth, supporting development that reflects the existing character of neighborhoods and makes efficient use of infrastructure.
- Rezoning to R-5 supports cohesive development and prevents further fragmentation by aligning zoning with existing land patterns.

III. How the R-5 Zone Meets Planning Goals

- Aligns with BCRC §12-317 standards for R-5: low-density residential development with a 5-acre minimum.
 - Reflects existing development patterns and surrounding zoning.
 - Requires no new public infrastructure or increased service burdens.
 - Maintains rural character while supporting modest residential growth.
 - Provides consistency with access, utilities, and development already in place.
 - Meets the intent of BCRC §12-263 for zoning amendments by supporting compatible land use and efficient growth management.
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IV. Public Interest and Conclusion

Approving this zone change serves the public interest by:

- Encouraging orderly and efficient land use in an already developed area;
- Supporting modest population growth within appropriate infrastructure capacity;
- Avoiding unnecessary land fragmentation or expansion into undeveloped areas.

The continued classification of this parcel as R-10 is inconsistent with its actual characteristics, the surrounding zoning, and the goals of the Comprehensive Plan. It imposes limitations not warranted by the land's features or context. The facts outlined—particularly regarding slope, soil classification, and neighborhood density—clearly support an R-5 designation.

We respectfully request approval of this rezone to R-5 in alignment with the Bonner County zoning code, established development patterns, and long-term land use goals.

Sincerely,

Jeremy D. & Sierra N. Nicolls