



Bonner County

Board of Commissioners

Steve Bradshaw

Luke Omodt

Asia Williams

Special Meeting Minutes

PLANNING APPEAL/WORKSHOP

Date: April 27, 2023

Location: 1500 Hwy 2, Suite 338, Sandpoint, ID 83864

Time: 1:30 p.m.

Commissioners Present: Omodt, Bradshaw & Williams

Others Present: Don Davis, Jenna Crone, Swati Rastogi, and Travis Haller

* * * * *

Commissioner Bradshaw called the meeting to order at 1:30 p.m.

Action Item: Discussion/Decision Regarding Appeal File MOD0001-23 – Modification – Farm to Fork. The applicants are requesting a modification of CUP0009-22 to relocate proposed cabins, event center and to allow for a private community hall use. The parcel is 36.50 acres. The property is zoned A/F-10. The project is located off Wrenco Loop in Section 33, Township 57 North, Range 3 West, Boise-Meridian. The Hearing Examiner at the March 1, 2023, public hearing, approved this file. On March 31, 2023, the Planning Department received a letter of appeal requesting this file be sent to the Board of County Commissioners to be heard de novo.

Planning Department Comment:

Staff report presented Daniel Britt (see attached staff report).

Appellant:

Devon Thompson:

Stated that the applicant knew exactly what the parameters were in the beginning. This modification should not even be being heard. Explained the word Retreat in BCRC. Stated that the infrastructure that is in place is not sufficient for this project to be moving forward, specifically wells and sufficiency of water.

Landowner

Eric Hansen gave a brief explanation as to what this CUP was intended for. Discussed wetlands and fill permits.

Public Comment:

Several members of the public spoke in opposition of or for. See attached sign in sheets.

Applicant Rebuttal:

Discussed inadequacies of the file, stated that the applicants dream is not the neighbor’s dream. Has grave concerns about septic, water, etc...

Planning Staff Rebuttal:

Discussed code misinformation that was brought up during the meeting. Discussed the commercial use tables and use subject to zoning, specifically to restaurants. Planning staff addressed the Wetlands Buffers and setbacks. Planning staff also addressed the jurisdiction of wetlands in Idaho.

Landowner stated that he feels he has adequately commented on this file throughout the files. Nicole Wilson commented on some false narratives that were discussed during the appeal hearing today.

Public comment closed at 3:05 p.m.

Commissioner Bradshaw gave a brief overview of what the BOCC is tasked with when making these decisions. Also stated that he is highly impressed with the original applicants, stated he has never seen more impressive applicants with their due diligence.

Commissioner Omodt stated that he is in support of the original applicants, supports farming.

Commissioner Williams stated that there are issues that she cannot get over, such as the setback issue, minimum of 40' and the wish of the fire district to comment. States she believes it is too quick of a decision and needs to be delayed so fire can comment. Stated that she feels fish and game does not contribute because the county does not listen. Stated she does feel the original applicants are doing a great job otherwise.

Jacob Gabell stated that this file was routed to Selkirk Fire.

MOTION TO DENY: Commissioner Omodt made a motion to affirm the Hearing Examiners decision this project FILE MOD0001-23 to allow for private community facility use, a reduced wetland setback for proposed cabins and relocate the “event center” building, based upon the following conclusions: [REFER TO FOREGOING CONCLUSIONS OF LAW AND SPECIFY WHICH CONCLUSIONS THE PROJECT MEETS AND FAILS TO MEET]. The decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further adopt the findings of fact and conclusions of law as set forth in the Staff Report as amended during this hearing and direct planning staff to draft written findings and conclusions to reflect this decision and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the conditional use permit is to:

1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or 2) Appeal the Hearing Examiner’s decision to the County Commissioners. Commissioner Williams seconded the motion for discussion. Roll Call Vote: Commissioner Omodt – Yes. Commissioner Williams – No, Commissioner Bradshaw – Yes. The motion passed.

Commissioner Bradshaw recessed the meeting for two minutes at 3:16 p.m.

Commissioner Bradshaw reconvened the meeting at 3:23 p.m.

Commissioner Williams was absent upon reconvening the meeting

WORKSHOP

1) File AM0006-23 - Bonner County Comprehensive Plan – Components Update – Agriculture. The Bonner County Planning Commission is recommending an amendment to the existing Bonner County Comprehensive Plan by updating the Agriculture Component per Idaho Code Section 67-6508, Local Land Use Planning. The Planning Commission, at their April 04, 2023, public hearing recommended approval and adoption of these updates to the Board of County Commissioners.

2) File AM0008-23 - Bonner County Comprehensive Plan – Components Update – Economic Development. The Bonner County Planning Commission is recommending an amendment to the existing

Bonner County Comprehensive Plan by updating the Economic Development Component per Idaho Code Section 67-6508, Local Land Use Planning. The Planning Commission, at their April 18, 2023, public hearing recommended approval and adoption of these updates to the Board of County Commissioners.

Swati Rastogi presented both components to the BOCC.

Meeting was adjourned at 3:33 p.m.

Deputy Clerk: Jessi Reinbold