

3. The Board of County Commissioners is authorized by Idaho Code, Chapter 7, Title 31, to adopt ordinances, rules and regulations "...not repugnant to law, necessary for carrying into effect or discharging the powers and duties conferred by the laws of the state of Idaho, and such as are necessary or proper to provide for the safety, promote the health and prosperity, improve the morals, peace and good order, comfort and convenience of the county and the inhabitants thereof, and for the protection of property therein..."

4. The proposed ordinance making the above changes adds to the clarity intended in the interpretation of the Bonner County Revised Code and Bonner County Comprehensive Plan. These actions will further balance the provision of safety, health and prosperity while maintaining the protection of property, peace, good order, comfort and convenience of the county and its inhabitants.

5. This proposed change provides further clarifying standards enabling the public and the staff to achieve the best results leading to greater understanding and use of the zoning ordinance.

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### Conclusions of Law:

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#### Conclusion 1

The proposed amendments to Title 12 **IS** in accord with Idaho Code, Chapter 7, Title 31.

#### Conclusion 2

The proposed amendments to Title 12 **IS** in accord with Idaho Code Chapter 67 Title 65.

#### Conclusion 3

The proposed zone change **IS** in accord with the Bonner County comprehensive plan. (See attached comprehensive plan goals, objectives and policies.)

Property Rights	•Population	•School	Facilities,
Transportation			
•Economic Development	•Land Use	•Natural Resources	
•Hazardous Areas	•Public Services	•Transportation	
•Recreation	•Special Areas or Sites	•Housing	
•Community Design	•Implementation		

The Chair declared the hearing adjourned at 1:55 p.m.

Respectfully submitted, this 24<sup>th</sup> day of March 2022,



Milton Ollerton, Planning Director

**PLANNING DEPARTMENT  
PUBLIC HEARING DECISION MINUTES  
March 18, 2022**

**CALL TO ORDER:** Chair McDonald called the Bonner County Commissioners' hearing to order at 1:31 p.m. in the 3rd floor meeting room, Suite 338 of the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, via Zoom webinar, and YouTube live streaming.

**PRESENT:** Commissioners Chair Dan McDonald, Jeff Connolly and Vice Chair Steve Bradshaw

**ABSENT:** None

**ALSO PRESENT:** Planning Director Milton Ollerton; Assistant Planning Director Jacob Gabell; Planner I Daniel Britt; Planner I Amy Scott and Hearing Coordinator Jenna Crone.

**PUBLIC HEARING:**

**TEXT AMENDMENT**

**CALL FOR VISUAL, HEARING OR OTHER IMPAIRMENT REQUIRING ASSISTANCE:** The Chair asked whether anyone needed special assistance to hear, see or participate in these proceedings. Hearing no response, the Chair continued with the public hearing.

**CONFLICT OF INTEREST/DISCLOSURE DECLARATIONS:** The Chair requested the Commissioners declare any conflicts of interest or disclosures. The Chair noted that there were no disclosures or conflicts.

**File AM0002-22 – Text Amendment – Bonner County Revised Code Title 12 – Bonner County** is requesting a text amendment to Bonner County Revised Code, Title 12, all sections using the words "planning and zoning commission" or "commission;" adding Section 12-214E; adding a definition for Zoning Commission; and removing section 12-413, Subchapter 6.8, and 12-733D.

**STAFF PRESENTATION:** Planning Director Milton Ollerton presented a PowerPoint summary of the Text Amendment and previously circulated staff report, concluding this project is consistent with Bonner County Revised Code.

**PUBLIC/AGENCY TESTIMONY:** The following members of the public spoke on the records: Louis Witt

**PUBLIC COMMENT VIA ZOOM:** Susan Drumheller

**BOARD DELIBERATION:** The Chair closed the hearing to public testimony. The Board discussed Findings and Conclusions.

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**Motion by the governing body:**

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**BOARD OF COUNTY COMMISSIONERS**

**MOTION TO APPROVE:** Commissioner Connolly moved to approve this project FILE AM0002-22 to amend the sections of Title 12, Bonner County Revised Code, as presented or amended in this hearing, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan as enumerated in the following findings of fact and conclusions of law, and based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. Commissioner Connolly further moved to adopt the findings of fact and conclusions of law as set forth in the Staff Report (or as amended during this 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.

Commissioner Bradshaw seconded the motion.

**VOTED** upon and the Chair declared the motion carried, unanimously.

**ROLL CALL VOTE**

Commissioner McDonald	Aye
Commissioner Connolly	Aye
Commissioner Bradshaw	Aye

**BOARD MOTION TO ADOPT ORDINANCE:** Commissioner Bradshaw moved to approve an Ordinance of Bonner County, Idaho, the number to be assigned, citing its authority, and providing for the amendment of Title 12, Bonner County Revised Code as presented or amended in this hearing, and providing for an effective date.

Commissioner Connolly seconded the motion

**VOTED** upon and the Chair declared the motion carried, unanimously.

**ROLL CALL VOTE**

Commissioner McDonald	Aye
Commissioner Connolly	Aye
Commissioner Bradshaw	Aye

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**Findings of Fact:**

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1. The Board of County Commissioners, per Idaho Code Chapter 65, Title 67, may create by ordinance, a planning commission, and a zoning commission.
2. The Bonner County Planning Department has reviewed the proposed changes against Idaho Code to comply with the Idaho Code, specifically Title 67 Chapter 65.