

**BONNER COUNTY PLANNING and ZONING COMMISSION  
PUBLIC HEARING MINUTES  
THURSDAY, JUNE 17, 2021**

**PLEDGE OF ALLEGIANCE**

**CALL TO ORDER:** Chair Bailey called the Bonner County Planning and Zoning Commission hearing to order at 5:30 p.m. in the 1st Floor Conference Room, of the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, via Zoom webinar, and YouTube live streaming.

**PRESENT:** Commissioners Chair Brian Bailey; Vice Chair Don Davis; Taylor Bradish; Dave Frankenbach; and Sheryl Reeve

**ABSENT:** Suzanne Glasoe

**ALSO PRESENT:** Planning Director Milton Ollerton; Planner I Swati Rastogi; Planner I Chad Chambers; Planner I Daniel Britt; Administrative Manager Jeannie Welter; Administrative Assistant III Kelcey Utt-Boss; and Administrative Assistant III Janna Berard

**CONSENT AGENDA**

**APPROVAL OF MINUTES:** The Chair requested the Commissioners declare if they had any corrections or changes to the approval of minutes as written for: May 27, 2021 and June 3, 2021. Hearing no changes or objections, the Chair declared the minutes approved as written.

**PUBLIC HEARINGS:**

**ZONE CHANGES**

**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.

**File ZC0014-21 – Zone Change – A/F-20 to A/F-10 – Donald & Leona Crawford** are requesting a zone change from Agricultural/Forestry 20 (A/F-20) to Agricultural/Forestry 10 (A/F-10). The property is located north of Selle Road and east of Highway 95 in Section 24, Township 58 North, Range 2 West, Boise-Meridian.

**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.

**STAFF PRESENTATION:** Staff planner Swati Rastogi presented a PowerPoint summary of the project and previously circulated staff report, concluding this project

is consistent with the Bonner County Comprehensive Plan and Bonner County Revised Code.

**APPLICANT PRESENTATION:** Project Representative Marty Taylor, James A Sewell & Associates, spoke on the record detailing the application.

**PUBLIC/AGENCY TESTIMONY:** The following individuals spoke on the record in favor of the application: Jean Tillotson and Cheyanne McKinney.

**APPLICANT REBUTTAL:** None.

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

**MOTION:** Commissioner Davis moved to recommend to the Board of County Commissioners, approval of the project FILE ZC0014-21, requesting a Zone Change from A/F-20 to A/F-10 on 30.70 acres of unplatted land, located off Selle Road in Section 24, Township 58 North, Range 2 West, Boise Meridian, Idaho, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following 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 Davis further moved to recommend adoption of the following findings of fact and conclusions of law as written. This action does not result in a taking of private property. Commissioner Reeve seconded the motion.

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

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## **Background:**

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### **A. Site data:**

- Use: Site is currently developed with the following-
  - i. Dwelling, built in 1956.
  - ii. 3 Utility Sheds, built in 1970, 1995 and 2004 consecutively.
- Unplatted
- Size: 30.70 acres, approximately.
- Zone: Agricultural/Forestry 20 District
- Land Use: Agriculture/ Forest Land

### **B. Access:**

- Property is accessed off Selle Road, a public right-of-way. It is Bonner County owned and maintained, with a speed limit of 35 miles per hour and paved with Hot Mix Asphalt.

### **C. Environmental factors:**

- Site does not contain slopes of over 15%. (USGS)
- Site contains the following wetlands. (USFWS)
  - i. Freshwater Forested/ Shrub Wetland
  - ii. Freshwater Emergent Wetland
- Site does not contain waterfront or streams. (NHD)

- Soils:
  - i. Mission Silt Loam,
    - 0 to 2 percent slopes
    - Prime farmland if drained
    - Somewhat poorly drained
  - ii. Mission Silt Loam,
    - 2 to 12 percent slopes
    - Farmland of statewide importance if drained
    - Somewhat poorly drained
  - iii. Pywell Hoodoo complex
    - 0 to 1 percent slopes
    - Prime farmland if drained
    - Very poorly drained
  - iv. Selle-Mission Complex
    - 0 to 12 percent slopes
    - Prime farmland if drained
    - Well drained
- Critical Wildlife Habitat: None. (Critical Wildlife Habitat map created from the field validated data collected from Idaho Department of Fish and Game, 2002.)
- Floodways: Site is within Flood Hazard Zone X, as per FIRM Panel 16017C0710E, dated 11/18/2009. The project is unlikely to require any further floodplain review.

**D. Services:**

- Water: Individual well system. The site is currently developed with two wells.
- Sewage: Individual septic tank and leach field. The site has been approved for subsurface sewage disposal (PHD File 87-09-69991, PHD File 92-09-10703 and PHD File 02-09-0420).
- Fire: Northside Fire District
- Power: Northern Lights Utility Company
- School District: Bonner County # 84
- Ambulance District: Bonner Co Ambulance District
- Hospital District: Pend Oreille Hospital District

**E. Comprehensive Plan, Zoning and Current Land Use**

Compass	Comp Plan	Zoning	Current Land Use
Site	Agricultural/ Forest Land	Agricultural/ Forestry 20	Residential
North	Agricultural/ Forest Land	Agricultural/ Forestry 20	Residential Meadow land
East	Agricultural/ Forest Land	Agricultural/ Forestry 20	Residential with Agricultural Timber Land
South	Agricultural/ Forest Land	Agricultural/ Forestry 10	Bare Forest & Agricultural Timber Land
West	Agricultural/ Forest Land	Agricultural/ Forestry 10	Bare Forest Land and Agricultural Timber Land

## **F. Standards of review: Bonner County Revised Code**

- **12-215: Applications for Zone Changes and Comprehensive Plan Map Amendments, Contents**
  - The application was considered complete and routed to agencies accordingly.
- **12-216: Evaluation of Amendment Proposals**
  - Staff and the governing bodies shall review the particular facts and circumstances of each proposal submitted and shall determine whether there is adequate evidence that the proposal is in accordance with the general and specific objectives of the comprehensive plan. (Ord. 501, 11-18-2008)
- **Comprehensive Plan:**
  - Agricultural/ Forest Land: The Ag/Forest Land designation recognizes areas where steeper slopes prevail (30% or greater) and transportation is provided by private roads or U.S. Forest Service or state roads. Urban services are not available and residential development challenges are present due to slope, poor soil conditions, hazard areas and lack of police or fire services.
- **Existing Zoning: BCRC 12-322: Agricultural/ Forestry District (A/F-20):**
  - A/F-20 zone is also appropriate in areas designated Ag/ Forest land in the comprehensive plan that also feature:
    - Prime agricultural soils.
    - Are characterized by agricultural or forestry uses.
    - Areas where one or more of the following apply: limited services; characterized by slopes steeper than thirty percent (30%); where access may be absent or limited to substandard road systems or where large tracts of land may be devoted to Ag/Forest production.
- **Proposed Zoning: BCRC 12-322: Agricultural/ Forestry District (A/F-10):**
  - A/F-10 in areas designated as Ag/ Forest land in the comprehensive plan that do not feature prime agricultural soils, but where agricultural and forestry pursuits remain viable. These areas may be within or adjacent to areas of city impact or where lands are afforded fire protection, access to standard roads and other services.

**G. Stormwater plan:** A storm water management plan was not required, pursuant to BCRC 12-720.3(J) because the proposal does not result in the creation of additional "impervious surface", as defined in BCRC 12-809.

**H. Agency Review:** The application was routed to agencies for comment on May 18, 2021.

Panhandle Health District	Idaho Department of Water Resources
Northside Fire District	Bonner County Road and Bridge Department
Northern Lights Utility Company	U.S. Army Corps (Coeur d'Alene)
School District #84	Army Corps (Newport)
Bonner County Schools - Transportation	U.S. Forest Service
Idaho Department of Environmental Quality	State Historical Society
Idaho Transportation Department	All Taxing Districts

**The following agencies replied with no comments:**

*Kootenai Ponderay Sewer District, May 19, 2021*  
*Independent Highway District, May 24, 2021*  
*Pend Oreille Hospital District, May 28, 2021*  
*Idaho Department of Environmental Quality, June 08, 2021*

**All other agencies did not reply.**

**I. Public Notice & Comments:** *None received.*

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**Zone Change Findings of Fact**

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- The site is in an area designated for Agricultural/ Forest Land uses in the Comprehensive Plan.
- Site does not contain mapped slopes of over 15%.
- Site has access from Selle Road, a Bonner County owned and maintained public right-of-way paved with Hot Mix Asphalt with a speed limit of 35 miles per hour.
- Access to services is not limited on the site.
  - It will be serviced by North Side Fire District and Northern Lights Utility Company.
  - It will be served by individual well system and is currently developed with two wells.
  - It will be served by individual septic tank and leach field system. It has been approved for subsurface sewage disposal (PHD File 87-09-69991, PHD File 92-09-10703 and PHD File 02-09-0420).
  - Site is located in Bonner School District #84, Bonner Co Ambulance District and Pend Oreille Hospital District.
- Site features 4 types of soils. Three of these are viable for agricultural and forestry pursuits if drained. One of these is a well-drained prime farmland soil, suitable for agricultural and forestry pursuits.
- Site is located on the edge of Ponderay Area of City Impact. The application was noticed in the paper and sent to the neighbors in accordance with BCRC 12-267.

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**Zone Change Conclusions of Law:**

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

Conclusion 1

The proposal **is** in accord with the following elements of the Bonner County Comprehensive Plan:

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

Conclusion 2

This proposal was reviewed for compliance with Title 12, Bonner County Revised Code, and **was** found to be in compliance.

Conclusion 3

The proposal **is** in accord with the purpose of the Agricultural/ Forestry 10 District zoning, provided at Chapter 3, Title 12, Bonner County Revised Code.

**File ZC0015-21 – Zone Change – Rural-10 to Rural-5 - C. Schuyler McCorkle**

is requesting a zone change from Rural-10 to Rural-5. The comprehensive plan designation is Rural Residential. This 10 acres parcel is located off Lakeshore Drive Road in Section 15 and 16, Township 56 North, Range 3 West, Boise-Meridian.

**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.

**STAFF PRESENTATION:** Staff planner Swati Rastogi presented a PowerPoint summary of the project and previously circulated staff report, concluding this project is consistent with the Bonner County Comprehensive Plan and Bonner County Revised Code.

**APPLICANT PRESENTATION:** None.

**PUBLIC/AGENCY TESTIMONY:** The following individuals spoke on the record in opposition of the project: Don Spears and Claudia Carer.

**APPLICANT REBUTTAL:** None.

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

**MOTION:** Commissioner Frankenbach moved to recommend to the Board of County Commissioners, approval of the project FILE ZC0015-21, requesting a Zone Change

from R-10 to R-5 on 10 acres of unplatted land, located off Lakeshore Drive in Section 15 and 16 of Township 56 North, Range 3 West, Boise Meridian, Idaho, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following 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 Frankenbach further moved to recommend adoption of the following findings of fact and conclusions of law as written. This action does not result in a taking of private property. Commissioner Davis seconded the motion.

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

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## **Background:**

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### **A. Site data:**

- Use: Site is currently developed with the following-
  - i. Dwelling, built in 1966.
  - ii. Three attached garages.
  - iii. Three waterfront boat docks, built in 1995.
  - iv. General purpose building, built in 1995.
  - v. Lean-to, built in 1995.
- Unplatted
- Size: 10 acres, approximately.
- Zone: Rural 10 District
- Land Use: Rural Residential

### **B. Access:**

- Property is accessed off Lakeshore Drive, a public right-of-way. It is Bonner County owned and maintained, paved with Treated Gravel with a speed limit of 35 miles per hour.

### **C. Environmental factors:**

- Most of the site does not contain slopes of over 15%. A minimal portion of the site contains slopes between 15-30%. (USGS)
- Wetlands/ Waterbody: Site fronts on Morton Slough to the east and Pend Oreille River to the west. (USFWS)
- Soils: Elmira Loamy Sand
  - i. 0 to 8 percent slopes
  - ii. Prime farmland
  - iii. Excessively drained
- Critical Wildlife Habitat: None. (As per the Critical Wildlife Habitat Map created from the field-validated data collected by Idaho Department of Fish and Game in 2002.)
- Floodway: Most of the site is within Flood Hazard Zone X. A small southern portion of the site, adjacent to River Pend Oreille is within Flood Hazard Area AE.

**D. Services:**

- Water: The site is currently developed with a well. The owner does not intend to make any further additions.
- Sewage: The site is currently served by an individual septic and leach field system. The owner does not intend to make any further additions.
- Fire: Sagle Fire District
- Power: Northern Lights Utility Company
- School District: Bonner County # 84
- Ambulance District: Bonner Co Ambulance District
- Hospital District: Pend Oreille Hospital District

**E. Comprehensive Plan, Zoning and Current Land Use**

Compass	Comp Plan	Zoning	Current Land Use
Site	Rural Residential	Agricultural/ Forestry 20	Residential
North	Rural Residential	Agricultural/ Forestry 20	Residential
East	Morton Slough	Morton Slough	Morton Slough
South	Pend Oreille River	Pend Oreille River	Pend Oreille River
West	Rural Residential	Rural 10	Residential

**F. Standards of review: Bonner County Revised Code**

- **12-215: Applications for Zone Changes and Comprehensive Plan Map Amendments, Contents**
  - The application was considered complete and routed to agencies accordingly.
- **12-216: Evaluation of Amendment Proposals**
  - Staff and the governing bodies shall review the particular facts and circumstances of each proposal submitted and shall determine whether there is adequate evidence that the proposal is in accordance with the general and specific objectives of the comprehensive plan. (Ord. 501, 11-18-2008)
- **Comprehensive Plan:**
  - Rural Residential: The Rural Residential area provides for residential development in areas where urban services are not available and slopes may vary up to 30%. These areas include hazard areas and critical wildlife habitats, where lower densities reduce potential impacts to resources and exposures to loss of property or lives. Small-scale agricultural uses and residential development are permitted.
- **Existing Zoning: BCRC 12-323: Rural District (R-10):**

R-10 in areas designated as rural residential in the comprehensive plan that meet one or more of the following criteria:

  - Characterized by slopes that are steeper than thirty percent (30%).
  - Located within critical wildlife habitat as identified by federal, state or local agencies.



- o Contain prime agricultural soils.
  - o Served by a network of public and/or private roadways that generally do not meet applicable roadway standards set forth in Title 2 (public roads) of this code or appendix A (private roads) of Title 12 or are absent.
  - o Within the floodway.
  - o Contain limited access to public services.
- **Proposed Zoning: BCRC 12-323: Rural District (R-5):**  
R-5 in areas designated rural residential in the comprehensive plan that are already developed at or near the one dwelling unit per five (5) acre density and/or do not meet the criteria for R-10 above.

**G. Stormwater plan:** A storm water management plan was not required, pursuant to BCRC 12-720.3(J) because the proposal does not result in the creation of additional impervious surface, as defined in BCRC 12-809.

**H. Agency Review:** The application was routed to agencies for comment on May 18, 2021.

Panhandle Health District	Idaho Dept. of Fish and Game
Selkirk Fire District	Idaho Dept. of Water Resources
Northern Lights Utility Company	U.S. Army Corps (Coeur d'Alene)
School District #84	Army Corps (Newport)
Bonner County Schools - Transportation	U.S. Fish and Wildlife Services
Bonner County Road and Bridge Department	BNSF Railway
Idaho Dept. of Lands (Sandpoint)	All Taxing Districts
Idaho Dept. of Lands and Navigable Waters	

**The following agencies replied with no comments:**

- Kootenai Ponderay Sewer District, May 24, 2021*
- Independent Highway District, May 20, 2021*
- Pend Oreille Hospital District, May 25, 2021*

**All other agencies did not reply.**

**I. Public Notice & Comments**

*None received.*

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**Zone Change Findings of Fact**

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- The site is in an area designated for Rural Residential Land uses by the Comprehensive Plan.
- Majority of the site does not contain mapped slopes of over 15%. A minimal portion of the site to the south contains slopes between 15-29%.
- The site does not contain critical wildlife habitat. The staff did not receive any comments from Idaho Department of Fish and Game confirming otherwise.

- The site is served by Lakeshore Drive, a Bonner County owned and maintained public right-of-way that is paved with Treated Gravel and has the posted speed limit of 35 miles per hour. This road meets the applicable standards of Public Roads as provided in Title 2 of Bonner County Revised Code.
- Most of the site is within Flood Hazard Zone X. A small southern portion of the site, adjacent to River Bend Oreille is within Flood Hazard Area AE.
- Site has access to the following public services.
  - Direct access to public right-of-way, Lakeshore Drive.
  - Site is serviced by Sagle Fire District, Northern Lights Utility Company, Bonner School District #84, Bonner Co Ambulance District and Bend Oreille Hospital District.
- The adjacent area is developed with a density of approximately 1 dwelling unit per 5 acres of land.

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**Zone Change Conclusions of Law:**

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

Conclusion 1

The proposal **is** in accord with the following elements of the Bonner County Comprehensive Plan:

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

Conclusion 2

This proposal was reviewed for compliance with Title 12, Bonner County Revised Code, and **was** found to be in compliance.

Conclusion 3

The proposal **is** in accord with the purpose of Rural 5 zoning, provided at Chapter 3, Title 12, Bonner County Revised Code.

**File ZC0008-21 – Zone Change – Rural Service Center to Commercial - Keith & Tammy Sprenkel** are requesting a zone change from Rural Service Center to Commercial. The property is zoned Rural Service Center. The project is located off Shady Pines Lane in Section 31 Township 60 North, Range 4 West, Boise-Meridian.

**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.

**STAFF PRESENTATION:** Staff planner Daniel Britt presented a PowerPoint summary of the project and previously circulated staff report, concluding this project is consistent with the Bonner County Comprehensive Plan and Bonner County Revised Code.

**APPLICANT PRESENTATION:** None.

**PUBLIC/AGENCY TESTIMONY:** Rick Knox spoke on the record in favor of the project.

**APPLICANT REBUTTAL:** None.

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

**MOTION:** Commissioner Bradish moved to recommend approval to the Board of County Commissioners on this project, FILE ZC0008-21, requesting a zone change from Rural Service Center to Commercial, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following 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 Bradish further moved to adopt the following findings of fact and conclusions of law as written. This action does not result in a taking of private property. Commissioner Reeve seconded the motion.

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

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**Background:**

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**A. Site data:**

Shop  
Unplatted  
Size: 1.82  
Zone: Rural Service Center  
Land Use: Neighborhood Commercial  
Legal per: #716541

**B. Access:**

Access is off Highway 57, a paved, state road. Shandy Pine Loop, is a public gravel road

**C. Environmental factors:**

Site does not contain mapped slopes. (USGS)  
Site does not contain mapped wetlands. (USFWS)  
Site does not contain waterfront or streams. (NHD)  
Soil:

1. Classification: Caribouridge-Stien families, complex, outwash plains of mixed geology
2. Type: Not prime farmland
3. Drainage: Well Drained

**D. Services:**

Water: Individual Well  
Sewage: Outlet Bay Sewer  
Fire: West Priest Lake Fire

Power: Northern Lights  
 School District: Bonner School District #83

**E. Comprehensive Plan, Zoning and Current Land Use**

<b>Compass</b>	<b>Comp Plan</b>	<b>Zoning</b>	<b>Current Land Use &amp; Density</b>
<b>Site</b>	Neighborhood Commercial	Rural Service Center	Rural Service Center
<b>North</b>	Neighborhood Commercial	Rural Service Center	Rural Service Center
<b>East</b>	Neighborhood Commercial	Rural Service Center	Rural Service Center
<b>South</b>	Neighborhood Commercial	Rural Service Center	Rural Service Center
<b>West</b>	Neighborhood Commercial	Rural Service Center	Rural Service Center

**F. Standards review: Bonner County Revised Code**

**12-215:** Applications for Zone Changes and Comprehensive Plan Map Amendments, Contents

The application was considered complete and routed to agencies accordingly.

**12-216:** Evaluation of Amendment Proposals

Staff and the governing bodies shall review the particular facts and circumstances of each proposal submitted and shall determine whether there is adequate evidence that the proposal is in accordance with the general and specific objectives of the comprehensive plan. (Ord. 501, 11-18-2008)

**Existing Comprehensive Plan Designation:**

Neighborhood Commercial: The Neighborhood Commercial area is designed to provide light commercial uses to serve the needs of the rural communities and tourist trade without adversely affecting residential neighborhoods. Urban services and primary transportation systems, such as the state highways or major/minor collector roads are required.

**Existing Zoning:**

**BCRC 12-327 Rural Service Center District:**

A. The rural service center district is established to promote the development of local commercial services in small communities to meet the needs of rural residents as well as limited tourist commercial services and limited light industrial uses consistent with the maintenance of the rural character of the area. The rural service center district is also intended to provide opportunities for a variety of affordable housing types that are

within walking distance of commercial services. These purposes are accomplished by:

1. Providing for a range of small scale retail and rural service uses.
2. Allowing for mixed use buildings (housing over office or retail) and a range of housing types, including detached single-family dwelling units, cottage housing, townhouses, apartments and mobile home parks where sufficient services are provided.
3. Allowing for light industrial uses where activities are conducted primarily indoors and impacts to adjacent uses are mitigated.
4. Excluding commercial uses with extensive outdoor storage.
5. Excluding large scale commercial uses that would be more effectively located in incorporated cities.
6. Applying simple design standards that enhance pedestrian access and improve the character of the area. (Ord. 501, 11-18-2008)

B. Use of this zone is appropriate in areas designated as neighborhood commercial, resort community or transition by the comprehensive plan and community plans and that are served at the time of development by adequate sewage disposal services, water supply, roads and other needed public facilities and services. Expansion of existing rural service center districts or the creation of new rural service center districts may be considered only if the expansion will not negatively impact the safety and function of a state highway or other roadway.

### **Proposed Zoning:**

#### **BCRC 12-325 Commercial District:**

A. The commercial district is established to promote a range of commercial uses to serve the needs of the immediate area, surrounding rural communities and visitors without adversely affecting adjacent residential neighborhoods. The commercial district is also intended to provide opportunities for a variety of affordable housing types that are within walking distance of commercial services. Intensive large scale commercial development is not appropriate due to the limited density of surrounding unincorporated areas. Access to primary transportation routes and a system of hard surfaced roads are expected and consideration is given to the potential public transportation access. These purposes are accomplished by:

1. Providing for a wide range of small to medium scaled retail, professional, governmental and personal service uses.
2. Allowing for mixed use buildings (housing over office or retail) and a range of housing types, including cottage housing, townhouses, apartments and mobile home parks where sufficient services are provided.

3. Allowing for light industrial uses where activities are conducted primarily indoors and impacts to adjacent uses can be mitigated.
4. Excluding commercial uses with extensive outdoor storage.
5. Excluding large scale commercial uses that would be more effectively located in incorporated cities.
6. Applying simple design standards that enhance pedestrian access and improve the character of the area.

B. Use of this zone is appropriate in areas designated as neighborhood commercial, urban growth area or transition by the comprehensive plan and community plans and that are served at the time of development by adequate sewage disposal services, water supply, roads and other needed public facilities and services. Expansion of existing commercial districts or the creation of new commercial districts may be considered only if the expansion will not negatively impact the safety and function of a state highway or other roadway.

**G. Stormwater plan:** A stormwater management plan was not required, pursuant to BCRC 12-720.3(K)...the creation of additional "impervious surface", as defined in section [12-809](#) of this title.

**H. Agency Review:** The application was routed to agencies for comment on 5/21/21.

Panhandle Health District	Idaho Department of Water Resources
Outlet Bay Sewer District	Bonner County Road Department
West Priest Lake Fire District	U.S. Fish and Wildlife Service
Northern Lights Utility Company	Idaho Department of Lands (Sandpoint)
Bonner School District #83	U.S. Forest Service
Bonner County Schools - Transportation	Idaho Transportation Department
Idaho Department of Fish and Game	Idaho Department of Environmental Quality
(All Taxing Districts)	

**The following agencies provided comment:** none

**The following agencies replied "No Comment":**

*Independent Highway District- 5/24/2021*  
*Kootenai Ponderay Sewer District-5/24/2021*  
*Pend Oreille Hospital District- 5/25/2021*

**All other agencies did not reply.**

## **I. Public Notice & Comments**

No comments were received

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**Zone Change Findings of Fact**

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- The parcel is comprehensive planned Neighborhood Commercial
- The parcel is will not negatively affect Highway 57 or other roadways
- Residential neighborhoods will not be impacted negatively
- The parcel lies within West Priest Lake Fire district
- The parcel has an individual well
- The parcel is served by Outlet Bay Sewer
- The parcel does not feature any slope, surface water, wetlands, floodplains, or floodways
- Adjacent properties lie within the Rural Service Center and feature the same soil types

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**Zone Change Conclusions of Law:**

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

Conclusion 1

The proposal **is** in accord with the following elements of the Bonner County Comprehensive Plan:

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

Conclusion 2

This proposal was reviewed for compliance with Title 12, Bonner County Revised Code, and **was** found to be in compliance.

Conclusion 3

The proposal **is** in accord with the purpose of the Commercial zoning district, provided at Chapter 3, Title 12, Bonner County Revised Code.

**VARIANCE**

**File V0010-21 – Variance – Property Line Setback - Chris Pellascini** is requesting a variance for a reduced property line setback of 10’ where 25’ is required. The lot is 5.8 acres with 15% or greater slope. The lot currently has a building pad and utilities are installed. The property is zoned R-5. The project is located off Living Waters Way in Section 5, Township 55 North, Range 4 West, Boise-Meridian.

**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.

**STAFF PRESENTATION:** Staff planner Daniel Britt presented a PowerPoint summary of the project and previously circulated staff report, concluding this project is consistent with Bonner County Revised Code.

**APPLICANT PRESENTATION:** Project Representative Brian Fobes presented information about the site.

**PUBLIC/AGENCY TESTIMONY:** None.

**APPLICANT REBUTTAL:** None.

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

**MOTION TO DENY:** Commissioner Reeve moved to deny this project FILE V0010-21 a reduced setback for a 10' setback where 25' is required, based upon the following conclusions: Conclusion 1: Conditions apply to the property that do apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography, or other circumstances over which the applicant has no control; Conclusion 2: Special conditions and circumstances do result from the actions of the applicant. Conclusion 3: The granting of the variance is in conflict with the public interest in that it will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity of the subject parcel or lot. (Ord. 559, 1-4-2017). The decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Commissioner Reeve further moved to adopt the following findings of fact and conclusions of law as amended. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the variance 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 Planning and Zoning Commission's decision to the County Commissioners.

Commissioner Frankenbach seconded the motion.

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

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## **Background:**

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### **A. Site data:**

- Residential
- Platted lot
- Size: 5.8 acres
- Zone: Rural 5
- Land Use: Rural Residential (5-10ac)



**B. Access:**

- Dufort Road is a paved County maintained road with a 60’ ROW,
- Morning Star Mountain Road is a private gravel surfaced road with a 60’ ROW
- Living Waters is a private gravel surfaced road with a 60’ ROW

**C. Environmental factors:**

- Site does contain mapped slopes. (USGS)
- Site does not contain mapped wetlands. (USFWS)
- Site does not contain a river/stream/frontage on lake
- Not within a floodplain- Zone X #16017C0890E 11/18/2009

**D. Services:**

- Water: Individual well
- Sewage: Individual septic system
- Fire: West Pend Oreille Fire District
- Power: Northern Lights
- School District: Bonner School #83

**E. Comprehensive Plan, Zoning and Current Land Use**

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Rural Residential	Rural 5	Vacant
North	Rural Residential	Rural 5	Residential
East	Rural Residential	Rural 5	Vacant
South	Rural Residential	Rural 5	Residential
West	Rural Residential	Rural 5	Vacant

**F. Standards review**

BCRC 12-234 specifies that “Staff, the commission and/or board shall review the particular facts and circumstances of each proposal submitted and shall find adequate evidence showing that:

- (a) Conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography, or other circumstances over which the applicant has no control.**

*Applicant: "Access road and building pad already prepared. In addition, the well and power are already installed to building pad. The hillside lot is fairly steep the optimal building site was prepared previously based on site constraints. The well location limits the location and width of residence. A variance would allow the new owner to build their planned home."*

**Staff:** Applicant has no control of the natural slope of the lot. Previous ownership developed a building pad and installed a well.

**(b) Special conditions and circumstances do not result from the actions of the applicant.**

*Applicant: "Roadway, building pad and utilities were installed prior to ownership"*

**Staff:** The property has naturally steep slopes. Previous owner installed a building pad and a well.

**(c) The granting of the variance is not in conflict with the public interest in that it will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity of the subject parcel or lot.**

*Applicant: "The sideyard adjacent property owner to the north has already built on their lot. The existing trees and vegetation are well established and dense enough to provide 100% site obstruction. The reduced setback would not adversely effect the parcel the north as it is currently developed. The proposed house is oriented so that their will be no head lights shinning into the northern 20 acre lot"*

**Staff:** The variance request aligns with the comprehensive plan goals and objectives. The Rural Residential area provides for residential development in areas where urban services are not available and slopes may vary up to 30%. These areas include hazard areas and critical wildlife habitats, where lower densities reduce potential impacts to resources and exposures to loss of property or lives. Small-scale agricultural uses and residential development are permitted.

**G. Stormwater plan:** A stormwater management plan is required pursuant to BCRC 12-720.2(E). New building construction or development which occurs on or within three hundred feet (300') of a slope with fifteen percent (15%) or greater incline as determined from the applicable seven and one-half (7.5) minute quadrangle map published by the United States geological survey or by actual survey, and which is subject to the provisions of title 11 of this code

**H. Agency Review**

The application was routed to agencies for comment on May 18, 2021.

Panhandle Health District	Idaho Department of Water Resources
West Pend Oreille Fire District	Bonner County Road Department
Northern Lights Utility Company	Idaho Department of Environmental Quality
Applicable School District #83	U.S. Fish and Wildlife Service
Bonner County Schools – Transportation	Idaho Department of Lands (Sandpoint)
Idaho Department of Fish and Game	

**The following agencies commented: NA**

**The following agencies replied “No Comment”:**

Bonner County Road & Bridge- 5/18/21  
Idaho Department of Fish and Game- 6/1/2021

**All other agencies did not reply.**

**I. Public Notice & Comments**

The following public comments were received:  
*Charlie Doll Hoover- May 22, 2021*

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**Findings of Fact**

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1. The proposal was reviewed for compliance with BCRC 12-234 Variances, and standards for review of applications, BCRC 12-400, et seq
2. The property is zoned Rural-5
3. The applicant is requesting a 10’ property line setback where 25’ setback is required
4. The property is described as Lot 3 of Morning Star Mountain Estate, according to the plat thereof, recorded on Book 8 of Pates, page 25 records of Bonner County, Idaho
5. Existing building pad and well on the lot
6. Slopes greater than 15%
7. The applicant obtained the property in 2021 per warranty deed under Instrument #978919, recorded on March 22, 2021

**CONDITIONAL USE PERMITS**

**File CUP0011-21 – Conditional Use Permit – Communication Tower - Nathan & Lisa Weis** are requesting a Conditional Use Permit for the construction of a new 80’ communications tower/facility to be used for Inland Cellular on a 5-acre parcel. The proposed 30’ x 30’ fenced compound will include an 8’ x 12’ equipment building, tower and H-frame for power and telephone connections. The property is zoned Rural 5-acre. The project is located off Eastshore Road in Section 9, Township 61 North, Range 4 West, Boise-Meridian.

**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.

**STAFF PRESENTATION:** Staff planner Chad Chambers presented a PowerPoint summary of the project and previously circulated staff report, concluding this project is consistent with Bonner County Revised Code.

**APPLICANT PRESENTATION:** Project Representative Justin Abbott answered questions from the Commission relating to the setbacks and tower height.

**PUBLIC/AGENCY TESTIMONY:** The following individuals spoke on the record in opposition of the project: Casey McMaster, Mary Porter, and Ed Porter.

**APPLICANT REBUTTAL:** Project Representative Justin Abbott responded to public comments.

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

**MOTION:** Commissioner Davis moved to continue this file to a date and time certain of July 1, 2021 at 5:30 PM in order for the applicant to specify location and height of tower to meet setback. Commissioner Reeve seconded the motion.

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

**Upon** reopening the above mentioned file, the motion was amended as follows:

**MOTION:** Commissioner Davis moved to continue this file to a date and time certain of July 15, 2021 at 5:30 PM in order for the applicant to specify location and height of tower to meet setback. Commissioner Frankenbach seconded the motion.

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

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## **Background:**

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### **A. Site data:**

- Unplatted
- Size: 5-acre
- Zone: Rural 5-acre (R-5)
- Land Use: Rural-Residential

### **B. Access:**

- The property is accessed by Eastshore Road, a County owned and maintained road.

### **C. Environmental factors:**

- a. Site does contain mapped slopes between 15-29% but does not contain slopes 30% or greater. (USGS)
- b. Site does not contain mapped wetlands. (USFWS)
- c. Site does not contain a river/stream/frontage on lake.
- d. Bonner County Floodplain Review: *Parcel is within SFHA Zone X, per FIRM Panel 16017C0150F, Effective Date 07/07/2014.*

**D. Services:**

- Water & Sewage: per the application “N/A – no water or sewer is associated with the proposal.”
- Fire: North of the Narrows Fire
- Power: Northern Lights Inc.
- School District: Bonner School #83

**E. Comprehensive Plan, Zoning and Current Land Use**

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Rural-Residential	Rural 5-acre	Rural-Residential
North	Rural-Residential	Rural 5-acre	Rural-Residential
East	Rural-Residential	Rural 5-acre	Bare forest land (Northeast) Rural Residential (Southeast)
South	Rural-Residential	Rural 5-acre	Bare forest land
West	Rural-Residential	Rural 5-acre	Bare forest land

**F. Standards review**

BCRC 12-223 specifies that the Commission shall review the particular facts and circumstances of each proposal. To grant a conditional use permit, the Commission must find there is adequate evidence showing the proposal is in accord with the general and specific objectives of the comprehensive plan and Title 12 and the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property

- BCRC 12-220, et seq, conditional use permit, application and standards
- BCRC 12-335, Public Use Table
- BCRC 12-4.2, Performance standards for all uses
- BCRC 12-4.3, Parking standards
- BCRC 12-4.4, Sign standards
- BCRC 12-4.5, Design standards
- BCRC 12-4.6, Landscaping and screening standards
- BCRC 12-4.88, Communication Towers
- BCRC 12-7.2, Grading, stormwater management and erosion control

**G. Comprehensive Plan Land Use Designation**

The comprehensive plan designation of Rural-Residential 5-10AC provides “for residential development in areas where urban services are not available, and slopes may vary up to 30%. These areas include hazard areas and critical wildlife habitats, where lower densities reduce potential impacts to resources and exposures to loss of property or lives. Small-scale agricultural uses and residential development are permitted.”

**H. BCRC 12-488: Communication Towers**

- A.** Communication towers and attendant facilities shall be enclosed by a fence not less than six feet (6') in height.

**Staff:** The proposed tower/facility is 6' in height, 7' if including the barbed wire. The enclosed fencing meets BCRC 12-488(A) height standards.

**B.** The base of any tower shall not be close to any property line than a distance equal to the tower height.

**Staff:** Per the proposed communication tower site plan, the proposed setback to the nearest property line (to the north) is 80' feet. This satisfies the above standard (BCRC 12-488).

**C.** The commission shall consider the public convenience and necessity of the communication tower and any adverse effect the facility would have upon properties in the vicinity and may require such reasonable restrictions and conditions of development as to uphold the purpose and intent of this title and the comprehensive plan.

**Staff:** In general, the comprehensive plan for Rural-Residential 5-10 AC permits residential development as "lower densities reduce potential impacts to resources and exposures to loss of property or lives".

**D.** Communication towers shall be built to telecommunication industry association/electronic industry association (TIA/EIA) 222 revision F standards, or as amended, for steel antenna support structures.

**Staff:** Per the Application Construction Drawing '**APPLICABLE BUILDING CODES AND STANDARDS**':

"TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-G, STRUCTURAL STANDARD FOR STRUCTURAL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES"

**E.** Communication towers shall be constructed to accommodate other future communication services where technically feasible ("collocation").

**Staff:** Per the General Notes (Sheet Number G-1), prepared by an Idaho Licensed Architect '**TOWER/POLE NOTES**':

"2. PROVIDE SUPPORTS FOR THE ANTENNA COAX CABLES TO THE ELEVATION OF ALL INITIAL AND FUTURE ANTENNAS, ANTENNA COAX CABLES ARE TO BE SUPPORTED AND RESTRAINED AT THE CENTERS SUITABLE TO THE MANUFACTURER'S REQUIREMENTS"

**Staff:** Per the application, the tower is designed to "allow for collocation by others & potential tower (43') tower extension - 114' total".

**F.** Communication towers shall meet all operational, construction and lighting standards of the federal aviation administration.

**Staff:** Per the application, "the tower does not require FAA lighting and no other outdoor lighting is associated."

**G.** Communication towers shall not penetrate any airspace surface on or adjacent to any public or private airfields as set forth at [subchapter 5.2](#) of this title.

**Staff:** Per the TOWAIR results provided by the applicant (**see page 7**):

"DETERMINATION Results

**Structure does not require registration. There are no airports within 8 kilometers (5 miles) of the coordinates your provided.**

Your Specifications

**NAD83 Coordinates**

Latitude 48-39-00.1 north  
Longitude 116-51-05.2 west

**Measurements (Meters)**

Overall Structure Height (AGL) 25.9  
Support Structure Height (AGL) 24.4  
Site Elevation (AMSL) 633.5

**Structure Type**

LTOWER - Lattice Tower"

**H.** Upon termination of use of a communication tower for a period of not less than one year, the landowner and/or tower operator/applicant shall remove the tower along with all supporting equipment, apparatus and foundation.

**I.** Flammable material storage shall be in accordance with international fire code standards.

**J.** Communication towers shall not be used for signage, symbols, flags, banners or other devices or objects attached to or painted or inscribed upon any communication facility for the purposes of displaying a message of any kind, except as required by a governmental agency. (Ord. 501, 11-18-2008)

**I. Stormwater plan:** A stormwater management plan was required pursuant to BCRC 12-7.2 (E) which states that "new building construction or development which occurs on or within three hundred feet (300') of a slope within fifteen percent (15%) or greater incline as determined from the applicable seven and one-half (7.5) minute quadrangle map published by the United States geological survey or by actual survey, and which is subject to provisions of title 11 of this code, as amended; (Ord. 524 1-11-2012)."

**J. Agency Review**

Panhandle Health District	Idaho Department of Water Resources
North of the Narrows Fire	U.S. Fish and Wildlife Service

Northern Lights Inc.	Idaho Department of Lands (Sandpoint)
Applicable School District #83	U.S. Forest Service
Bonner County Schools – Transportation	Idaho Department of Environmental Quality
Idaho Department of Fish and Game	Federal Aviation Admin

**The following agencies commented:**

Department of Environmental Quality, June 8, 2021:

“DEQ has no environmental impact comments at this stage of the project.”

**The following agencies replied “No Comment”:**

Panhandle Health District, May 28, 2021

**All other agencies did not reply.**

**K. Public Notice & Comments**

As of June 3, 2021, no public comments were received for this file.

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**Findings of Fact**

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1. The 5-acre unplatted property is accessed by Eastshore Road, a county owned road.
2. The property is in the Rural-Residential 5-10 comprehensive land use plan and Rural 5-acre zoning district.
3. There are no mapped wetlands on the property and one (1) soil type, Klotch gravelly sandy loam which is not prime farmland soil.
4. The proposed communication tower will be 80’ high, allowing for collocation to extend the towers height to 114’. The proposed 80’ setback from the nearest property line satisfies the requirements set forth by BCRC 12-488(B) and BCRC 12-488(E).
5. The proposed 7’ fencing that encloses the tower/facility meets the 6’ minimum standard as prescribed by BCRC 12-488(A).
6. Per the transmitting notes, ‘Applicable Building Codes and Standards’ on the Vicinity Map: “all transmitting antennas will be installed in a manner as set forth by the manufacturer and by the federal communications commission as meeting the current American national standards institute (ANSI) standard for nonionizing electromagnetic radiation.”

“Telecommunications Industry Association (TIA) 222-G, structural standard for structural antenna tower and antenna supporting structures.”



7. There are no minimum off-street parking standards for communication towers per BCRC 12-431. Per the application, the proposed facility/tower will be visited once a month for maintenance.

**File CUP0012-21 – Conditional Use Permit – Communication Tower - Mike & Annina Nielsen** are requesting a Conditional Use Permit to construct an enclosed 40' x 40' facility, 8' x 12' equipment building and 90' tower. The enclosed facility will house the equipment building, H-frame for power and telephone connections, and the communications tower on a 6.56-acre lot. The property is zoned Rural 5-acre (R-5). The project is located off Plumbago Point Road in Section 3, Township 59 North, Range 4 West, Boise-Meridian.

**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.

**STAFF PRESENTATION:** Staff planner Chad Chambers presented a PowerPoint summary of the project and previously circulated staff report, concluding this project is consistent with Bonner County Revised Code.

**APPLICANT PRESENTATION:** Project Representative Justin Abbott presented setback and site location information. Applicant Mike Nielson stated this tower is needed for emergency services communication in the Priest Lake area, as currently, the services are not suitable.

**PUBLIC/AGENCY TESTIMONY:** None.

**APPLICANT REBUTTAL:** None.

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

**MOTION:** Commissioner Bradish moved to approve this project FILE CUP0012-21, conditional use permit for the construction and operation of a new communications tower/facility to be used for Inland Cellular on a 6.56-acre lot zoned Rural 5-acre, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following 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 Bradish further moved to adopt the following findings of fact and conclusions of law as amended. The action that could be taken to obtain the conditional use permit is to complete the Conditions of Approval, amending A-3 Setbacks shall meet the approved site plan. This action does not result in a taking of private property. Commissioner Frankenbach seconded the motion.

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

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## Background:

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### A. Site data:

- Platted lot
- Size: 5-acre
- Zone: Rural 5-acre (R-5)
- Land Use: Rural-Residential

### B. Access:

- The property is accessed by Plumbago Point Road, a privately owned and maintained road.

### C. Environmental factors:

- Site does contain mapped slopes between 15-29% and slopes 30% or greater. (USGS).
- Site does not contain mapped wetlands. (USFWS)
- Site does not contain a river/stream/frontage on lake.
- JRJ, 6.3.2021: Parcel is within SFHA Zone X, per FIRM Panel 16017C0430F, Effective Date 7/7/2014. No further floodplain review is required on this proposal.

### D. Services:

- Water & Sewage: per the application "N/A – no water or sewer is associated with the proposal."
- Fire: Coolin Cavanaugh Bay Fire
- Power: Northern Lights Inc.
- School District: Bonner School #83

### E. Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Rural-Residential	Rural 5-acre	Rural-Residential
North	Rural-Residential	Rural 5-acre	State of Idaho land
East	Rural-Residential	Rural 5-acre	Productivity forest land
South	Rural-Residential	Rural 5-acre	Bare forest land
West	Rural-Residential	Rural 5-acre	Productivity forest land

### F. Standards review

BCRC 12-223 specifies that the Commission shall review the particular facts and circumstances of each proposal. To grant a conditional use permit, the Commission must find there is adequate evidence showing the proposal is in accord with the general and specific objectives of the comprehensive plan and Title 12 and the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property

- BCRC 12-220, et seq, conditional use permit, application and standards

- BCRC 12-335, Public Use Table
- BCRC 12-4.2, Performance standards for all uses
- BCRC 12-4.3, Parking standards
- BCRC 12-4.4, Sign standards
- BCRC 12-4.5, Design standards
- BCRC 12-4.6, Landscaping and screening standards
- BCRC 12-4.88, Communication Towers
- BCRC 12-7.2, Grading, stormwater management and erosion control

### **G. Comprehensive Plan Land Use Designation**

The comprehensive plan designation of Rural-Residential 5-10AC provides “for residential development in areas where urban services are not available, and slopes may vary up to 30%. These areas include hazard areas and critical wildlife habitats, where lower densities reduce potential impacts to resources and exposures to loss of property or lives. Small-scale agricultural uses and residential development are permitted.”

### **H. BCRC 12-488: Communication Towers**

- A.** Communication towers and attendant facilities shall be enclosed by a fence not less than six feet (6') in height.

**Staff:** The proposed tower/facility is 7' in height. The enclosed fencing meets BCRC 12-488(A) height standards.

- B.** The base of any tower shall not be close to any property line than a distance equal to the tower height.

**Staff:** Per the proposed communication tower site plan, the proposed setback will require a variance. It is unclear as to how far the setback will be from the property line, but the adjacent property owner did sign a setback variance waiver to reduce the setback to 40.5' where 90' is required.

- C.** The commission shall consider the public convenience and necessity of the communication tower and any adverse effect the facility would have upon properties in the vicinity and may require such reasonable restrictions and conditions of development as to uphold the purpose and intent of this title and the comprehensive plan.

**Staff:** In general, the comprehensive plan for Rural-Residential 5-10 AC permits residential development as “lower densities reduce potential impacts to resources and exposures to loss of property or lives”.

- D.** Communication towers shall be built to telecommunication industry association/electronic industry association (TIA/EIA) 222 revision F standards, or as amended, for steel antenna support structures.

**Staff:** Per the General Notes (Sheet Number G-1), prepared by an Idaho Licensed Architect '**APPLICABLE BUILDING CODES AND STANDARDS**':

"TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-G, STRUCTURAL STANDARD FOR STRUCTURAL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES"

- E. Communication towers shall be constructed to accommodate other future communication services where technically feasible ("collocation").

**Staff:** Per the applicant, "proposed new monopole tower – 90 feet in height to support new panel antennas, MW dishes and other associated equipment."

Per the General Notes (Sheet Number G-1), prepared by an Idaho Licensed Architect '**TOWER/POLE NOTES**':

"2. PROVIDE SUPPORTS FOR THE ANTENNA COAX CABLES TO THE ELEVATION OF ALL INITIAL AND FUTURE ANTENNAS, ANTENNA COAX CABLES ARE TO BE SUPPORTED AND RESTRAINED AT THE CENTERS SUITABLE TO THE MANUFACTURER'S REQUIREMENTS"

- F. Communication towers shall meet all operational, construction and lighting standards of the federal aviation administration.

**Staff:** Per the application, "the tower does not require FAA lighting and no other outdoor lighting is associated."

- G. Communication towers shall not penetrate any airspace surface on or adjacent to any public or private airfields as set forth at [subchapter 5.2](#) of this title.

**Staff:** Per the TOWAIR results provided by the applicant (**see page 7**):

"DETERMINATION Results

**PASS SLOPE: No FAA REQ-Unmarked Seaplane base**

Type C/R	Latitude	Longitude	Name	Address	Lowest Elevation (m)	Runway Length (m)
SEAP C	48-32-20.00N	116-49-56.00W	TANGLEFOOT	BONNER CAVANAUGH BAY, ID	743.1	3048.0

**FAIL SLOPE (50:1) FAA REQ - 2550.0 Meters (8366.04 Feet) away & exceeds by 120.0 Meters (393.699 Feet)**

Your Specifications

**NAD83 Coordinates**

Latitude 48-29-36.2 north  
Longitude 116-50-05.3 west

**Measurements (Meters)**

Overall Structure Height (AGL) 29  
Support Structure Height (AGL) 27.4  
Site Elevation (AMSL) 890.3

**Structure Type**

MTOWER - Monopole"

- H. Upon termination of use of a communication tower for a period of not less than one year, the landowner and/or tower operator/applicant shall remove the tower along with all supporting equipment, apparatus and foundation.
- I. Flammable material storage shall be in accordance with international fire code standards.
- J. Communication towers shall not be used for signage, symbols, flags, banners or other devices or objects attached to or painted or inscribed upon any communication facility for the purposes of displaying a message of any kind, except as required by a governmental agency. (Ord. 501, 11-18-2008)

**I. Stormwater plan:** A stormwater management plan was required pursuant to BCRC 12-7.2 (E) which states that "new building construction or development which occurs on or within three hundred feet (300') of a slope within fifteen percent (15%) or greater incline as determined from the applicable seven and one-half (7.5) minute quadrangle map published by the United States geological survey or by actual survey, and which is subject to provisions of title 11 of this code, as amended; (Ord. 524 1-11-2012)."

**J. Agency Review**

Panhandle Health District	Idaho Department of Water Resources
Coolin Cavanaugh Bay Fire	U.S. Fish and Wildlife Service
Northern Lights Inc.	Idaho Department of Lands (Sandpoint)
Bonner School District #83	U.S. Forest Service
Idaho Department of Fish and Game	Federal Aviation Admin
Idaho Department of Environmental Quality	

**The following agencies commented:**

**U.S. Department of Transportation – Federal Aviation Administration, June 2, 2021:**

"This is in response to your letter to the Federal Aviation Administration (FAA) on May 18, 2021, requesting a review of the above-named application relative to our agency's area of expertise.

For the location given and its proximity to Cavanaugh Bay Airport (66S), the FAA requests that the proponent submit a FAA Form 7460-1 – Notice of Proposed Construction or Alteration. This form can be submitted by going to <https://oceaaa.faa.gov>”

**Staff:** Per the FAA’s comments, a condition of approval has been added to the file (**see condition A-7**).

**U.S. Department of Fish and Game – Panhandle Region, June 2, 2021:**

“Construction techniques do not require guy wires, FAA obstruction lighting will not be necessary, and pole is less than 200 feet tall; these practices should help minimize collision risk to birds. The footprint of the tower is relatively small and the location is within private property.

Due to the proximity of Priest Lake (~400 yards), piscivorous birds of prey, such as osprey or bald eagle may attempt to nest on the tower. These birds are federally protected under the Migratory Bird Treaty Act. If a nest is removed, we recommend waiting until hatchlings fledge in the fall. Maintenance crews should contact the U.S. Fish and Wildlife Service North Idaho Field Office prior to disturbing nests.

We do not anticipate significant adverse impacts to fish or wildlife due to the proposed communication towers. We recommend that lighting be as minimal as possible to avoid disturbance to nocturnal birds.”

**Staff:** Per the “Lighting Plans” on the application:

“The proposed tower does not require FAA lighting and no other outdoor lighting is associated.”

**Department of Environmental Quality, June 8, 2021:**

“DEQ has no environmental impact comments at this stage of the project”

**The following agencies replied “No Comment”:**

Panhandle Health District, May 28, 2021

**All other agencies did not reply.**

**K. Public Notice & Comments**

The following public comments were received:

As of June 3, 2021, no public comments were received for this file.

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## Findings of Fact

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1. The 6.56-acre lot property is accessed by Plumbago Point Road, a privately owned and maintained road.
2. The property is in the Rural-Residential 5-10 comprehensive land use plan and Rural 5-acre zoning district.
3. There are no mapped wetlands on the property and two (2) soil types, Treble, high precipitation-Rock outcrop complex, which is not prime farmland soil, and Priestlake gravelly sandy loam, which is also not prime farmland soil.
4. The proposed communication tower will be 90' high. The proposed 40.5' setback from the nearest property line is below the minimum requirement per BCRC 12-488(B), but the adjacent neighbor signed a property line setback variance waiver.
5. The proposed 7' fencing that encloses the tower/facility meets the 6' minimum standard as prescribed by BCRC 12-488(A).
6. Per the transmitting notes, 'Applicable Building Codes and Standards' on the Vicinity Map: "all transmitting antennas will be installed in a manner as set forth by the manufacturer and by the federal communications commission as meeting the current American national standards institute (ANSI) standard for nonionizing electromagnetic radiation."  
  
"Telecommunications Industry Association (TIA) 222-G, structural standard for structural antenna tower and antenna supporting structures."
7. There are no minimum off-street parking standards for communication towers per BCRC 12-431. Per the application, the proposed facility/tower will be visited once a month for maintenance.

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## Conclusions of Law:

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

### Conclusion 1

The proposed conditional use permit **is** in accord with the Bonner County comprehensive plan.

- |                       |                         |                                    |
|-----------------------|-------------------------|------------------------------------|
| •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         |                                    |

### Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth at BCRC Chapter 4, Title 12, Subchapter 2.2, environmental standards of Chapter 7,

Title 12, and storm water management criteria and standards set forth in Chapter 7, Title 12, Bonner County Revised Code.

Conclusion 3

The proposed use **will not** create a hazard or will not be dangerous to persons on or adjacent to the property.

Conclusion 4

The proposed use **will not** adversely affect properties in the vicinity.

Conclusion 5

The proposed use **is** a public convenience and is a necessary facility.

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**Conditions of approval:**

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**Standard continuing permit conditions. To be met for the life of the use:**

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- A-1** The use shall be developed and shall be operated in accordance with the approved site plan.
- A-2** The Conditional Use Permit shall not supersede deed restrictions.
- A-3** Setbacks shall meet the approved site plan.
- A-4** The Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit, the applicant may make a written request to the Planning Director for an extension of the Conditional Use Permit for a period up to two (2) years. The Planning and Zoning Commission may consider such request for extension at any public hearing. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit.
- A-5** The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and stormwater management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. Prior to issuance of the conditional use permit, the



applicant must obtain and submit the above referenced documentation, and it must be stamped and signed by an Idaho Licensed Engineer.

- A-6** The applicant shall obtain and submit a grading and stormwater management plan, prepared by an Idaho State Licensed Engineer to the Bonner County Planning Department to mitigate any site disturbance during and after the tower/facility construction.
- A-7** The applicant must submit FAA Form 7460-1 to the Federal Aviation Administration and provide proof of the FAA's approval to construct and operate the monopole tower to the Bonner County Planning Department, prior to issuance of the conditional use permit.
- A-8** The applicant must submit a geotechnical analysis as required per BCRC 12-762(A)(1) for the proposed building site, prior to issuance of the conditional use permit.
- A-9** The applicant must apply for a Building Location Permit prior to the construction of the communication tower.

**File CUP0013-21 – Conditional Use Permit – Communication Tower - Weis Towers, LLC** are requesting a Conditional Use Permit to construct a communications tower. The proposed monopole tower will be designed to be 190' tall and will be housed by a 100 x 100 enclosed compound which will also include a 8' x12' equipment building and H frame for power and telephone connections. The property is zoned Agricultural/forestry 10-acre. The project is located off Mud Gulch Road and Poloma Lane in Section 16, Township 58 North, Range 4 West, Boise-Meridian.

**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.

**STAFF PRESENTATION:** Staff planner Chad Chambers presented a PowerPoint summary of the project and previously circulated staff report, concluding this project is consistent with Bonner County Revised Code.

**APPLICANT PRESENTATION:** Project Representative Justin Abbott presented application goals and location information.

**PUBLIC/AGENCY TESTIMONY:** The following individuals spoke on the record in opposition of the project: Mary Malone, Mike Suza, and Kim Suza.

**APPLICANT REBUTTAL:** Project Representative Justin Abbott responded to public comments.

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

**MOTION:** Commissioner Davis moved to re-open applicant testimony for clarification. Commissioner Bradish seconded the motion.

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

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

**MOTION:** Commissioner Bradish moved to continue this file to a date and time certain of July 15, 2021 at 5:30 PM in order for the applicant to look into moving the project to the north to meet county setback requirements, and provide documentation of easement rights. Commissioner Reeve seconded the motion.

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

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## **Background:**

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### **A. Site data:**

- Unlatted lot
- Size: 14.90-acre
- Zone: Agriculture/forestry 10-acre (A/f-10)
- Land Use: Ag/Forest Land (10-20 AC)

### **B. Access:**

- The property is accessed by Mud Gulch Road and Poloma Lane which are privately owned and maintained roads.

### **C. Environmental factors:**

- a. Site does contain mapped slopes between 15-29% and slopes 30% or greater. (USGS)
- b. Site does contain mapped Freshwater Forested/shrub wetlands. (USFWS)
- c. Site does not contain a river/stream/frontage on lake.
- d. There are four (4) soils on site including: Bonner silt loam (prime farmland), Bonner gravelly silt loam (not prime farmland), Selle fine sandy loam (prime farmland), and Pywell-Hoodoo complex (prime farmland soil).
- e. JRJ, 5.11.2021: Parcel is within SFHA Zone X, per FIRM Panel 16017C0440E, Effective Date 11/18/2009.No further floodplain review is required on this proposal.

### **D. Services:**

- Water & Sewage: per the application "N/A – no water or sewer is associated with the proposal."
- Fire: Coolin
- Power: Northern Lights Inc.
- School District: Bonner School #83

**E. Comprehensive Plan, Zoning and Current Land Use**

<b>Compass</b>	<b>Comp Plan</b>	<b>Zoning</b>	<b>Current Land Use &amp; Density</b>
Site	Ag/Forest Land (10-20 AC)	Agricultural/forestry 10 (A/f-10)	Currently vacant
North	Ag/Forest Land (10-20 AC)	Agricultural/forestry 10 (A/f-10)	Rural residential
East	Ag/Forest Land (10-20 AC)	Agricultural/forestry 10 (A/f-10)	Rural residential
South	Ag/Forest Land (10-20 AC)	Agricultural/forestry 10 (A/f-10)	Rural residential
West	Remote Ag/Forest (40+)	State land	Idaho State land

**F. Standards review**

BCRC 12-223 specifies that the Commission shall review the particular facts and circumstances of each proposal. To grant a conditional use permit, the Commission must find there is adequate evidence showing the proposal is in accord with the general and specific objectives of the comprehensive plan and Title 12 and the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property

- BCRC 12-220, et seq, conditional use permit, application and standards
- BCRC 12-335, Public Use Table
- BCRC 12-4.2, Performance standards for all uses
- BCRC 12-4.3, Parking standards
- BCRC 12-4.4, Sign standards
- BCRC 12-4.5, Design standards
- BCRC 12-4.6, Landscaping and screening standards
- BCRC 12-4.88, Communication Towers
- BCRC 12-7.2, Grading, stormwater management and erosion control

**G. Comprehensive Plan Land Use Designation**

The comprehensive land use designation for Ag/Forest Land “recognizes areas where steeper slopes prevail (30% Land Use Component Bonner County Comprehensive Plan CHAPTER 6-4 or greater) and transportation is provided by private roads or U.S. Forest Service or state roads. Urban services are not available and residential development challenges are present due to slope, poor soil conditions, hazard areas and lack of police or fire services.”

**H. BCRC 12-335: Public Use Table**

<b>Use</b>	<b>Zoning District</b>								
	<b>F</b>	<b>A/F</b>	<b>R</b>	<b>S</b>	<b>C</b>	<b>I</b>	<b>RSC</b>	<b>REC</b>	<b>AV</b>
Communication towers	C (3)	C (3)	C (3)	C	C	C	C	C	C

"(3) Where access to the site is by road, the road shall be located within a recorded easement or public right-of-way, and constructed to the appropriate standard set forth in title 2 of this Code or [appendix A](#) of this title, except where subject to the terms of an approved special use permit issued by a State or Federal agency."

**Staff:** per the application, an "existing Public ROW – Mud Gulch Road & new private driveway provides access to the subject lease area"

### **I. BCRC 12-431: Parking Standards:**

**Applicant:** "One parking area will be located on the driveway extension for technician parking."

**Staff:** There are no parking standards for communication towers.

### **J. BCRC 12-488: Communication Towers**

- A.** Communication towers and attendant facilities shall be enclosed by a fence not less than six feet (6') in height.

**Staff:** The proposed tower/facility will be 6' in height, 7' including the barbed wire. The enclosed fencing meets BCRC 12-488(A) height standards.

- B.** The base of any tower shall not be close to any property line than a distance equal to the tower height.

**Staff:** Per the proposed communication tower site plan, the proposed setbacks from the property line are 38'-7" (East), 122'5" (North) and 184'1" (South). The applicant is requesting deviations from the required BCRC setbacks per BCRC 12-488 (B).

- C.** The commission shall consider the public convenience and necessity of the communication tower and any adverse effect the facility would have upon properties in the vicinity and may require such reasonable restrictions and conditions of development as to uphold the purpose and intent of this title and the comprehensive plan.

**Staff:** In general, the comprehensive plan for Ag/Forest Land 10-20 AC "recognizes areas where steeper slopes prevail (30% or greater) and transportation is provided by private roads or U.S. Forest Service or state roads...residential development challenges are present due to slope, poor soil conditions, hazard areas and lack of police or fire services"

- D.** Communication towers shall be built to telecommunication industry association/electronic industry association (TIA/EIA) 222 revision F standards, or as amended, for steel antenna support structures.

**Staff:** Per the General Notes (Sheet Number G-1), prepared by an Idaho Licensed Architect '**APPLICABLE BUILDING CODES AND STANDARDS**':

"TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-G, STRUCTURAL STANDARD FOR STRUCTURAL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES"

- E. Communication towers shall be constructed to accommodate other future communication services where technically feasible ("collocation").

**Staff:** Per the General Notes (Sheet Number G-1), prepared by an Idaho Licensed Architect '**TOWER/POLE NOTES**':

"2. PROVIDE SUPPORTS FOR THE ANTENNA COAX CABLES TO THE ELEVATION OF ALL INITIAL AND FUTURE ANTENNAS, ANTENNA COAX CABLES ARE TO BE SUPPORTED AND RESTRAINED AT THE CENTERS SUITABLE TO THE MANUFACTURER'S REQUIREMENTS"

- F. Communication towers shall meet all operational, construction and lighting standards of the federal aviation administration.

**Staff:** Per the application, "the tower does not require FAA lighting and no other outdoor lighting is associated."

- G. Communication towers shall not penetrate any airspace surface on or adjacent to any public or private airfields as set forth at [subchapter 5.2](#) of this title.

**Staff:** Per the TOWAIR results provided by the applicant:

"DETERMINATION Results

**Structure does not require registration. There are no airports within 8 kilometers (5 miles) of the coordinates your provided.**

Your Specifications

**NAD83 Coordinates**

Latitude	48-22-56.2 north
Longitude	116-51-03.6 west

**Measurements (Meters)**

Overall Structure Height (AGL)	59.4
Support Structure Height (AGL)	57.9
Site Elevation (AMSL)	740.1

**Structure Type**

L TOWER - Lattice Tower"

**Staff:** The coordinates provided by the applicant were verified using Google Maps.

- H. Upon termination of use of a communication tower for a period of not less than one year, the landowner and/or tower operator/applicant shall remove the tower along with all supporting equipment, apparatus, and foundation.
- I. Flammable material storage shall be in accordance with international fire code standards.
- J. Communication towers shall not be used for signage, symbols, flags, banners or other devices or objects attached to or painted or inscribed upon any communication facility for the purposes of displaying a message of any kind, except as required by a governmental agency. (Ord. 501, 11-18-2008)

**K. Stormwater plan:** A stormwater management plan was required pursuant to BCRC 12-7.2 (E) which states that "new building construction or development which occurs on or within three hundred feet (300') of a slope within fifteen percent (15%) or greater incline as determined from the applicable seven and one-half (7.5) minute quadrangle map published by the United States geological survey or by actual survey, and which is subject to provisions of title 11 of this code, as amended; (Ord. 524 1-11-2012)."

**L. Agency Review**

Panhandle Health District	Idaho Department of Water Resources
Coolin Cavanaugh Bay Fire	U.S. Fish and Wildlife Service
Northern Lights Inc.	Idaho Department of Lands (Sandpoint)
Bonner School District #83	U.S. Forest Service
Idaho Department of Fish and Game	Federal Aviation Admin
Idaho Department of Environmental Quality	

**The following agencies commented:**

Department of Environmental Quality, June 8, 2021:

"DEQ has no environmental impact comments at this stage of the project."

**The following agencies replied "No Comment":**

Panhandle Health District, May 28, 2021

**All other agencies did not reply.**

**M. Public Notice & Comments**

Public comment, rec'd June 8, 2021

The public comments for this file were broadly concerned about setbacks, visual impacts, property values, use and potential damage to existing private roads.

**Setback concerns:**

- “The proposed tower location is not only well within the 190-feet of our private property to the south (100-130 feet), it does not allow for any setback from the adjacent state property, as well as our Apocalypse Drive easement.”

**Visual impact & property value concerns:**

- “The application states that “the minor visual impacts associated with a tower will not have any negative impacts on adjacent uses”. This is also inaccurate, as there will be a major visual impacts to neighboring properties, as the applicant does stat they will have to remove trees to create the 100x100ft. “compound” around the tower from adjacent property. This will drastically lower our property value.”

**Concerns about Mud Gulch Road:**

- “Mud Gulch is a privately maintained road and the locals work hard to keep it up year-round. Nowhere does it state in the application that any road maintenance or improvements will be done to help out, despite the addition of commercial traffic to the road”

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**Findings of Fact**

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1. The 14.90-acre parcel property is accessed by Mud Gulch Road and Poloma Lane, both are privately owned and maintained roads.
2. The property is in the Ag/Forest 10-20 AC comprehensive land use plan and in the Agricultural/forestry zoning district.
3. There are mapped Freshwater Forested/shrub wetlands on the property and four (4) soil types, Bonner silt loam (prime farmland), Bonner gravelly silt loam (not prime farmland), Selle fine sandy loam (prime farmland), and Pywell-Hoodoo complex (prime farmland soil).
4. The proposed communication tower will be 190’ high. The setbacks, as drawn, deviate from the required setbacks as they [38’-7” (East), 122’5” (North) and 184’1” (South)] do not meet the minimum requirement per BCRC 12-488 (B) which states “the base of any tower shall not be closer to any property line than a distance equal to the tower height”. The applicant is requesting a deviation from the setback requirements per BCRC 12-488.
5. The proposed 7’ fencing that encloses the tower/facility meets the 6’ minimum standard as prescribed by BCRC 12-488(A).
6. Per the ‘transmitting notes’ on the application construction drawing ‘Applicable Building Codes and Standards’:

“ALL TRANSMITTING ANTENNAS WILL BE INSTALLED IN A MANNER SET FORTH BY THE MANUFACTURER AND BY THE FEDERAL COMMUNICATIONS COMMISSION AS MEETING THE CURRENT AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) STANDARD FOR NONIONIZING ELECTROMAGNETIC RADIATION (NIER).”

7. There are no minimum off-street parking standards for communication towers per BCRC 12-431. Per the application, the proposed facility/tower will be visited once a month for maintenance.

**MOTION:** Commissioner Davis moved to reopen file CUP0011-21 to reconsider the hearing continuation date. Commissioner Bradish seconded the motion.

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

**COMMISSIONER & STAFF UPDATES:**

Director Olleterton gave an update on building location permits, and discussion about possible code changes.

At 9:27 p.m., the Chair declared the hearing adjourned until June 24, 2021.


Respectfully submitted,

  
Milton Ollerton, Planning Director

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The above Minutes are hereby approved this 24<sup>th</sup> day of June 2021.

Bonner County Planning and Zoning Commission

  
Brian Bailey, Chair