

**BONNER COUNTY ZONING COMMISSION
PUBLIC HEARING MINUTES
OCTOBER 20, 2022**

PLEDGE OF ALLEGIANCE

CALL TO ORDER: Chair Marble called the Bonner County 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: Chair Jacob Marble; Vice Chair Matt Linscott; Commissioners Luke Webster, Robert Clark and Frank Wakeley.

ABSENT: None

ALSO PRESENT: Planning Director Jacob Gabell, Planner I Daniel Britt and Hearing Coordinator Jenna Crone.

CHANGES IN AGENDA: None

APPROVAL OF MINUTES: The Chair requested the Commissioners declare if they had any corrections or changes to the approval of minutes as written for September 15, 2022. Hearing no changes or objections, the Chair declared the minutes approved as written.

File ZC0012-22 - Zone Change- Hammond. The applicants are requesting a zone change from Rural-5 to Rural Service Center on 11.8 acres. The property is zoned Rural-5. The project is located off Dufort Road & Vay Road in Section 1, 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: Planner I 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 REPRESENTATIVE: Jeremy Grimm, Whiskey Rock Planning and Consulting, presented a PowerPoint presentation outlining the surrounding area and how this project will offer support in this area.

APPLICANT PRESENTATION: Sean Hammond gave an overview of the proposed project.

PUBLIC/AGENCY TESTIMONY: The following members of the Public spoke on the record: Harry Munson, Randy Benton, Rod Williams, Sandy Sparling, Merilee Conley, Diana Bynm, RJ Garwood, Jennifer Garwood, Erik Miller, Diane Fuller, Vern Graham,

Earl, Patricia Cole, Michelle Flagermann, Rick Jacobson, Darla Benton, Karen Allmanson, and Kathy Friedland.

*Chair Marble called for a recess at 6:32 p.m.
The Hearing was brought back to order at 6:42 p.m.*

Public comment was continued: Larry Madofsky, Diane Madofsky, Joe Mock, Dale Rimsburg, Jim Shifler, Hannah Durban, Wayne Martin, Dave Bowman, and Bruce Whittmann.

STAFF REBUTTAL: Planner I Daniel Britt addressed comments brought up during public testimony regarding traffic, lighting, and zoning and answered questions from the Commissioners.

APPLICANT REPRESENTATIVE REBUTTAL: Jeremy Grimm, Whiskey Rock Planning and Consulting, addressed comments and concerns brought up during public testimony and Commissioner deliberation.

APPLICANT PRESENTATION: Sean Hammond commented that the entrance to the proposed gas station will be off Vay Road so as not to cause further congestion on Dufort Road.

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

MOTION TO RECOMMEND APPROVAL: Commissioner Webster moved to recommend approval to the Board of County Commissioners on this project, FILE ZC0012-22, requesting a zone change from Rural-5 to Rural Service Center, 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 Webster further moved to adopt the findings of fact and conclusions of law as set forth in the Staff Report (or as amended during the hearing) and direct planning staff to draft written findings and conclusions to reflect this motion, have the Chairman sign, and transmit to all interested parties. This action does not result in a taking of private property.

Commissioner Webster further moved to apply a development agreement as follows: adhere to the access recommendation set forth by Bonner County Road and bridge, follow the recommended application process by IDWR, limit uses to those specifically outlined in this application, and adequate sewage disposal service with PHD as per BCRC 12-327 B.

Commissioner Wakeley seconded the motion.

Roll Call Vote:
Commissioner Clark AYE
Commissioner Webster AYE
Commissioner Linscott AYE

Commissioner Wakeley AYE
Commissioner Marble AYE

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

Zone Change Findings of Fact

1. The parcel is adjacent to two (2) Bonner County owned and maintained 60' right of ways.
2. The parcel is not within a floodplain or floodway.
3. Fire protection is provided by Selkirk Fire District.
4. Power is provided by Northern Lights Inc.
5. The parcel can have an individual well and septic system.
6. The parcel is located near other parcels that are currently developed at or near five (5) acres.
7. The parcel is 11.80 acres.

Zone Change Conclusions of Law:

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 Rural Service Center zoning district, provided at Chapter 3, Title 12, Bonner County Revised Code.

COMMISSIONER & STAFF UPDATES:

- Title 11 change going to the Board next week
- Title 12 changes were approved by the Board on October 12, 2022.
- Changed the official zoning map on October 12, 2022
- Interviews will be taking place for Assistant Director and the open Planner position.

At 8:32 p.m., the Chair declared the hearing adjourned until November 3, 2022.

Respectfully submitted,



Jacob Gabell, Planning Director

The above Minutes are hereby approved this 3rd day of November 2022.

Bonner County Zoning Commission



Jacob Marble, Chair