

**BONNER COUNTY ZONING COMMISSION  
PUBLIC HEARING MINUTES  
SEPTEMBER 1, 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 1<sup>st</sup> 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 (Via Zoom), and Frank Wakeley.

**ABSENT:** None

**ALSO PRESENT:** Planner I Daniel Britt, Planner I Swati Rastogi, Planner I Chad Chambers 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 August 18, 2022. Hearing no changes or objections, the Chair declared the minutes approved as written.

**File ZC0011-22 - Zone Change – Hatcher.** The applicants are requesting a zone change from Rural-5 to Suburban on 9.23 acres. The property is zoned Rural-5. The project is located off Cocolalla Loop in Section 5, Township 55 North, Range 2 West, Boise-Meridian.

**CONFLICT OF INTEREST/DISCLOSURE DECLARATIONS:** The Chair requested the Commissioners declare any conflicts of interest or disclosures. Commissioners Linscott and Wakeley stated they have known the Hatcher family for years but have no conflict with this file.

**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 PRESENTATION:** Janet Hatcher stated her reasons for requesting the Zone Change.

**PUBLIC/AGENCY TESTIMONY:** The following members of the Public spoke on the record: Mike Heaton and Marianne Shepard.

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

**MOTION TO RECOMMEND APPROVAL:** Commissioner Linscott moved to recommend to the Board of County Commissioners, approval of this project, FILE ZC0011-22, requesting a zone change from Rural-5 to Suburban, 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 Linscott 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 the 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 Linscott amended conclusion #3 from Rural-5 to Suburban.

Commissioner Webster seconded the motion.

**Roll Call Vote:**

Commissioner Linscott	<b>Aye</b>
Commissioner Wakeley	<b>Aye</b>
Commissioner Marble	<b>Aye</b>
Commissioner Webster	<b>Aye</b>

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

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**Zone Change Findings of Fact:**

- This parcel current land use designation is Transition. This designation allows for higher density residential development.
- The parcel is connected to a network of roads that are either Idaho State or Bonner County owned and paved maintained travel surfaces.
- Emergency services is provided by Bonner County Sheriff and Selkirk Fire District.
- Power is provided by Northern Lights Inc.
- The parcel currently has a permitted individual well and septic system.
- The parcel is currently 9.23 acres

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**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-5 **Suburban** zoning district, provided at Chapter 3, Title 12, Bonner County Revised Code.

*Chair Marble called for a recess at 6:00 p.m.*

*Chair Marble called the meeting back to order at 6:10 p.m.*

**File CUP0009-22 Conditional Use Permit- Retreat.** The applicants are requesting a conditional use permit for a retreat on 36.5 acres. The property is zoned A/F-10. The project is located off Wrenco Loop Road in Section 33, Township 57 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:** 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 PRESENTATION:** Eric Hansen explained the proposed project and gave an overview of the phases of the project.

**PUBLIC/AGENCY TESTIMONY:** The following members of the public spoke on the record: Trent Presley, Devin Furtwangler, Bill Hammond, Steven Lety, John Muler, Patty Estrom, Guy Peach, Walter Mini, Max Singleton, Kristen Thompson, Jim Thompson, Bob Williams, Jim Hamilton, Jim Watkins, Jeff Downes, Keith Oldem, Lowell Magleby, and Shirley Barksdale.

*Chair Marble called for a recess at 7:44 p.m.*

*Chair Marble called the meeting back to order at 7:50 p.m.*

**STAFF REBUTTAL:** Planner I Daniel Britt addressed comments and concerns made by the public and reviewed BCRC 12-333 Commercial Use Table.

**APPLICANT REBUTTAL:** Eric Hansen addressed comments and concerns brought up during public comment regarding increased sewage, water, and fire suppression.

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

**MOTION TO APPROVE:** Commissioner Wakeley moved to approve this project FILE CUP0009-22 for a retreat, 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 Wakeley 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. The action that could be taken to obtain the conditional use permit is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property.

Commissioner Linscott seconded the motion.

**Roll Call Vote:**

Commissioner Linscott	<b>Aye</b>
Commissioner Wakeley	<b>Aye</b>
Commissioner Marble	<b>Aye</b>
Commissioner Webster	<b>Aye</b>

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

**Findings of Fact**

1. The property is zoned Agricultural/ Forestry-10, where retreats are conditionally allowed upon meeting the required standards per BCRC 12-333 and Subchapter 4.2.
2. The property is accessed off Highway 2 an Idaho State owned and maintained travel surface and adjacent Wrenco Loop a Bonner County owned and maintained travel way.
3. Fire protection is provided Westside Fire District.
4. Power is provided by Northern lights Utilities.
5. The site has an individual well and septic system.
6. The site is 36.5 acres.

**Conclusions of Law:**

**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  
Housing

Recreation  
Community Design

Special Areas or Sites  
Implementation

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth at BCRC Chapter 3, Subchapter 3.3 BCRC Chapter 4, Subchapter 4.2 Title 12, Chapter 7, Subchapter 7.2 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.

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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** All county setbacks shall be met.
- 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.
- A-6** The applicant shall follow BCRC 12-333 Commercial Use Table standards for retreats as found in this staff report.
- A-7** The applicant shall follow BCRC 12-4.3, Parking standards as found in this staff report.

- A-8** The applicant shall follow BCRC 12-4.4, Sign Standards as found in this staff report.
- A-9** The applicant shall follow BCRC 12-4.5, Design Standards as found in this staff report.
- A-10** The applicant shall obtain Building Location Permits for all structures.

**COMMISSIONER & STAFF UPDATES: NONE**

At 8:36 p.m., the Chair declared the hearing adjourned until September 15, 2022.

Respectfully submitted,

  
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Jacob Gabell, Planning Director

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The above Minutes are hereby approved this 15<sup>th</sup> day of September 2022.

Bonner County Zoning Commission

  
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Jacob Marble, Chair