

**BONNER COUNTY ZONING COMMISSION
PUBLIC HEARING MINUTES
DECEMBER 15, 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, Frank Wakeley and Robert Clark.

ABSENT: None

ALSO PRESENT: Planning Director Jacob Gabell, Assistant Planning Director Travis Haller, Planner II Daniel Britt and Hearing Coordinator Jenna Crone.

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.

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 November 17, 2022. Hearing no changes or objections, the Chair declared the minutes approved as written.

File ZC0015-22- Zone Change. The applicants are requesting a zone change from Rural-5 to Commercial. The property is 7.2 acres. The property is zoned Rural-5. The project is located off Battle Drive in Section 24, Township 55 North, Range 6 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 II 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: Katie Keeney, Glahe and Associates, presented a PowerPoint presentation (Exhibit A) and went over the characteristics of the current and requested zoning for the area.

PUBLIC/AGENCY TESTIMONY: None.

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 ZC0015-22, requesting a zone change from Rural-5 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 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 amend Conclusion 3 to read "Commercial" instead of "Rural Service Center."

Commissioner Linscott seconded the motion.

Roll Call Vote:

Commissioner Linscott	AYE
Commissioner Webster	AYE
Commissioner Clark	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 Highway 41 an Idaho State owned and maintained paved 90' right of way.
2. The parcel is not within a floodplain or floodway.
3. Public services for this parcel are Spirit Lake Fire District and Bonner County Sheriff's Department.
4. Power is provided by Avista Utilities.
5. The parcel severed by an individual well and septic system.
6. The parcel has a comprehensive plan designation of Neighborhood Commercial.
7. The parcel is 7.2 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~~ **Commercial** zoning district, provided at Chapter 3, Title 12, Bonner County Revised Code.

File ZC0017-22 - Zone Change- Wright. The applicants are requesting a zone change from A/F-20 to Rural-10, the properties combined are approximately 26 acres. The properties are zoned Agricultural/ Forestry-20. The project site is located off Upper Pack River Road in Section 14, Township 59 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: Planner II 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: Katie Keeney, Glahe and Associates, presented a PowerPoint Presentation (Exhibit A) and discussed the proposed project.

PUBLIC/AGENCY TESTIMONY: None.

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 approval to the Board of County Commissioners on this project, FILE ZC0017-22, requesting a zone change from Agricultural/ Forestry-20 to Rural-10, 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 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 Wakeley seconded the motion.

Roll Call Vote:

Commissioner Linscott	AYE
Commissioner Webster	AYE
Commissioner Clark	AYE
Commissioner Wakeley	AYE
Commissioner Marble	AYE

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

Zone Change Findings of Fact

- The parcels are not characterized by slopes greater than 30%. The parcels are generally flat.
- The parcels are not within critical wildlife habitat as identified by federal, state, or local agencies.
- The soils on the parcels are classified as non-prime farmland soils per the Natural Resources section of the comprehensive plan Chapter 3.
- The parcels are accessed by a private easement that is not constructed to meet private road standards.
- The parcels are mostly in the floodway and flood hazard zone.
- The parcels are outside of a fire district.
- Power is provided by Avista Utilities.
- One of the two parcels currently has an individual well and septic system.

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 10 zoning district, provided at Chapter 3, Title 12, Bonner County Revised Code.

COMMISSIONER & STAFF UPDATES:

- 2023 Calendar was presented to the Commission
- We have a planner leaving at the end of December leaving two vacant positions.
- Zoning Commission down to one meeting a month starting in January

At 6:54 p.m., the Chair declared the hearing adjourned until January 19, 2023.

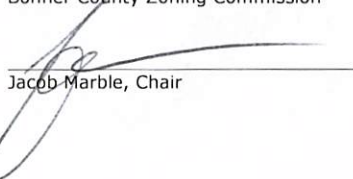
Respectfully submitted,



Jacob Gabell, Planning Director

The above Minutes are hereby approved this 16th day of March 2023.

Bonner County Zoning Commission



Jacob Marble, Chair