

**BONNER COUNTY ZONING COMMISSION
PUBLIC HEARING MINUTES
MARCH 16, 2023**

PLEDGE OF ALLEGIANCE

CALL TO ORDER: Chair Marble called the Bonner County Zoning Commission hearing to order at 5:31 p.m. in the 3rd Floor Meeting Room, of the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, via Zoom webinar, and YouTube live streaming.

PRESENT: Chair Jacob Marble; Commissioners Luke Webster, Frank Wakeley and Robert Clark.

ABSENT: None

ALSO PRESENT: Planning Director Jacob Gabell, 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 December 15, 2022. Hearing no changes or objections, the Chair declared the minutes approved as written.

File ZC0001-23 – Zone Change – Gavin. The applicants are requesting a zone change from Suburban to Rural Service Center to relocate a construction business. The site is 5.93 acres. The property is zoned Suburban. The project is located off Highway 95 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. 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: Jeremy Grimm, Whiskey Rock Planning + Consulting, gave an overview of the proposed project and answered questions from the Commissioners.

PUBLIC/AGENCY TESTIMONY: The following members of the public spoke on the record: Jennifer Costitch-Thompson.

STAFF REBUTTAL: Planner II Daniel Britt addressed questions brought up during public testimony.

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 to the Board of County Commissioners, approval of this project, FILE ZC0001-23, requesting a zone change from Suburban 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 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 Clark seconded the motion.

Roll Call Vote:

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|----------------------|-----|
| 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:

- This parcel current land use designation is Transition. This designation allows for light industrial uses.
- The parcel adjacent to Highway 95 an Idaho State owned and maintained paved right of way.
- Emergency services is provided by Bonner County Sheriff and Selkirk Fire District.
- Power is provided by Avista Utilities.
- The parcel currently has a permitted individual well and septic system.
- The parcel is currently 5.93 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.

File ZC0002-23 – Zone Change – Giraud. The applicants are requesting a zone change from Rural-10 to Rural-5 to subdivide the property. The parcel is 10 acres. The property is zoned Rural-10. The project is located off Rock Springs Road in Section 35, Township 54 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 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: Tessa Vogel, Ruen-Yeager & Associates, gave an overview of the proposed project and discussed the surrounding area.

PUBLIC/AGENCY TESTIMONY: The following members of the public spoke on the record:

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

MOTION TO RECOMMEND APPROVAL: Commissioner Wakeley moved to recommend to the Board of County Commissioners, approval of this project, FILE ZC0002-23, requesting a zone change from Rural-10 to Rural-5, 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 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 Webster seconded the motion.

Roll Call Vote:

| | |
|----------------------|-----|
| 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 parcel current land use designation is Rural Residential.
- The parcel is not characterized by slopes steeper than 30%.
- The parcel is not within a critical wildlife habitat.
- Prime agricultural soils are only present if irrigated.
- Emergency services is provided by Bonner County Sheriff and Selkirk Fire District.
- Power is provided by Northern Lights Inc.
- The parcel is not within a floodway or flood hazard zone.
- The parcel currently has a permitted individual well and septic system.
- The parcel is adjacent to property that are developed at or near the one dwelling unit per five-acre density.
- The parcel is currently 9.99 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 5 zoning district, provided at Chapter 3, Title 12, Bonner County Revised Code.

COMMISSIONER & STAFF UPDATES:

- Director Gabell discussed the Comp Plan progress with the Planning Commission.
- New staff members, Alex Feyen (Planner I) and Kyle Snider (Permit Tech)
- The Planning Department is seeing a downtrend in BLPs from last year.

At 6:35 p.m., the Chair declared the hearing adjourned until April 20, 2023.

Respectfully submitted,



Jacob Gabell, Planning Director

The above Minutes are hereby approved this 20th day of April 2023.

Bonner County Zoning Commission



Jacob Marble, Chair