

**BONNER COUNTY ZONING COMMISSION
PUBLIC HEARING MINUTES
APRIL 20, 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 1st 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, Jake Weimer and Robert Clark.

ABSENT: None

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

Election of Vice Chair:

Chair Marble moved to elect Commissioner Webster as Vice Chair.

Commissioner Wakeley seconded the motion.

All in favor of Commissioner Webster as Vice Chair.

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 March 15, 2023. Hearing no changes or objections, the Chair declared the minutes approved as written.

File ZC0018-22 – Zone Change - North Pacific LLC. The applicants are requesting a zone change from Rural-10 to Rural-5 for the purpose of dividing the parcel. The parcel is 15 acres. The property is zoned Rural-10. The project is located off Eastridge Road in Section 34, 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: Connie Krueger, Johnson Surveying, presented a PowerPoint presentation of the proposed project.

The Chair called for a recess at 6:21 p.m.

The Chair resumed the Hearing at 6:30 p.m.

PUBLIC/AGENCY TESTIMONY: The following members of the public spoke on the record: Matt Merrill, Michael Tinsley, Kathryn Oliver, Teresa Hahn, Arlene View, Mick Nocera, Christine Sandahl, Jamie Burbee, and Russ Broll.

STAFF REBUTTAL: Planner II Daniel Britt answered questions from the Commissioners.

APPLICANT REBUTTAL: Connie Krueger addressed comments and concerns brought up during public comment.

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 approval to the Board of County Commissioners on this project, FILE ZC0018-22, 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 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.

Further moved to recommend a Development Agreement requiring a road maintenance contract with Little Blacktail Ranch Park Homeowners Association within twelve (12) months after approval from the Board of County Commissioner's.

Commissioner Webster seconded the motion.

Roll Call Vote:

Commissioner Clark	AYE
Commissioner Marble	AYE
Commissioner Webster	AYE

Commissioner Wakeley AYE
Commissioner Weimer AYE

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

Zone Change Findings of Fact

- The parcel does contain mapped slopes that range from 15-29%. Therefore, the parcel is not characterized by slopes steeper than 30%.
- The parcel is not within critical wildlife habitat as identified Idaho Department of Fish & Game.
- Highfalls-Pearsoncreek-Newbell soil is present on the parcel which classified as not prime farmland.
- The parcel is accessed via a Bonner County owned and maintained roads, and adjacent to a private 60' easement.
- The parcel is not within a floodplain or floodway.
- Fire protection is provided by Timberlake Fire District.
- Power is provided by Northern Lights Inc.
- The parcel can have an individual well and septic system.
- The parcel is located near other parcels that are currently developed at or near five (5) acres and does not meet the criteria for Rural-10.

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:

- The Director introduced Planner I Alex Feyen.

At 8:01 p.m., the Chair declared the hearing adjourned until May 18, 2023.

Respectfully submitted,


Jacob Gabell, Planning Director

The above Minutes are hereby approved this 18th day of May 2023.

Bonner County Zoning Commission


Luke Webster, Vice Chair