

**BONNER COUNTY PLANNING COMMISSION
PUBLIC HEARING MINUTES
MARCH 21, 2023**

PLEDGE OF ALLEGIANCE

CALL TO ORDER: Chair Songstad called the Bonner County Planning Commission hearing to order at 4:30 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 Allan Songstad; Commissioners Don Davis, Dave Frankenbach, Michael Leita, Matt Linscott, Randy Stolz, and Debby Trinen.

ABSENT: None

ALSO PRESENT: Planning Director Jacob Gabell, Assistant Director Travis Haller, Senior Planner Swati Rastogi 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 March 7, 2023. Hearing no changes or objections, the Chair declared the minutes approved as written.

File AM0003-23 Bonner County Comprehensive Plan – Component Update – Public Airport Facilities. The Bonner County Planning Commission is recommending an amendment to the existing Bonner County Comprehensive Plan by addition of the Public Airport Facilities Component, per Idaho Code Section 67-6508, Local Land Use Planning. This component is being continued from February 21, 2023.

STAFF PRESENTATION: Senior Planner Swati Rastogi presented a PowerPoint summary of the project and previously circulated staff report concluding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code.

PUBLIC/AGENCY TESTIMONY: The following members of the public spoke on the record: None

COMMISSION DELIBERATION: The Commission discussed Findings and the Conclusion.

MOTION TO RECOMMEND APPROVAL: Commissioner Frankenbach moved to recommend to the Board of County Commissioners **approval** of this amendment to the Bonner County Comprehensive Plan, File AM0003-23 – addition of the Public Airport Facilities component, finding that it **is** in accord with the requirements of Idaho Code Section 67-6508 and the procedures set forth in Idaho Code Section 67-

6509 as enumerated in the following findings of fact and 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 Frankenbach further moves to adopt the following findings of fact and conclusions of law as written. This action does not result in a taking of private property.

Findings of Fact:

1. Per Idaho Code Chapter 65, Title 67, it is the duty of the planning or planning and zoning commission to conduct a comprehensive planning process designed to prepare, implement, and review and update a comprehensive plan, hereafter referred to as the plan.
2. The Board of County Commissioners is authorized by Idaho Code, Chapter 7, Title 31, to adopt ordinances, rules and regulations "...not repugnant to law, necessary for carrying into effect or discharging the powers and duties conferred by the laws of the state of Idaho, and such as are necessary or proper to provide for the safety, promote the health and prosperity, improve the morals, peace and good order, comfort and convenience of the county and the inhabitants thereof, and for the protection of property therein..."

Conclusions of Law:

1. The proposed amendment **IS** in accord with Idaho Code Sections 67-6508 and 67-6509.

File AM0002-23 – Comprehensive Plan Map Amendment – Hammond. The applicants are requesting a comprehensive plan map amendment from Rural Residential to Neighborhood Commercial on 11.8 acres. The project is located off Dufort Road & Vay Road in Section 1, Township 55 North, Range 4 West, Boise-Meridian.

STAFF PRESENTATION: Assistant Director Travis Haller presented a PowerPoint summary of the project and previously circulated staff report concluding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code.

APPLICANT REPRESENTATIVE: Jeremy Grimm, Whiskey Rock Planning + Consulting, gave an overview of the proposed project and discussed the surrounding areas.

PUBLIC/AGENCY TESTIMONY: The following members of the public spoke on the record: Barry Walker, Lorie Leavering, Rick Jacobson, Deb Jacobson, Diana Bynum, Karen Kelly, Lisa Seiler-Durkin, Diane Madoski, Judd Conley, Merilee Conley, Sandy Sparling, Maureen Paterson, Doug Paterson, Rodger Sparling, Larry Madoski, Wayne Martin, Susan Bowman, Diane Fuller, RJ Garwood, Linda Nelson, Gregor Lookin, and Theresa Hiesener.

APPLICANT REPRESENTATIVE REBUTTAL: Jeremy Grimm, Whiskey Rock Planning + Consulting addressed questions and concerns made during public comment and answered questions from the Commissioners about urban services.

COMMISSION DELIBERATION: The Commission discussed Findings and the Conclusion.

MOTION TO CONTINUE: Commissioner Linscott made a motion to continue the file after further review of the pending development agreement.

No Second. Motion Died

MOTION TO RECOMMEND DENIAL: Commissioner Frankenbach moved to recommend denial to the Board of County Commissioners for this project, FILE AM0002-23, requesting a comprehensive land use plan map amendment from Rural Residential to Neighborhood Commercial. The decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Commissioner Frankenbach further moved to adopt the findings of fact and conclusions of law as set forth in the Staff Report and 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. This action does not result in a taking of private property.

Commissioner Stolz seconded the motion.

Roll Call Vote:

Commissioner Stolz	Aye
Commissioner Frankenbach	Aye
Commissioner Linscott	Abstain
Commissioner Songstad	Aye
Commissioner Leita	Aye
Commissioner Davis	Aye
Commissioner Trinen	Aye

Comprehensive Land Use Plan Map Amendment – Findings of Fact:

1. The site does not contain slopes over 30% or greater.
2. The site contains one (1) soil type, Bonner gravelly ashy silt loam.
3. The site is accessed by Dufort Road and Vay Road, both are County owned and maintained public right-of-ways.
4. The site is located in FEMA Special Flood Hazard Area (SFHA) Zone X, per FIRM Panel 16017C0895E, Effective Date 11/18/2009.
5. Per the applicant, the site will be served by private individual septic system and water well.
6. The property is in the Selkirk First District and power is provided by

Northern Lights, Inc.

7. This proposal is not in conformance with maintaining the rural character of the area.
8. Based on the Planning Commission’s analysis, the subject site lacks urban services.

Comprehensive Land Use Plan Map Amendment – 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:

Housing	Population	School Facilities, Transportation
Agriculture	Implementation	Special Areas or Sites
Recreation	Natural Resources	Transportation
Hazardous Areas		

The proposal **is not** in accord with the following elements of the Bonner County Comprehensive Plan:

Property Rights	Economic Development
Community Design	Public Services
Land Use	

Conclusion 2

This proposal was reviewed for compliance with Title 12, Bonner County Revised Code, and **is** found to be in compliance.

Conclusion 3

The proposal **is not** in accord with the Neighborhood Commercial comprehensive land use plan designation.

COMPREHENSIVE PLAN DISCUSSION/WORKSHOP:

Comprehensive Plan:

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

The drafts of these suggested updates are available at the Planning Department’s website on the Comprehensive Plan Update page.

- Discussion of the following components of the Comprehensive Plan (**not open to public comments**):

- **Housing**
 - *This component will be discussed by the Commission on April 4, 2023.*

The drafts of these suggested updates are available at the Planning Department's website on the Comprehensive Plan Update page.

DISCUSSION:

1. Commissioner & Staff Updates
 - a. Planning Director Jake Gabell introduced new Planning Commissioner, Randy Stolz.
2. April 4, 2023, Agenda Items
 - a. Agriculture Public Hearing April 4th
 - b. Economic Development Public Hearing April 18th

At 8:43 p.m., the Chair declared the hearing adjourned until April 4, 2023.

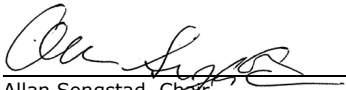
Respectfully submitted,



Jacob Gabell, Planning Director

The above Minutes are hereby approved this 4th day of April 2023.

Bonner County Planning Commission



Allan Songstad, Chair