

**BONNER COUNTY ZONING COMMISSION
PUBLIC HEARING MINUTES
JULY 20, 2023**

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 Luke Webster; Commissioners Frank Wakeley, and Robert Clark.

ABSENT: Commissioner Jake Weimer

ALSO PRESENT: Planning Director Jacob Gabell, Planner I Alex Feyen 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 June 15, 2023. Hearing no changes or objections, the Vice Chair declared the minutes approved as written.

File ZC0005-23 – Zone Change – Hynes. The applicants are requesting a zone change from Rural-10 to Rural-5 on two (2) 15-acre parcels for the purposes of subdividing. The property is zoned Rural 10. The project is located off Dry Creek Road in Section 06, Township 55 North, Range 05 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 Alex Feyen presented a PowerPoint summary of the project concluding this project is consistent with Bonner County Revised Code.

APPLICANT REPRESENTATIVE: Ken Hynes, Applicant, shared the reasons for wanting the Zone Change.

PUBLIC/AGENCY TESTIMONY: The following members of the public spoke on the record: Dennis Taylor and Allison Taylor.

APPLICANT REBUTTAL: Ken Hynes, Applicant, addressed concerns brought up during public comment regarding roads, water,

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

MOTION TO RECOMMEND APPROVAL: Commissioner Clark moved to recommend approval to the Board of County Commissioners on this project, FILE ZC0005-23, 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 Clark 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 Wakeley seconded the motion.

Roll Call Vote:

Commissioner Wakeley	AYE
Vice Chair Webster	AYE
Chair Marble	AYE
Commissioner Clark	AYE

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

Zone Change Findings of Fact

- The parcels do contain mapped some slopes that range from 15-29%. Therefore, the parcels are not characterized by slopes steeper than 30%.
- The parcels are not within critical wildlife habitat as identified by federal, state, or local agencies.
- The parcels contain one soil type classified as prime farmland, however, if it is not irrigated, there will be very severe limitations that reduce the choice of plants or that require very careful management, or both.
- The parcels are accessed via a Bonner County owned and maintained road and a privately owned and maintained road.
- The parcels are not within a floodplain or floodway.
- Fire protection is provided by West Pend Oreille Fire District.
- Power is provided by Avista Utilities.
- The parcels can have an individual well and septic system.
- The parcels are 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
Community Design	Agriculture	Transportation
Land Use	Natural Resources	Economic Development
Public Services	Transportation	Hazardous Areas
Special Areas or Sites	Housing	Recreation

Conclusion 2

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

Conclusion 3

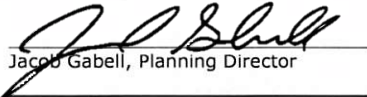
The proposal **is** in accord with the purpose of the Rural 5 zoning district, provided at Chapter 3, Title 12, Bonner County Revised Code.

COMMISSIONER & STAFF UPDATES:

- Continuing to see a downturn in Land Use applications.
- The GIS Department created a layer that shows new buildings in the County. This has been used to send violation letters to bring people into compliance with building permits.
- The Ordinance for Title 12 changes will be published on Monday July 24, 2023. Most of the changes made were to adjust the Code to match current practices.
- A Minor Land Division workshop is being held by one Commissioner in late August or early September.
- The County is meeting with a consultant company to assist in developing an impact fee within the County.
- The Providence Road Subdivision went to the Hearing Examiner, and she chose to send it to the Zoning Commission.

At 6:24 p.m., the Chair declared the hearing adjourned until August 17, 2023.

Respectfully submitted,



Jacob Gabell, Planning Director

The above Minutes are hereby approved this 17th day of August 2023.

Bonner County Zoning Commission



Luke Webster, Vice Chair