

**BONNER COUNTY PLANNING COMMISSION  
PUBLIC HEARING MINUTES  
MAY 7, 2024**

**PLEDGE OF ALLEGIANCE**

**CALL TO ORDER:** Vice Chair Davis called the Bonner County Planning Commission hearing to order at 4:31 p.m. in the 3<sup>rd</sup> Floor Meeting Room, of the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, via Zoom webinar, and YouTube live streaming.

**PRESENT:** Vice Chair Don Davis; Commissioners Dave Frankenbach, Matt Linscott, Debby Trinen, and Michael Leita.

**ABSENT:** Chair Allan Songstad; Commissioner Randy Stolz

**ALSO PRESENT:** Planning Director Jacob Gabell, Assistant Director Travis Haller, and Hearing Coordinator Jenna Crone.

**CHANGES IN AGENDA:** None

**COMMISSIONER & STAFF UPDATES:** As requested by the Planning Commission, Director Gabell reached out to the cities to attend the next meeting on May 21, 2024, to discuss zoning and land use within the ACIs (Areas of City Impact).

**APPROVAL OF MINUTES:** The Chair requested the Commissioners declare if they had any corrections or changes to the approval of minutes as written for **April 16, 2024**. The minutes were approved.

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**File AM0002-24 – Text Amendment – Bonner County Revised Code Title 12.**  
The Bonner County Planning Department is recommending an amendment to the Bonner County Revised Code, Title 12, to include the following proposed changes:

- 1) BCRC 12-216: Modification to the evaluation criteria of amendment applications, modifying the comprehensive plan review to align with Idaho Code 67-6511.
- 2) BCRC 12-222: Removal of variance language from the conditional use permit application contents.
- 3) BCRC 12-223: Modification to the evaluation criteria of conditional use permit applications, modifying the comprehensive plan review to align with Idaho Code 67-6512.
- 4) BCRC 12-233: Modification to establish a complete variance application content criteria rather than using the conditional use permit application criteria. The proposal removes the requirement the variance application to provide a review and analysis of the comprehensive plan.

**STAFF PRESENTATION:** Planning Director Jake Gabell presented a PowerPoint summary of the project and previously circulated staff report concluding that it is in

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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: Susan Drumheller.

**COMMISSION DELIBERATION:** The Commission discussed Findings and the Conclusion.

**MOTION TO RECOMMEND APPROVAL:** Commissioner Linscott moved to recommend approval of this FILE AM0002-24 to amend subchapters 12-216, 12-222, 12-223, 12-333 of Title 12, Bonner County Revised Code, to the Board of County Commissioners, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan as enumerated in the following findings of fact and conclusions of law:

Conclusion 1: The proposed amendment is in accord with Idaho Code, Title 31, Chapter 7.

Conclusion 2: The proposed amendment is in accord with Idaho Code Title 67, Chapter 65.

Conclusion 3: The proposed amendment is in accord with the general and specific objectives of the Bonner County Comprehensive Plan.

This decision is 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 Leita seconded the motion.

**Voted** upon and the Chair declared the Motion passed, unanimously.

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**Findings of Fact:**

1. The Bonner County Planning Department has reviewed the proposed changes against Idaho Code and made amendments to better comply with the Idaho Code, specifically Title 67 Chapter 65, Local Land Use Planning.
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..."

The proposed ordinance making the above changes adds to the clarity intended in the interpretation of the Bonner County Revised Code and Bonner County

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Comprehensive Plan. These actions will further balance the provision of safety, health and prosperity while maintaining the protection of property, peace, good order, comfort and convenience of the county and its inhabitants.

3. The proposed changes are intended to provide clarification of the regulations, enabling the public and the staff to achieve the best results leading to greater understanding and use of the zoning ordinance.
4. Language suggested for changes in this proposal is based on old versions of state codes, some as old as 1975. Language in state code has been updated multiple times without associated updates to the Bonner County Revised Code.

#### **COMPREHENSIVE PLAN DISCUSSION/WORKSHOP:**

- o Discussion of the following components of the Comprehensive Plan (**Closed to public comments**):
  - **Land Use**

Chair Don Davis recognized Susan Drumheller to give public comment during the commissioners discussion.

Susan Drumheller gave a public comment.

#### **DISCUSSION:**

- o Discussion regarding the Comprehensive Plan designation for Schweitzer Mountain

Chair Don Davis recognized Daniel Britt to give public comment.

Daniel Britt gave a public comment.

#### **DISCUSSION:**

1. May 21, 2024, Agenda Items
2. Commissioner Stoltz's attendance and recommended letter of concern

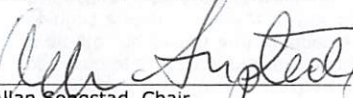
At 8:10 p.m., the Chair declared the hearing adjourned until 4:30 P.M. May 21, 2024.

Respectfully submitted,

  
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Jacob Gabell, Planning Director

The above Minutes are hereby approved this 21<sup>st</sup> day of May 2024.

Bonner County Planning Commission

  
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Allan Songstad, Chair