

**BONNER COUNTY ZONING COMMISSION
PUBLIC HEARING MINUTES
DECEMBER 21, 2023**

PLEDGE OF ALLEGIANCE

CALL TO ORDER: Chair Marble called the Bonner County Zoning Commission hearing to order at 5:33 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; Commissioners Frank Wakeley, Jake Weimer and Robert Clark.

ABSENT: Vice Chair Luke Webster

ALSO PRESENT: Planning Director Jacob Gabell, Assistant Planning Director Travis Haller, 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 **November 16, 2023**. Commissioner Clark made a motion to approve the minutes as amended. Commissioner Wakeley seconded the motion.

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.

File ZC0006-23 – Zone Change – Agricultural/Forestry-20 to Agricultural/Forestry-10. The applicants are requesting a Zone Change from Agricultural/Forestry-20 to Agricultural/Forestry-10. The proposal is 40 acres. The property is zoned Agricultural/Forestry-20. The project is located off Firestone Lane in Section 32, Township 58 North, Range 1 West, Boise-Meridian.

STAFF PRESENTATION: Planner I Alex Feyen presented a PowerPoint summary of the project concluding this project is consistent with Bonner County Revised Code.

APPLICANT PRESENTATION: Jeremy Grimm, Whiskey Rock Planning, presented a PowerPoint giving an overview of the property and surrounding areas.

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

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

Commissioner Clark moved to recommend to the Board of County Commissioners, approval of this project, FILE ZC0006-23, requesting a zone change from Agricultural/ Forestry-20 to Agricultural/ Forestry-10, 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**:

Conclusion 1: The proposal **is** in accord with the Bonner County Comprehensive Plan.

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 Agricultural/ Forestry-10 zoning district, provided at Chapter 3, Title 12, Bonner County Revised Code.

The recommendation is 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 as set forth in the Staff Report (or as amended during the hearing) and direct the planning staff to draft written findings of facts and conclusions of law to reflect this motion, have the Chairman sign, and transmit to all interested parties. This action does not result in the taking of private property.

Commissioner Wakeley seconded the motion.

Roll Call Vote

Commissioner Weimer	AYE
Commissioner Wakeley	AYE
Commissioner Clark	AYE
Commissioner Marble	AYE

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

Zone Change Findings of Fact:

1. Agricultural/ Forestry pursuits are viable within the A/F-10 designation.
2. The proposal does not feature prime agricultural soil.
3. The proposal is part of a transportation network of roads that are Bonner County owned and maintained.
4. The proposal is not characterized by mapped slopes up to and greater than 30%.
5. The proposal is within the Northside Fire District.
6. Law enforcement is provided by Bonner County Sheriff Department.
7. Power is provided by Avista Utilities.

8. The proposal is currently within and served by Oden Water.
9. The proposal has a permitted individual septic system.
10. The proposal consists of two parcels, approximately 20-acres each, for a total of 40 acres.
11. The proposal is within the area of city impact of Kootenai.

File ZC0010-23 – Zone Change – Suburban to Commercial. The applicants are requesting a zone change from Suburban to Commercial on one (1) 2.45-acre lot. The property is currently zoned Suburban. The project is located off Highway 95 in Section 16, Township 56 North, Range 02 West, Boise Meridian.

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: Jeremy Grimm, Whiskey Rock Planning, presented a PowerPoint giving an overview of the property and surrounding areas.

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

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

Commissioner Wakeley moved to recommend to the Board of County Commissioners, approval of this project, FILE ZC0010-23, requesting a zone change from Suburban to Commercial, 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 Clark seconded the motion.

Commissioner Clark moved to amend the findings of fact to correct the lot size.

Commissioner Weimer seconded the motion.

Roll Call Vote

Commissioner Weimer	AYE
Commissioner Wakeley	AYE
Commissioner Clark	AYE
Commissioner Marble	AYE

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

Zone Change Findings of Fact:

1. This lot’s current land use designation is Transition. This designation allows for the creation of a new Commercial District.
2. The parcel is accessed off Highway 95, an Idaho State owned and maintained public right-of-way.
3. Emergency services are provided by Bonner County Sheriff, Bonner County EMS, and Selkirk Fire District.
4. Power is provided by Avista Utilities.
5. The proposal currently has a permitted individual well.
6. Per the applicant, the subject site has a permitted individual septic system.
7. The lot is currently 1.78-acres, per a Record of Survey, Instrument No. 748194.
8. The property has historical uses of different commercial uses from a granite store to an office building.
9. The property is currently developed with multiple outbuildings, a commercial storefront, and a single-family-dwelling.

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 elements of the Bonner County Comprehensive Plan.

Conclusion 2

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

Conclusion 3

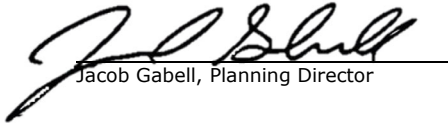
The proposal **is** in accord with the purpose of the Commercial zoning district, provided at Chapter 3, Title 12, Bonner County Revised Code.

COMMISSIONER & STAFF UPDATES:

- Swati Rastogi has left the Bonner County Planning Department
- The BOCC held a Workshop on the Vacation Rental Permit text amendment and Public Services, Facilities and Utilities.

At 6:23 p.m., the Chair declared the hearing adjourned until January 18, 2024.

Respectfully submitted,



Jacob Gabell, Planning Director

The above Minutes are hereby approved this 18th day of January 2024.

Bonner County Zoning Commission



Luke Webster, Vice Chair