

**BONNER COUNTY ZONING COMMISSION  
PUBLIC HEARING MINUTES  
JANUARY 18, 2024**

**PLEDGE OF ALLEGIANCE**

**CALL TO ORDER:** Vice Chair Webster called the Bonner County Zoning Commission hearing to order at 5:35 p.m. in the 1<sup>st</sup> Floor Conference Room, of the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, via Zoom webinar, and YouTube live streaming.

**PRESENT:** Vice Chair Luke Webster; Commissioners Frank Wakeley, Jake Weimer and Robert Clark.

**ABSENT:** Chair Jacob Marble

**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 Vice Chair requested the Commissioners declare if they had any corrections or changes to the approval of minutes as written for **December 21, 2023**. Hearing none, the Vice Chair declared the December 21, 2023 minutes approved.

**CONFLICT OF INTEREST/DISCLOSURE DECLARATIONS:** The Vice Chair requested the Commissioners declare any conflicts of interest or disclosures. The Chair noted that there were no disclosures or conflicts.

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**File ZC0009-23 – Zone Change – Rural-10 to Rural-5.** The applicants are requesting a zone change from Rural 10 to Rural 5 on one (1) parcel approximately 12.523 acres. The project is located off Kestrel Lane in Section 13 Township 55 North, Range 2 East, 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:** Vicki Woodward, Landowner, made herself available for questions from the Commission.

**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.

**MOTION TO RECOMMEND APPROVAL:** Commissioner Clark moved to recommend approval to the Board of County Commissioners on this project, FILE ZC0009-23, 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 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.

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 Rural 5 zoning district, provided at Chapter 3, Title 12, Bonner County Revised Code.

Commissioner Weimer seconded the motion.

**Roll Call Vote**

Commissioner Wakeley	AYE
Commissioner Weimer	AYE
Commissioner Webster	AYE
Commissioner Clark	AYE

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

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**Zone Change Findings of Fact**

- The parcel does contain some mapped slopes that range from 15-29% grade, and very few slopes that are 30% or greater. Therefore, the parcel is not characterized by slopes steeper than 30%.
- The parcel is not within critical wildlife habitat as identified by federal, state, or local agencies.
- The parcel contains two soil types, Bonner Silt Loam and Pend Oreille Silt Loam, both of which are considered “not prime farmland”, per the Bonner County Comprehensive Plan.

- The parcel is accessed via a State of Idaho owned and maintained road and a privately owned and maintained road.
- The parcel is not within a floodplain or floodway.
- According to the application, fire protection is provided by City of Clark Fork by subscription.
- Power is provided by Northern Lights Inc.
- The parcel has an individual well and septic system.
- The parcel is located near other parcels that are currently developed at or near five (5) acres.

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**File ZC0012-23 – Zone Change – Agricultural/Forestry 10 to Rural-5.** The applicants are requesting a zone change from Agricultural/Forestry 10 to Rural 5. The parcel is approximately 10 acres. The property is zoned Agricultural/Forestry 10. The project is located off Hines Road in Section 34, Township 59 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 REPRESENTATIVE:** Jeremy Grimm, Whiskey Rock Planning, presented a PowerPoint giving an overview of the property and surrounding areas as well as discussing the process of changing the Comprehensive Plan Map with the County.

**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.

**MOTION TO RECOMMEND APPROVAL:** Commissioner Wakeley moved to recommend approval to the Board of County Commissioners on this project, FILE ZC0012-23, requesting a zone change from Agricultural/Forestry 10 to Rural 5, on 10 acres generally located in Section 34, Township 59 North, Range 1 West, Boise Meridian, Bonner County, Idaho, 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 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.

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 Rural 5 zoning district, provided at Chapter 3, Title 12, Bonner County Revised Code.

Commissioner Clark seconded the motion.

**Roll Call Vote**

Commissioner Wakeley	AYE
Commissioner Weimer	AYE
Commissioner Webster	AYE
Commissioner Clark	AYE

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

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**Findings of Fact:**

1. The parcel could be served by individual well and septic system.
2. The parcel has a land designation of Rural Residential.
3. The site has approximately 0.25 acres of mapped slopes that range from 0-30% grade. Mapped slopes greater than 30% are not present on the parcel.
4. The parcel is accessed off Hines Road, a privately owned and maintained road.
5. Access to the parcel is currently part of a network of developed public roads and private easements.
6. The proposal is not within a mapped critical wildlife habitat.
7. The proposal is not within or adjacent to an Area of City Impact boundary.
8. Electricity can be provided by Northern Lights Inc.
9. The properties are within the Northside Fire District.
10. Law enforcement is provided by Bonner County Sheriff's Department.

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**COMMISSIONER & STAFF UPDATES:**

- Swati Rastogi has left the Planning Department and Tyson Lewis has returned to the Planning Department.
- There will be two files being heard by the Zoning Commission on February 15, 2024, that were recommended by the Hearing Examiner.
- The BOCC will hold a workshop on the Short-Term Rental text amendment.
- The Public Services, Utilities and Facilities Component update of the Comp Plan will be heard by the Board on January 24, 2024.

At 6:32 p.m., the Chair declared the hearing adjourned until February 15, 2024.

Respectfully submitted,



Jacob Gabell, Planning Director

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The above Minutes are hereby approved this 15<sup>th</sup> day of February 2024.

Bonner County Zoning Commission



Luke Webster, Vice Chair