

**BONNER COUNTY PLANNING and ZONING COMMISSION
PUBLIC HEARING / PUBLIC WORKSHOP MINUTES
FEBRUARY 16, 2017**

CALL TO ORDER: Vice Chair Davis called the Bonner County Planning and 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.

PRESENT: Commissioners Vice Chair Don Davis; Brian Bailey; Kris Sabo; Taylor Bradish; and Suzanne Glasoe

ABSENT: Commissioner Greg Snow

ALSO PRESENT: Planning Director Milton Ollerton; Planner III Saegen Neiman; and Administrative Supervisor Tina Smith

CHANGES IN AGENDA: None

CONSENT AGENDA: None

OLD BUSINESS:

PUBLIC HEARING:

ZONE CHANGE AND CONDITIONAL USE PERMIT

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.

Files ZC360-16 – Zone Change - Rural 5 to Rural Service Center and C997-16 – Conditional Use Permit – RV Storage - Bonnie & Dodd Powell is requesting a zone change for the subject property from Rural 5 to Rural Service and a conditional use permit for an RV storage center. The subject property is approximately ½ mile south of the intersection of Dufort Road and Highway 95, left on Porter House Road. The subject property is immediately on the right. The Planning and Zoning Commission at its regularly scheduled public hearing of January 12, 2017 continued these files to this date and time to allow the project representative an opportunity to provide site plan flexibility.

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 INPUT: Planning Director Milton Ollerton advised that there is no change to the original staff report and that we are here this evening to address questions brought forward at the public hearing held on January 12, 2017.

APPLICANT PRESENTATION: Bryan Quayle of Quayle Land Use Consulting addressed questions brought forward at the previous hearing. He discussed and submitted the following exhibits:

Exhibits: A through F - Aerial Photographs

Mr. Quayle addressed the following: Cocolalla Lake; history; location and size of structure; access; residence for the homeowner/operator; mitigation of impact of lot 2; view shed; landscaping; fencing/buffer; snow storage; and setbacks. Mr. Quayle also discussed the need for R. V. storage. He advised that he has spoken with the neighboring landowner regarding what he has presented at this hearing. He reviewed considered layouts. Mr. Quayle further addressed: Noise; dust; landscaping; security fencing; signage; lighting; emergency vehicle access; and hours of operation. He discussed the site plan and a proposed condition.

In response to Commissioner inquiries, Mr. Quayle explained view shed, lighting, access, stormwater retention and security fencing.

PUBLIC/AGENCY TESTIMONY: None

APPLICANT REBUTTAL: None

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

FILE – ZC360-16

MOTION: Commissioner Sabo moved to recommend approval to the Board of County Commissioners of this project, FILE ZC360-16, requesting a zone change for the subject property from Rural 5 to Rural Service Center, 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 Sabo further moved to adopt the following findings of fact and conclusions of law as written. This action does not result in a taking of private property. Commissioner Bailey seconded the motion.

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

Zone Change/Conditional Use Permit Findings of Fact

1. Surrounding properties range in size from ± 4 acres to ±20 acres.
2. The subject property is generally flat with no rock outcroppings.
3. The property has direct frontage on U.S. Highway 95 and access is provided off Porter House Road, a 20 foot wide paved County Road.
4. The neighboring property, across the State Highway to the west is currently zoned Rural Service Center.

5. There are additional parcels in the area that have commercial or industrial uses in the same designation either grandfathered in or were granted permits.
6. Surrounding uses include vacant land with several grandfathered and approved uses within a quarter mile of the property. These uses include Encoder Manufacturing, State of Idaho gravel pit, a recreational vehicle, boat and auto storage facility, an excavation company, and a small engine repair company.
7. The property does not contain prime agricultural soils, according to the comprehensive plan.
8. The property does not contain floodway or floodplain (DFIRM Panel 0950E, Zone X).
9. Water is provided by an individual well.
10. Sewage disposal is provided by individual septic tank.
11. The property is located within the Selkirk (Sagle) Fire District.
12. The land capability report shows the land can handle this type of development.

Zone Change Conclusions of Law:

Based upon the findings of fact, the following conclusions of law are adopted:

Conclusion 1

The proposed zone change **is** in accord with the Bonner County comprehensive plan.

| | | |
|-----------------------|-------------------------|------------------------------------|
| •Property Rights | •Population | •School Facilities, Transportation |
| •Economic Development | •Land Use | •Natural Resources |
| •Hazardous Areas | •Public Services | •Transportation |
| •Recreation | •Special Areas or Sites | •Housing |
| •Community Design | •Implementation | |

Conclusion 2

This proposal was reviewed for compliance with the zone change criteria and standards set forth at Sections 12-212, 12-215, and 12-216, Bonner County Revised Code, and **was** found to be in compliance.

Conclusion 3

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

Conclusion 4

The proposal **is** appropriate for the area based on the surrounding uses and the location of the property being on State highway 95.

File C997-16

MOTION TO APPROVE: Commissioner Glasoe moved to approve this project FILE C997-16, RV Storage, 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 Glasoe further moved to adopt the following findings of fact and conclusions of law with the amendment of Condition B-3 and the addition of Conditions B-4 and B-5 as discussed with staff. The action that could be taken to obtain the conditional use permit is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property. Commissioner Bradish seconded the motion.

Conditional Use Permit Conclusions of Law:

Based upon the findings of fact, the following conclusions of law are adopted:

Conclusion 1

The proposed conditional use permit **is** in accord with the Bonner County comprehensive plan.

| | | |
|-----------------------|-------------------------|------------------------------------|
| •Property Rights | •Population | •School Facilities, Transportation |
| •Economic Development | •Land Use | •Natural Resources |
| •Hazardous Areas | •Public Services | •Transportation |
| •Recreation | •Special Areas or Sites | •Housing |
| •Community Design | •Implementation | |

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth at BCRC Chapter 4, Title 12, Subchapter 2.2, environmental standards of Chapter 7, Title 12, and storm water management criteria and standards set forth in Chapter 7, Title 12, Bonner County Revised Code.

Conclusion 3

The proposed use **will not** create a hazard or will not be dangerous to persons on or adjacent to the property.

Conditions of approval:

Standard continuing permit conditions. To be met for the life of the use:

- A-1** The use shall be developed and shall be operated in accordance with the approved site plan.
- A-2** All county setbacks shall be met.

- A-3** Storage areas shall be not used as a dwelling or for commercial or industrial uses. (BCRC 12-486 D)
- A-4** Hours of operation shall meet the minimum requirements per BCRC 12-486 I.
- A-5** The Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit, the applicant may make a written request to the Planning Director for an extension of the Conditional Use Permit for a period up to two (2) years. The Planning and Zoning Commission may consider such request for extension at any public hearing. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit.
- A-6** The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and stormwater management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved.

Conditions to be met prior to issuance of the permit:

- B-1** Landscaping plan shall be submitted to the Planning Department and approved (BCRC 12-486 B).
- B-2** Fencing shall be shown and added as required by BCRC 12-486 C.
- B-3** The Grading & Stormwater management plan shall meet the standards set forth by Bonner County Revised Code, Subchapter 7.2.
- B-4** Prior to issuance of the conditional use permit, the applicants shall obtain zone change approval from the Bonner County Board of County Commissioners for file ZC360-16.
- B-5** Prior to issuance of the conditional use permit, the applicants shall submit to the Bonner County Planning Department the definitive site plan showing the final location of all features related to the conditional use permit.

PUBLIC WORKSHOP

Planning Director Milton Ollerton and the Planning and Zoning Commission discussed:

- Mr. Ollerton presented a background of "Greenprint" and Memorandum of Understanding. Mr. Ollerton explained the conservation easement and discussed the Board of County Commissioners concerns. Planner III Saegen Neiman provided an overview of GIS mapping.
- Staff and the Planning and Zoning Commission discussed the Bonner County Trails plan.
- Mr. Ollerton discussed forming a committee for the Selle-Samuels sub-area plan.
- Reminder of the February 28, 2017 Sagle community meeting.
- Discussion on Housing Element.
- Update on Tyler software
- Discussion on open position with the Planning and Zoning Commission.

The Chair declared the hearing adjourned at 7:30 p.m.

Respectfully submitted,



Milton Ollerton
Planning Director

The above Minutes are hereby approved this 7th day of December, 2017.

Bonner County Planning and Zoning Commission



Don Davis, Chair