

MINUTE ORDER

BONNER COUNTY COMMISSIONERS PUBLIC HEARING MINUTES WEDNESDAY, SEPTEMBER 16, 2015

CALL TO ORDER: Chair Kelly called the Bonner County Commissioners' hearing to order at 1:30 p.m. in the 1st Floor Conference Room of the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho.

PRESENT: Commissioners Chair Cary Kelly; Vice Chair Glen Bailey; and Todd Sudick

ABSENT: None

ALSO PRESENT: Planning Director Clare Marley, AICP; Associate Planner Saegen Neiman; and Administrative Secretary Tina Smith

PUBLIC HEARING:

AMENDMENT

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.

2:00 p.m. – File AM139-15 - Title 12 Text Amendment: retreat standards, definition and Commercial Use Table access requirements – Bonner County Planning & Zoning Commission has initiated an amendment to Title 12 (Land Use Regulations) to amend the definition of "Retreat" at BCRC 12-818 to clarify limits of retreat uses, to allow the use in the A/F-20 zone subject to conditional use permit approval, and to require access roads for retreats and other commercial uses in Table 3-3 subject to standard (2) be constructed to provide "adequate emergency vehicle access" rather than International Fire Code standard minimums. The Planning and Zoning Commission at its regularly scheduled public hearing of July 23, 2015, recommended approval of this amendment request to the Board of County Commissioners.

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: Planning Director Clare Marley presented a PowerPoint summary of the proposed amendment and previously circulated staff report, concluding this project is consistent with Bonner County comprehensive plan goals and objectives. The PowerPoint presentation has been submitted to the file. Director Marley provided an overview of concerns expressed by the public at the July 23, 2015 Planning and Zoning public hearing. She discussed the proposed

changes to the amendment and the proposed changes to the "retreat" definition. Director Marley reviewed comments received from Westside Fire Chief Dale Hopkins, Selkirk Fire Chief Ron Stocking, and EMS Director Bob Bussey.

In response to Board inquiries, she explained the reasons the Planning and Zoning Commission recommended 40 for the maximum attendees at retreats. She addressed the alternative options for retreats with more than 40 attendees.

BOARD/STAFF DISCUSSION: The Board discussed the restrictiveness of "40" and discussed the justification of one number. They also discussed the central location of facilities.

Director Marley explained how a "centrally" located building came about. Director Marley advised what type of changes would require the need to re-advertise. She also clarified for the Board that a time limit can be placed on a conditional use permit and that a conditional use permit runs with the land. She discussed the conditional use permit process noting there are 12 conditions that could be placed on a case-by-case basis to mitigate effects of a use.

The Board discussed how a conditional use permit protects the public and the importance of the public having a voice. The Board also discussed striking the number of attendees and striking the centrally located kitchen facility.

Director Marley clarified the proposed changes with the Board.

PUBLIC/AGENCY TESTIMONY: There were no members of the public present.

BOARD DELIBERATION: The Chair closed the hearing to public testimony. The Board discussed Findings and Conclusions, which included the following: 1) Removing the proposed 40-person limitation on retreats and allowing each project to be considered on a case-by-case basis through the conditional use process; 2) Removing the reference to "small" groups in the definition; 3) Allowing kitchen and dining facilities in a centrally located building rather than requiring it.

MOTION TO APPROVE: Commissioner Sudick moved to remand this amendment FILE AM139-15, amending BCRC Title 12, Chapters 3 and 8 to conditionally allow retreats in Agricultural/Forestry-20 zoning district, amend standards for emergency vehicle access for retreats and other commercial uses, and to amend the definition of retreat in unincorporated Bonner County, to staff and the Planning and Zoning Commission for the discussed recommended changes. Commissioner Bailey seconded the motion.

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