

BOUNDARY COUNTY PLANNING AND ZONING

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**PLANNING & ZONING COMMISSION
MINUTES of April 28, 2022 Public Hearing**

Boundary County Annex (former Armory Building), 6566 Main St., Bonners Ferry, ID

P&Z Members in attendance:

- | | | | |
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| <input checked="" type="checkbox"/> Caleb Davis, Chair | <input checked="" type="checkbox"/> Wade Purdom, Co-Chair | <input checked="" type="checkbox"/> David Hollabaugh | <input checked="" type="checkbox"/> John Cranor |
| <input type="checkbox"/> Rob Woywod | <input type="checkbox"/> Scott Fuller | <input type="checkbox"/> Tim Heenan | |
| <input type="checkbox"/> Adam Isaac | <input checked="" type="checkbox"/> Ron Self | | |

Chair Davis called the meeting to order at 5:32 p.m. Roll call: Commission members present are noted with a checked box above.

Consent Agenda:

Commissioner Hollabaugh moved, and Commissioner Cranor seconded the motion, to approve the February 24, 2022, minutes. The Chair declared the motion approved on a voice vote, with Commissioner Self abstaining.

Public Hearing:

5:30 P.M. FILE 22-0091, CONDITIONAL USE PERMIT, THOMAS WILLIAMS TRUST is requesting approval for a conditional use permit to allow for a horse boarding facility on a 39.5-acre parcel in the Agriculture/Forestry zone. The Agriculture/Forestry zone requires a conditional use permit for any animal boarding facilities, riding or equestrian training facilities or veterinary clinics. The parcel is located at 1079 Turner Hill Road and identified as Assessor's Parcel RP63N01E162401A in Section 16, Township 63 North, Range 1 East, B.M.

Opening and Hearing Summary: Chair Davis opened the hearing and read the file legal notice.

Call for Disclosures: The Chair called for disclosures or conflicts of interest regarding the file. No disclosures were made.

Application Summary: Assistant Contract Planner Tessa Vogel provided an overview of the public hearing procedures and presented the staff report. The Commission had questions for Ms. Vogel regarding the site plan and existing buildings, which she answered.

Applicant Presentation: No presentation by the applicant was provided.

Public Testimony: No public comment was provided.

Applicant Rebuttal: No rebuttal was provided.

Close of Hearing & Deliberation: The Chair closed public testimony and opened deliberation. Members of the Commission discussed how the use fits the area and should be approved. They also noted that a conditional use permit should not be required for a horse boarding facility in the Agriculture/Forestry zone. The Commission

discussed the need for Condition #3 requiring a commercial placement permit for the existing barn, and determined it was unnecessary.

Motion to Approve: Commissioner Self moved to approve the request for a conditional use permit for an equestrian boarding, riding & training facility to allow for a horse boarding facility, File #22-0091, finding that the proposal **IS** in accord with the standards of Idaho Code and Section 7 of the Boundary County Zoning and Subdivision Ordinance, based upon the findings and conclusions as amended, removing Condition #3, and determined that this action does not result in a taking of private property. Commissioner Cranor seconded the motion. The Chair declared the motion approved on a unanimous voice vote.

5:30 P.M. FILE 22-0085, CONDITIONAL USE PERMIT, THOMAS & CARA HANSON are requesting approval for a conditional use permit for a light industrial, warehousing and distribution facility of less than 8,000 square feet (moderate use) to allow for the engineering and manufacturing of ammunition primers on a 10.8-acre parcel in the Rural Residential zone. The Rural Residential zone requires a conditional use permit for any moderate use within 500' of any existing dwelling. The lot is located at 1673 Crossport Road and identified as Assessor's Parcel RPO02700030340A in Section 29, Township 62 North, Range 2 East, B.M.

Opening and Hearing Summary: Chair Davis opened the hearing and read the file legal notice.

Call for Disclosures: The Chair called for disclosures or conflicts of interest regarding the file. No disclosures were made.

Application Summary: Assistant Contract Planner Tessa Vogel provided an overview of the public hearing procedures and presented the staff report. The Commission had questions for Ms. Vogel, which were answered.

Applicant Presentation: Applicant Thomas Hanson provided an overview of his proposal, stating that he is in the research and development portion of the project and has already been in contact with the ATF, Paradise Valley Fire District, and the Boundary County Sheriff's Office. Commissioner Hollabaugh asked Mr. Hanson about storage safety and Mr. Hanson expanded on his storage plans from the application, including inspection requirements and disposal methods.

Public Testimony: No public comment was provided.

Applicant Rebuttal: No rebuttal was provided.

Close of Hearing & Deliberation: The Chair closed public testimony and opened deliberation. Members of the Commission discussed the project and how it met codes and should be approved and that any regulations by the County will be minimal compared to that of the ATF.

Motion to Approve: Commissioner Purdom moved to approve the request for a conditional use permit for a light industrial, warehousing and distribution facility of less than 8,000 square feet to allow for the engineering and manufacturing of ammunition primers within 500' of existing dwellings, File #22-0085, finding that the proposal **IS** in accord with the standards of Idaho Code and Section 7 of the Boundary County Zoning and Subdivision Ordinance, based upon the findings and conclusions as written and determined that this action does not result in a taking of private property. Commissioner Hollabaugh seconded the motion. The Chair declared the motion approved on a unanimous voice vote.

6:00 P.M. FILE 22-0062, COMPREHENSIVE PLAN MAP AMENDMENT & ZONE CHANGE, THE BILLIE & PATRICIA I. POULTON FAMILY TRUST is requesting approval to amend the Boundary County comprehensive plan and zoning maps from Agriculture/Forestry to Residential on 40.6-acre portion of a 55-acre parcel lying north of Chokecherry Drive, to allow for a future land division of the northern approximately 40 acres into Residential

densities (minimum 2.5 acres). The parcel is located at 822 Chokecherry Drive and identified as Assessor's Parcel RP62N01E211816A in Section 21, Township 62 North, Range 1 East, B.M.

Opening and Hearing Summary: Chair Davis opened the hearing and read the file legal notice.

Call for Disclosures: The Chair called for disclosures or conflicts of interest regarding the file. No disclosures of were made.

Application Summary: Assistant Contract Planner Tessa Vogel provided an overview of the public hearing procedures and presented the staff report. The Commission had questions for Ms. Vogel, which she answered.

Applicant Presentation: James Staples (representative) of JRS Surveying provided an overview of the request and explained when the established subdivision dividing the property was created. Mr. Staples entered Exhibit A, a topographical map of the vicinity, into the record. Mr. Staples explained the applicants own neighboring property that is zoned Residential to the east. He clarified drainage issues in response to public comment provided by Gerald Higgs. Commissioner Self asked if the landowners were intending to subdivide the property, and Mr. Staples stated he and landowners had not gotten that far in discussions.

Public Testimony: No public testimony in favor of the proposal was given. Public testimony neutral to the proposal was provided by North Bench Fire District Chief Gus Jackson, Gerald Higgs, and Thomas Hanson. Chief Jackson stated his concerns about a density increase in the area and lack of water as the site is in an area of high fire risk. Chief Jackson stated that if the area were to be subdivided, he would prefer it to go through a subdivision process so the fire district would have a chance to provide conditions. Gerald Higgs read into the record a copy of his letter that was submitted to the record on April 14, 2022. Thomas Hanson asked how the site would be accessed off Chokecherry Drive. The Commission requested the applicants' representative answer that question during rebuttal. Public testimony opposed to the proposal was provided by Duane Cameron, who stated his concerns about access and road infrastructure being impacted as the road quality is already poor with road berms being pushed off the road from passing cars. Lack of infrastructure and increase in emergency services were also stated as a concern. Mr. Cameron also stated that the proposal would be changing the character of the area.

Applicant Rebuttal: Applicant Representative Mr. Staples stated that the proposal is a request for a rezone and concerns raised by the public have to do with a subdivision and that this hearing is not the place for them. Mr. Staples answered the question raised about access from Chokecherry Drive, including the option to access the site via the neighboring Poulton-owned property to the east.

Close of Hearing & Deliberation: The Chair closed public testimony and opened deliberation. Commissioner Hollabaugh stated that this request is not for a subdivision and that concerns raised regarding the division of the property are appropriate during that process. Commissioner Self asked if the entire 55-acres could be included in the proposal, not just the northern 40.6 acres. Ms. Marley stated that would have had to have been part of the request, which it was not. The Chair stated that the surrounding uses in the vicinity on Agriculture/Forestry-zoned properties are consistent with the Residential zone.

Motion to Recommend Approval: Commissioner Hollabaugh moved to recommend approval of the request to the Board of County Commissioners to amend the Boundary County comprehensive plan land use designation map and the zoning map from Ag/Forestry to Residential, File #22-0062, finding that the proposal IS in accord with the comprehensive plan and the criteria of Section 18 of the Boundary County Zoning and Subdivision Ordinance, based upon the findings and conclusions as written and determined that this action does not result in a taking of private property. Commissioner Purdom seconded the motion. The Chair declared the motion approved on a unanimous voice vote.

6:15 P.M. FILE 22-0088, COMPREHENSIVE PLAN MAP AMENDMENT & ZONE CHANGE, ALAINA & JOHN HATHAWAY are requesting approval to amend the Boundary County comprehensive plan and zoning maps from Residential to Rural Community/Commercial on 0.935 acres of a 2.3-acre parcel to allow for future uses of the parcel permitted under the Rural Community/Commercial zone. The parcel is located at 24 Basin Lane and identified as Assessor's Parcel RP62N02E164705A in Section 16, Township 62 North, Range 2 East, B.M.

Opening and Hearing Summary: Chair Davis opened the hearing and read the file legal notice.

Call for Disclosures: The Chair called for disclosures or conflicts of interest regarding the file. No disclosures were made.

Application Summary: Assistant Contract Planner Tessa Vogel provided an overview of the public hearing procedures and presented the staff report. The Commission had questions for Ms. Vogel, which she answered.

Applicant Presentation: Applicant Representative James Staples of JRS Surveying provided an overview of the request and stated that he would want clarification from the Idaho Transportation Department on its comments regarding the applicants needing to obtain an encroachment permit. Mr. Staples stated that the applicants' goal is to have their property be all one zone.

Public Testimony: No public testimony in favor or opposed to the proposal was given. Public testimony neutral to the proposal was provided by North Bench Fire District Chief Gus Jackson, who stated that the proposal made sense.

Applicant Rebuttal: No rebuttal was provided.

Close of Hearing & Deliberation: The Chair closed public testimony and opened deliberation. The Commission agreed that it made sense to have the parcel be only one zone.

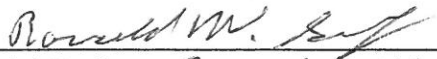
Motion to Recommend Approval: Commissioner Self moved to recommend approval of the request to the Board of County Commissioners to amend the Boundary County comprehensive plan land use designation map and the zoning map from Residential to Rural Community/Commercial, File #22-0088, finding that the proposal **IS** in accord with the comprehensive plan and the criteria of Section 18 of the Boundary County Zoning and Subdivision Ordinance, based upon the findings and conclusions as written and determined that this action does not result in a taking of private property. Commissioner Purdom seconded the motion. The Chair declared the motion approved on a unanimous voice vote.

New Business: Acting Zoning Administrator Clare Marley provided updates to the Commission regarding the new official zone map and files that went before the Board of County Commissioners, including appeals.

The Commission asked Planning Staff to have the zone map available during hearings so areas can be zoomed in and out of to provide a better picture of the zoning designations.

Ms. Marley notified the Commission that the June hearing will need to be moved to a larger location in anticipation of the large crowd for one of the files being heard that night. The Chair asked planning staff to have a specific script ready for the hearings.

Adjournment: Commissioner Purdom moved to adjourn the meeting, and Commissioner Hollabaugh seconded the motion. The Chair declared the motion approved by a unanimous voice vote. The meeting was adjourned at 7:26 p.m.


~~Caleb Davis~~, Ronald W. Self (Acting)
Boundary County Planning & Zoning Commission Chair

