



BOUNDARY COUNTY PLANNING AND ZONING

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PLANNING & ZONING COMMISSION MINUTES OF MAY 28, 2026, PUBLIC MEETING

Boundary County Annex at 6566 Main St., Bonners Ferry, ID 83805

ATTENDANCE:

Chair Caleb Davis:	<input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent	Vice Chair Wade Purdom:	<input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent
Rob Woywod:	<input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent	Scott Fuller	<input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent
John Cranor:	<input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent	Adam Isaac:	<input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent
Bill Benage:	<input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent	Anthony Spoto:	<input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent
Seth Kinkade:	<input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent		

ROLL CALL: Chair Davis called the meeting to order at 5:30 p.m. Roll call: Commission members' attendance is noted above. Also in attendance: Co-Acting Planning & Zoning Administrators Clare Marley and Tess Vogel, and Boundary County Planning & Zoning Technician Jennifer Maynard.

CONSENT AGENDA: Vice Chair Purdom moved, and Commissioner Benage seconded the motion, to approve the April 23, 2026, minutes as presented. The Chair declared the motion approved on a voice vote of 7-0-2, with Commissioners Davis, Fuller, Kinkade, Spoto, Cranor, Benage and Purdom voting YES; Isaac and Woywod abstaining.

PUBLIC HEARINGS:

FILE #26-0070, VARIANCE, KEN KOGLE is requesting approval of a front yard setback variance to allow for a 3-foot setback, where 20 feet is required, to account for the misplacement of a built dwelling on a 3.39-acre parcel in the Residential zone. According to county mapping and deed records, the property is partially within the City of Bonners Ferry and partially within the county. County records show the property as two separate parcel numbers. The applicant indicates the existing home is placed about 3 feet from the city limits. The Residential zone has a structure setback of "20 feet from road, side yard, 5-foot back yard, 5-foot" per Section 15.12.2. of the Boundary County Land Use Code. Setbacks, per Section 2.58, are to be measured from "any parcel line or public road easement/rights-of-way." The parcel is located at 6471 Comanche Street (north of parcel) and is identified as Assessor's Parcel RP62N01E228748A in Section 22, Township 62 North, Range 1 East, B.M.

Chair Davis opened the public hearing and called for disclosures. No disclosures were announced.

Ms. Vogel presented a summary of the application, evidence of record, standards of review, agency comments, and draft conditions.

Applicant testimony: None; the applicant/representative was not present.

Public testimony: None; no members of the public were present.

Rebuttal: None; the applicant/representative was no present.

Deliberations: The Chair closed the hearing at 5:40 p.m. and called for deliberations. The Commission discussed whether there were alternative options beside a variance to solve the setback issue. They determined the property has a potential burden by having a single parcel within two jurisdictions, Boundary County and the City of Bonners Ferry. They also determined that there was no encroachment upon the neighboring property lines.

Motion: Vice Chair Purdom moved, and Commissioner Kinkade seconded the motion, to approve the setback minimum variance to allow for a 3-foot setback, where 20 feet is required, file #26-0070, finding that the proposal IS in accord with the standards of Idaho Code and Section 12 of the Boundary County Zoning & Subdivision Ordinance, based upon the findings and conditions as written and based upon the reasons as read into the record during deliberation. This action does not result in a taking of private property.

The Chair declared the motion approved on a unanimous voice vote.

FILE #26-0057, CONDITIONAL USE PERMIT, John & Alaina Hathaway are requesting approval of a conditional use permit for a cumulative commercial use with buildings totaling over 5,000 square feet on a 2.38-acre parcel in the Rural Community/Commercial zone. The proposed addition of a ±760 square foot structure to the existing commercial structures is proposed for the storage of dry firewood for a firewood delivery business. The Rural Community/Commercial zone requires a conditional use permit for commercial primary uses over 5,000 square feet per Section 15.13.5.3. of the Boundary County Land Use Code. The parcel is located at 24 Basin Lane and is identified as Assessor's Parcel RP62N02E164705A in Section 16, Township 62 North, Range 2 East, B.M.

Mrs. Maynard provided the Commission with a copy of the 1999 On-Site Sewage System Permit that was received from the Panhandle Health District after the staff report had been completed.

Chair Davis opened the public hearing and called for disclosures. No disclosures were announced.

Ms. Vogel presented a summary of the application, evidence of record, standards of review, agency comments, and draft conditions.

Applicant testimony: None; the applicant/representative was not present.

Public testimony: None; no members of the public were present.

Rebuttal: None; the applicant/representative was not present.

Deliberations: The Chair closed the hearing at 6:18 p.m. and called for deliberations. The Commission discussed the application, site plan, and parking plan as well as all uses and structures on the parcel. They discussed the previously approved septic permit used for a residential dwelling and potential impact of that system now being commercially utilized.

Motion: Vice Chair Purdom moved, and Commissioner Cranor seconded the motion, to approve the conditional use permit for a cumulative commercial use with buildings totaling over 5,000 square feet, file #26-0057, finding that the proposal IS in accord with the standards of Idaho Code and Section 7 of the Boundary County Zoning & Subdivision Ordinance, based upon the findings as written and conditions as amended to remove the second sentence in condition #6 and based upon the reasons as read into the record during deliberation. This action does not result in a taking of private property.

Condition #6 to now read as: The site shall provide and maintain a minimum of 9 parking spaces, for a minimum of one, 200 square foot parking space per 1,000 square feet of floor area for the total structure square footage of the on-site structures.

The Chair declared the motion approved on a unanimous voice vote.

Chair Davis declared a recess at 6:34 p.m., with the meeting resuming at 6:37 p.m.

NEW BUSINESS:

Permit Transferability Code Update: Ms. Marley presented the requested updates for draft ordinance language per the Commissions prior request. She noted state requirements to show new text underlined and text to be removed shown with strikeout. The handout was presented to the Commission for review.

(Part B) Section 6, which addresses permit processing, including expiration dates and the right to transfer a residential placement permit to new owner in section 6.4.3. Ms. Marley also recommended updating the code to reflect the current practice of obtaining addressing and encroachment permits first before issuing placement permits. Verbiage in Section 6.5.3 also included a recommendation for consistency to legal terminology and removing the discontinuation of a commercial/industrial placement permit if not in use so it follows the parcel not the business.

Permitting and Land Use Procedures Code Update: (Part A) Recommended revisions to Section 3.6, Planning and Zoning Commission, subsections 3.6.3 through 3.6.8 and Section 3.7.3 address updates required due to the new P&Z bylaws, removal of duplicate provisions, and inconsistencies with Idaho's Local Land Use Planning Act related to Planning and Zoning Commission appointments. Additional edits include replacing "will" with "shall" where appropriate and a correction by the Board of County Commissioners (BOCC) regarding appeal rights.

(Part B) Section 7 adds language to conditional use permits clarifying that a vacant use is not considered abandoned for 10 years after cessation of operation, consistent with state law. The law allows an owner to request a P&Z extension of up to two additional years. Ms. Marley noted that the section title was a duplication and needed updated.

(Part C) Section 11 includes a correction to subdivision requirements, clarifying that current law requires signature from every taxing agency within the subject property on the final subdivision plat map. A "reserved" section is included to maintain numbering consistency.

(Part D) Section 13 revisions align the appeal process with Idaho Code and correct "will/shall" usage. Appeal rights are clarified to apply to "affected" persons as defined by state law and confirm that all administrative and Planning and Zoning final decisions are appealable to the Board of County Commissioners (BOCC). BOCC appeal procedures are updated to reflect state law, including the requirement for a notice of reconsideration as the initial step following a final decision. Language is revised to correct prior misinterpretations that allowed an additional appeal to the BOCC after a final BOCC decision, which is not consistent with state law. Public records language is updated to align with Idaho public records law and is not limited to five days following a hearing. A typographical error in "mitigation" is corrected, and language is added confirming mediation is permitted under Idaho Code. Ms. Marley noted that there was a typo in 13.2.7 that needed corrected from "ay" to "may."

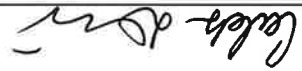
(Part D) Section 19 revisions update mailed notice requirements to meet the 15-day state law standard and align noticing recipients with Idaho Code, including owners and purchasers of record. Additional noticing requirements were added to reflect the Local Land Use Planning Act, including over-height uses, gas pipeline proximity, and airport-related notifications, as well as a general "other noticing requirements" section. Records maintenance was updated to confirm that minutes are a permanent record per state law. Ex parte language was revised to match Idaho Code regarding conflicts of interest under the Planning Act. Clarification was added that no action may be taken without a quorum. Language allowing Planning and Zoning to set a new hearing date was removed.

The consensus at the end of Ms. Marley's presentation was to forward the recommended changes, with minor corrections noted, to the Boundary County Commissioners for review at the June 9th meeting. The next step, with the consent of the County Commissioners, would be to place the revisions into formal ordinance language for consideration by the Planning and Zoning Commission at a public hearing, potentially in July.

UPDATES & ANNOUNCEMENTS:

Ms. Vogel provided updates on topics and files scheduled for the June 25, 2026, meeting. A discussion was held regarding a potential workshop to review subdivision draft updates with agency partners, including Panhandle Health District, Boundary County Road and Bridge, the Assessor's Office, and Fire Districts. The Commission requested that staff move forward with organizing the workshop while file review requests were slow.

ADJOURNMENT: Chair Davis declared the meeting adjourned at 7:38 p.m.



Caleb Davis, Chair

Boundary County Planning & Zoning Commission

Date:

