



Bonner County

Board of Commissioners

Brian Domke

Asia Williams

Ron Korn

Public Hearing Minutes

Planning

Date: June 11, 2025
Location: 1500 Hwy 2, Suite 338
Sandpoint, ID 83864
Convene at: 1:30 PM

COMMISSIONERS: Domke – Present Williams – Excused Korn – Present
OTHERS PRESENT: Alex Feyen, David Fisher, Jake Gabell, Dylan Young

Purpose/Topic Summary: File ZC0001-25 & Reconsideration of File ZC00011-24

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Commissioner Domke opened the hearing at 1:33 p.m.

Commissioner Domke asked if anyone needed assistance for this hearing, there were no requests. Commissioners Domke and Korn advised that they had no conflicts with this file.

File ZC0001-25, Zone Change, Rural 10 to Rural 5 - The applicant is requesting a Zone Change from Rural 10 to Rural 5. The 10-acre property is zoned Rural 10. The project site is located off Helen Thompson Road in Section 5, Township 56 North, Range 3 West, Boise-Meridian. The Zoning Commission, at the April 17, 2025, public hearing recommended approval of this file to the Bonner County Commissioners.

Staff Report Presented By: David Fisher

- Please see attached packet
- Parcel is rural residential 5-10 acres, parcel is approximately 10 acres
- Provided applicable BCRC, background, site data, environmental factors, services, and agency comments
- Went over rural residential, both 10 and 5, criteria according to the comp plan
- Provided standards of review, both proposed and current
- Went over parcel characteristics including slopes, critical wildlife, prime agricultural soils (not prime farmland), roadways/access, floodplain (not within), public services are available (Westside Fire Dist., BCSO, BCEMS, Northern Lights)
- Went over surrounding properties within a 2,000 foot radius
- This was recommended for approval by the Zoning Commission

Applicant Presented: Travis Haller

- Do not meet criteria for R10, R5 is suitable for this parcel
- Went over the zoning in this area and comp plan
- Mr. Cropper provided a background and why they are requesting this ZC (land prices, parents are wanting to split their property, family)
- Went over the comp plan criteria, implementation components, and policies; this proposal is not in conflict with the comp plan policies

- Went over the zoning code requirements for R10 and R5
- Discussed transportation and surrounding parcels which are below 10 acres in this area
- Proposal is supported by neighbors
- Went over the code requirements , this is in accord with R5 zoning
- Went over additional requirements for future planning
- Provided a brief summary of proposal

Public Comment Opened at 2:03 p.m.

- Dave Bowman – (Against) Commented on the characterization of the slopes, development, surrounding parcels, and spot zoning; believes this parcel does meet R10 requirements
- Reg Crawford – (Against) Agrees with Dave’s comment; against using comparison of parcels, this is spot zoning

Public Comment Closed at 2:09 p.m.

Applicant Rebuttal:

- Commented on the characteristics of the slopes and the definition provided by Merriam Webster provided in public comment, pointed out that one word was missed: significant. Also commented on the parcels in the area that do not meet the R10 criteria. Questioned affordable housing in this community and the median income.

Deliberation and Discussion among the Board:

- Commissioner Korn – Believes the zoning commission got it right and in looking at this it does not meet the R10 requirements, but it does meet the R5 standards. Does not see any reason to deny this, it does seem to align with R5 not R10; agrees with all of the staff report
- Jake Gabell – Let the board know that included in the Staff Report is a Land Use Decision Making Worksheet to use in deliberation
- Bill Wilson – The goal of this worksheet is to craft well-reasoned defensible decisions. Discussed this worksheet and how to incorporate it in their decision. This worksheet will ensure that each issue will be addressed during deliberation and that it will be reflected in the motion
- IC 67-6511 – **Agree** that this is in conformance with this code and the comp plan
- BCRC 12-215 – After reviewing the application, **agrees** that the application contents have been met
- BCRC 12-216 – **Agrees** that this is in compliance with the comp plan and the staff report analysis
- BCRC 12-323 (B.1) and (B.2) – Discussed criteria relating to slopes and distinguishing features; the creek has created steep slopes, but it is a small percentage of the parcel; to meet R10 you need to check one criterion. Commissioner Domke agrees with the staff report except for the slopes, so he believes it does meet the R10 criteria. He discussed other parcels in this area, and the average parcel size being R10 so changing this parcel would be out of character in this zone. Commissioner Korn discussed the slope characteristics and that they can cause difficulties, but it is only about 20% and these go down, this issue would be addressed with the BLP, he does not believe it meets R10. Discussion regarding this code followed. Commissioner Domke disagrees with the density aspect. Bill discussed that this is only a recommendation, so if the board is unable to approve this file, it defaults to a denial. He recommends that if there is a split vote then this should be continued to render a majority vote.

Commissioner Domke stepped down from the chair and made a motion to a time and date certain of July 15, 2025 at 2:00 p.m. Commissioner Korn seconded the motion. Roll call vote: Commissioner Korn – Yes; Commissioner Domke – Yes. The motion carries.

Reconvened at 2:09 p.m., Tuesday, July 15, 2025

Commissioner Domke re-opened the hearing to allow the applicant to continue their presentation.

Applicant Presented: Travis Haller

- Travis gave a brief summary of the proposal
- * * - This is family property, and they want to leave a legacy. He knows this does not apply to zoning and such, just wanted it out there. This is a great way for his brother and his family to have a family home here, and this is the only way that is possible, plus it will be another taxable parcel.
- Kylie Cropper, applicant – Presented why they are requesting this zone change.
- Travis provided additional letters of support for this zone change. He discussed the characterizations of the slopes as well as the creek on the parcel.
- They have reached out to the community and have the support of the community
- Discussed the slopes and comp plan
- Chris James, surveyor – Commented on the slopes and if they are 30%. He conducted a detailed slopes analysis of the parcel which verified three key facts: the overall average slope is 25.1%, the majority of the land is gentle/moderate slopes, and slopes 30% or over are the least.
- Travis – Discussed the additional tools and information used to show the topography and slopes on this parcel. There is a creek and there are some steep slopes, but this parcel is not characterized by steep slopes. Travis asked for a show of hands for those in attendance in support of this, all hands were raised, none were raised in opposition.

Commissioner Domke asked how the creek and slopes would affect the construction. Mr. Cropper discussed easements on the property for access purposes, and the proposed location for the residential structure.

Public Comment - Opened 2:37 p.m.

In favor of:

- Megan Turner – Third generation Bonner County native, she and her family cannot afford to live here, so the opportunity for the applicants to live and build a home to stay here.
- Casey Burking – Born and raised here, this is a wonderful opportunity for wonderful applicants who just want to give back to the community and allow them to be homeowners
- Tyler Salvage – Lives in the neighborhood of the applicant, there is plenty of room for building away from the creek, discussed the buffer in this area

Public comment closed at 2:43 p.m.

Commissioner Korn asked who owns the property to the north; the applicant replied and added that these neighbors are supportive. Commissioner Domke asked about access; there is an easement available. Commissioner Domke would like to go through the decision making

worksheet to assist in their determination if they will be able to agree on a decision or if they will need to continue the hearing.

In going through the worksheet, and having lengthy discussions for each code, they agreed to adopt the findings of the staff report for Idaho Statute 67-6511 and Bonner County Revised Codes listed.

Commissioner Korn made a motion to **approve** this project, FILE ZC0001-25, requesting a zone change from Rural-10 to Rural-5, finding that it **is not** in conflict with the policies of the Bonner County Comprehensive Plan and **is** in accord with Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1: The proposal **is not** in conflict with the policies 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.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. Commissioner Domke stepped down from the chair and seconded the motion. Roll call vote: Commissioner Korn – Yes; Commissioner Domke – Yes. The motion carries.

Zone Change Ordinance Motion: Roll Call Vote

Commissioner Korn made a motion to approve an Ordinance of Bonner County, Idaho, the number to be assigned, citing its authority, and providing for the amendment of the Official Zoning Map of Bonner County by the classification of lands located in Section 5, Township 56 North, Range 3 West, Boise Meridian, Bonner County, Idaho to Rural-5, and providing for an effective date. Commissioner Domke stepped down from the chair and seconded the motion. Roll call vote: Commissioner Korn – Yes; Commissioner Domke – Yes. The motion carries.

Zone Change Findings of Fact

1. The parcel does contain some mapped slopes that range from 15-29% grade, and some slopes that are 30% or greater. The parcel is not characterized by slopes steeper than 30%.
2. The parcel is in a transition between flat areas and sloped areas.
3. The parcel is characterized as a relatively flat property with some slopes and an intermittent stream running through it.
4. The parcel is not within critical wildlife habitat as identified by federal, state, or local agencies.

5. The parcel contains the soil type, Pend Oreille Silt Loam, which is considered “Not Prime Farmland”, per the Bonner County GIS mapping, this soil type is not listed in the Comprehensive Plan.

6. The parcel is accessed via a network of public roads. Helen Thompson Road, and Wrenco Loop are Bonner County owned and maintained roads, connecting the parcel to US HWY 2, owned and maintained by Idaho Transportation Department.

7. The parcel is not within a floodplain or floodway.

8. According to the application, fire protection is provided by West Side Fire District.

9. Power is provided by Northern Lights Inc.

10. The parcel has an individual well and septic system.

Adjourned at 3:32 p.m.

Deputy Clerk: *Alisa Schoeffel*