



BOUNDARY COUNTY PLANNING AND ZONING

Street address: 6452 Kootenai St Bonners Ferry, ID 83805 Mailing address: PO Box 419, Bonners Ferry, ID 83805 Phone (208) 267-7212 www.boundarycountyid.org (web page)

**PLANNING & ZONING COMMISSION
MINUTES of January 26, 2023, Public Meeting**

Boundary County Annex (former Armory Building) at 6566 Main St., Bonners Ferry, ID 83805

P&Z Members in attendance:

- Caleb Davis, Chair Wade Purdom, Co-Chair David Hollabaugh John Cranor
- Rob Woywod Scott Fuller
- Adam Isaac Ron Self

Chair Davis called the meeting to order at 5:30 p.m. Roll call: Commission members present are noted with a checked box above. Also in attendance: Acting Zoning Administrator Clare Marley, Assistant Contract Planner Tessa Vogel, and members of the public.

Consent Agenda:

Commissioner Hollabaugh moved, and Commissioner Fuller seconded the motion, to approve the December 8, 2022 minutes. The Chair declared the motion approved on a unanimous voice vote.

The Chair amended the agenda to move the election of the Chair and Co-Chair to follow the public hearings to allow Commissioner Purdom time to attend the meeting for the voting.

Public Hearings:

FILE 22-0209, CONDITIONAL USE PERMIT, THE JOHN & JACQUELYN GALE FAMILY TRUST is requesting approval for a conditional use permit for 6-8 RV pedestals with hookups to allow for a Recreational Hospitality use on a 31.56-acre parcel in the Agriculture/Forestry zone. The parcel is located at 213 Haven Lane and is identified as Assessor’s Parcel RP60N01W021250A in Section 2, Township 60 North, Range 1 West, B.M. This file is continued from the December 08, 2022, public hearing to allow the applicant to provide additional information regarding ownership and easements serving the property.

Opening and Hearing Summary: The Chair opened the hearing and read the description of the project and request for a continuation of the file to the March P&Z public hearing.

Motion: Commissioner Hollabaugh moved, and Commissioner Isaac seconded the motion, to continue the public hearing for File #22-0209, Gale Family Trust, to 5:30 p.m. March 23, 2023, at the Boundary County Annex Building to allow additional information regarding ownership and easements to be entered into the record. Testimony will be limited to the new information only. The Chair declared the motion approved on a unanimous voice vote.

FILE 23-0011, CONDITIONAL USE PERMIT, ESSENTIAL OIL RESEARCH FARM, LLC, is requesting approval for a conditional use permit for a Recreational Hospitality Use to allow for business retreats for periods of up to one week with groups of up to 45 people and to allow for single-day events with up to 200 people on a 30.05-acre parcel and a 20-acre parcel in the Agriculture/Forestry zone. The parcel is located at 5060 McArthur Lake Road and is identified as Assessor’s Parcels RP60N01W037600A and RP60N01W038400A in Section 3, Township 60 North, Range 1 West, B.M.

Opening and Hearing Summary: The Chair opened the hearing and read the description of the project. Assistant Planner Tessa Vogel read the hearing procedures and explained the public testimony allowances and exhibit requirements based on the adopted hearing procedures.

Call for Disclosures: The Chair called for disclosures or conflicts of interest regarding the file. There were no conflicts or disclosures announced.

Application Summary: Ms. Vogel presented the staff report and reviewed the standards, findings of fact, and proposed conditions of the conditional use permit (CUP).

Applicant Presentation: Applicant Representative Michael Carter provided an overview of the technical aspects of the proposal and clarified that the patrons of the single-day events will not be staying on site, all infrastructure is in place, and an irrigation permit for 50 acres was approved.

Public Testimony:

Those in favor: None.

Those neutral: Jeremy Davy (Cabinet Mountains Water District) stated the water district's Board had questions that the applicant answered but wanted to note that water usage is exceeded monthly and there is no more water to be provided for the site. Mr. Davy also stated that the proposed parcel line adjustment would satisfy the District's concern of one parcel's water feeding another. Angie Wilkinson mentioned a memorial that was held on site and asked if public events outside the scope of the business will occur.

Those opposed: Mark McFaddan asked how many single-day events will be held and what the traffic for the events will be. Linda McFaddan asked if it was legal to have commercial and recreational uses in the Agriculture/Forestry zone and voiced her concerns over the impact on the road from the potential traffic and issues that have occurred with other neighboring parcels that hold mud-bogging events. Tim Eggar voiced his concern about how the septic will impact his well and how McArthur Lake Road will be impacted by the single-day and week-long events. Mr. Eggar also stated that he has had issues with people coming down his driveway looking for the applicant's farm and that he would like to be invited to tour the farm to see what really will be occurring. James Wilger stated the CUP application is too vague and needs to provide more information specific to the large resort/convention events as the proposal is disruptive, does not fit the area's uses, and has the potential to allow future businesses to use the site for their own events. Mr. Wilger asks that neighbors and emergency services be notified of the events in advance, that the number of events per year is restricted, and that the hours of operation be restricted.

Applicant Rebuttal: Mr. Carter stated that only one single-day event, where vets will be showing how they use the farm's products with animals, is planned for 2023 to see if it is feasible to do. The memorial was for a field manager who had passed away but similar public events are not proposed, he said. Mr. Carter also stated that they do many private tours open to the public, explained the septic system setup including that the water by product from the distillery does not go into the septic, advised that they will work with the Cabinet Mountains Water District regarding water usage, and that patrons of the week-long stays will work on site and the distillery won't be in production at these times. Mr. Carter also stated that he was fine with there being limitations on the number of events and time of operation and will notify neighbors and emergency services.

Close of Hearing & Deliberation: The Chair closed the hearing and called for deliberation. The Commission members discussed limiting the number of single-day and week-long events and neighborhood notice, and emergency services. The wanted to know from the applicant how many events would be needed.

The Chair re-opened public testimony to allow the applicant to answer questions from the Commission. The Chair asked the applicant how many single-day and week-long events in a year would be needed, which Mr.

Carter stated one would be enough for single-day events and six to nine events for the week-long events. Commissioner Hollabaugh asked the applicant what hours of operation would be preferred and Mr. Carter states that they can make any time period the Commission wants to set work.

Public testimony was also permitted related to information discussed in the re-opening of public testimony.

Public Testimony:

Those in favor: None.

Those neutral: None.

Those opposed: Tim Eggar requested clarification on when the week-long events will be taking place during the year for safety purposes. James Wilger asked if the events were already occurring. Mark McFaddan stated his concern over future landowners using the CUP.

Final Rebuttal: Mr. Carter advised that he was unaware that conditional use permits run with the land.

Close of Hearing & Deliberation: The Chair closed the hearing and called for deliberation. The Commission discussed limiting the single-day events to two (2) times a year, limiting week-long events to nine times a year, establishing quiet hours from 10:00 p.m. to 7:00 a.m., and requiring written notice to landowners within 300 feet of the property, the Board of County Commissioners, and fire districts.

Motion: Commissioner Purdom moved, and Commissioner Hollabaugh seconded the motion, to approve the conditional use permit for a Recreational Hospitality Use to allow for business retreats and single-day events, File #23-0011, 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, conclusions and conclusions as amended to amend condition #4 and add conditions #7-9 and determined this action does not result in a taking of private property. The Chair declared the motion approved by a unanimous voice vote.

Amended/Additional Condition:

4. The business retreats shall be limited to:
 - a. A maximum of nine (9) retreats per year.
 - b. One-week duration with a maximum of 45 people.
7. Quiet hours shall be observed for the retreat activities from 10:00 p.m. to 7:00 a.m. daily.
8. The large, single-day event gathering shall be limited to a maximum of two (2) per year.
9. The applicant shall provide written notification of the pending large-event gatherings at least 14 days prior to the event to:
 - a. Landowners within 300 feet of the property lines.
 - b. Boundary County Board of Commissioners.
 - c. Local fire district.

FILE 23-0023, CONDITIONAL USE PERMIT, SCHROCK REV INTER VIVOS TRUST is requesting approval for a conditional use permit for a 21,000 square foot existing wood products manufacturing structure on a 2.15-acre parcel. (A parcel line adjustment to increase the current 1.59-acre parcel is pending.) The site is in the Commercial/Light-Industrial zone. The parcel is located off Enterprise Way and State Highway 95 and is identified as Assessor's Parcel RP62N01E144210A in Section 14, Township 62 North, Range 1 East, B.M.

Opening and Hearing Summary: The Chair opened the hearing and read the description of the project. Ms. Vogel read the hearing process and explained the public testimony allowances and exhibit requirements based on the adopted hearing procedures.

Call for Disclosures: The Chair called for disclosures or conflicts of interest regarding the file. There were no conflicts or disclosures announced.

Application Summary: Ms. Vogel presented the staff report and reviewed the standards, findings of fact, and proposed conditions of the conditional use permit (CUP).

Applicant Presentation: Applicant Charles Schrock explained the timeline of the violation and the use of the structure.

Public Testimony: No public testimony given.

Applicant Rebuttal: No rebuttal given.

Close of Hearing & Deliberation: The Chair closed the hearing and called for deliberation.

Motion: Commissioner Hollabaugh moved, and Commissioner Isaac seconded the motion, to approve the conditional use permit for a manufacturing structure greater than 8,000 square feet to allow for a 21,000 square foot existing wood products manufacturing structure, File #23-0023, 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, conclusions and conditions as written and determined this action does not result in a taking of private property. The Chair declared the motion approved by a unanimous voice vote.

Motion to elect P&Z Chair: Commissioner Purdom moved, and Commissioner Cranor seconded the motion, to elect Caleb Davis as the P&Z Chair. There being no further nominations, the Chair declared the motion approved by acclamation.

Motion to elect P&Z Co-Chair: Commissioner Fuller moved, and Commissioner Isaac seconded the motion, to elect Wade Purdom as the P&Z Co-Chair. There being no further nominations, the Chair declared the motion approved by acclamation.

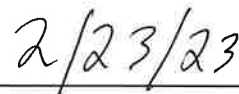
Motion to recommend to Board of County Commissioners: Commissioner Purdom moved, and Commissioner Cranor seconded the motion, to recommend the appointment of Bill Benage to the Boundary County Planning & Zoning Commission. The Chair declared the motion approved by a unanimous voice vote.

New Business/Announcements: Acting Zoning Administrator Clare Marley reviewed a list of projects completed by the P&Z Department and those still pending. Ms. Marley gave a brief overview of the February 2023 agenda. She responded to questions from the Planning and Zoning Commission regarding social media posts about Ruen-Yeager's contract planning services with the county and the Board of Commissioners' plans to transition to a full-time county employee in the planning office.

Adjournment: The Chair declared the hearing adjourned at 7:23 p.m.



Caleb Davis, Chair
Boundary County Planning & Zoning Commission



Date: