



## BOUNDARY COUNTY PLANNING AND ZONING

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### PLANNING & ZONING COMMISSION

#### MINUTES of OCTOBER 24, 2024, Public Meeting

*Boundary County Annex 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     Bill Benage  
 Adam Isaac     Ron Self

Chair Davis called the meeting to order at 5.30 p.m. Roll call: Commission members present are noted with an "X" in the boxes above. Also in attendance: Acting Zoning Administrator Clare Marley, Associate Planner Tess Vogel, Planning & Zoning Administrator Ben Jones and members of the public.

**Consent Agenda:** Commissioner Self moved, and Commissioner Isaac seconded the motion, to approve the July 25, 2024, minutes as written. The Chair declared the motion approved on a unanimous voice vote.

**Public Hearing: FILE #24-0119, COMPREHENSIVE PLAN MAP AMENDMENT & ZONE CHANGE, JOHN & PAMELA MARTLING** are requesting a comprehensive plan map amendment and zone change from Agriculture/Forestry to Rural Community/Commercial on a 10-acre parcel and a 46.16-acre parcel. The Agriculture/Forestry has a 10-acre lot size minimum. Uses include: ag/forestry pursuits; single-family dwellings; commercial greenhouses; and produce stands outright; duplexes, multi-family, multi-structure residential; high-occupancy uses; and land intensive uses with a conditional permit. Rural Community/Commercial has a 2.5-acre minimum lot size where water and sewer service are not available and 1 acre where either community water or sewer is available. Uses include: single-family homes; duplexes; light class and moderate class uses outright; a variety of commercial, light industrial and industrial uses; and mobile home parks with a conditional use permit. The application states the purpose of the zone is to be able to expand the number of mobile homes on the properties. The subject properties are located off Living Stone Lane and Glory Road and are identified as Assessor's Parcels RP60N01W137800A and RP60N01W138102A, in Section 13, Township 60 North, Range 1 West, B.M. The September 26, 2024, the Planning and Zoning Commission meeting was canceled due widespread power outages and effects of the September 25th storm.

**Legal & Disclosures:** The Chair read the legal notice and called for disclosures. No disclosures were made.

**Staff Presentation:** Ms. Vogel explained the hearing procedures and provided an overview of the proposal.

**Applicant Presentation:** Applicant's representative, Tom Bushnell, spoke on the history of the property and the applicant's reasoning. Mr. Bushnell presented Exhibits 1-3. Mr. Bushnell stated the lack of zoning on the highway boundary causes a default of one side of the highway being zoned Ag/Forestry and the other side Rural Community/Commercial where those zones are adjacent to the highway. Mr. Bushnell noted the applicant was applying for a zone change for both parcels because the 10-acre parcel would not be contiguous with the other Rural Community/Commercial properties. Applicant John Martling stated he was denied a conditional use permit for the expansion of the existing mobile home park and a placement permit for an additional mobile home. Mr. Martling noted he does not plan to do an RV park.

A recess was declared at 6:12 pm and the hearing was resumed at 6:17 pm.

**Applicant Presentation (continued):** Mr. Bushnell asked the Commission to allow the zone change for the existing uses and both parcels so the zoning would be adjacent to similar zoning across the highway.

**Public Testimony:** Karen McArty spoke in favor of the proposal and stated she was grateful for the ability to live in one of the applicant's homes and the "plenty of space" around them.

**Applicant Rebuttal:** Mr. Martling noted he did not want to rezone the 46-acre parcel but need to so the zoning of the properties across the highway would be contiguous to the subject parcels, that none of the neighbors had issues with the proposal and that he is trying to work within the bounds of the code and does not want to subdivide the 46-acre parcel. Mr. Martling stated his main purpose was to provide affordable housing.

**Deliberation/Discussion:** The Chair closed the public hearing, and the Commission began deliberations. The Commission members discussed whether the highway prevented contiguity, the logic of what would be on a highway, the weight of various factors, potential long-term effects, the ability of the Commission to approve only the north parcel and what that message that would send about the Commission's long-term intentions, other restrictions on the applicant's proposal from entities outside of Planning and Zoning, and the public response to the application.

**Motion:** Commissioner Self moved, and Commissioner Cranor seconded the motion, to recommend approval of the request to amend the Boundary County comprehensive plan land use designation map and the zoning map from Ag/Forestry to Rural Community/Commercial, File #24-0119, 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. This action does not result in a taking of private property.

The Chair declared the motion approved on a 6-1 voice vote, with Commissioners Davis, Purdom, Cranor, Woywod, Benage, and Self casting an "aye" vote. Commissioner Isaac casting a "nay" vote.

**November/December 2024 Combination Public Meeting:** Commissioner Purdom moved, and Commissioner Woywod seconded the motion to set the November/December 2024 combination public meeting for November 21, 2024, at 5:30 p.m. at the Boundary County Annex Building.

The Chair declared the meeting date approved on a unanimous voice vote.

**Updates & Announcements:** Ms. Marley listed the code updates the Commission had previously started which included private road standards, enforcement and updating the comprehensive plan. Ms. Marley told the Commission about an educational video to be provided to the Commissioners, discussed terms and election proceedings for 2 vacating Commission seats, and discussed the proceedings for creating a state-mandated "Ag Protection Zone" law. Ms. Vogel noted there were no applications on file to be heard at the November 21, 2024, meeting.

Commissioner Isaac departed at 6:57 pm.

**Updates & Announcements (continued):** Ms. Marley updated the Commission on the status of application file #24-0076. Ms. Marley and Ms. Vogel explained the updates needed for the comprehensive plan map and the zone change map.

**Adjournment:** The Chair declared the meeting adjourned at 7:00 p.m.



Caleb Davis, Chair  
Boundary County Planning & Zoning Commission



Date: