



BOUNDARY COUNTY PLANNING AND ZONING

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PLANNING & ZONING COMMISSION

MINUTES of August 25, 2022 Public Hearing

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

P&Z Members in attendance:

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

Consent Agenda:

Commissioner Self moved, and Commissioner Fuller seconded the motion, to approve the July 28, 2022, meeting notes and the June 23, 2022, minutes. The Chair declared the motion approved on a unanimous voice vote.

Public Hearing:

FILE 22-0157, CONDITIONAL USE PERMIT, DAVIS FAMILY REV TRUST is requesting approval for a conditional use permit for a commercial use with a primary structure exceeding 15,000 square feet to allow for an addition onto an existing gym (Iron Mike's Family Fitness) on a 2.31-acre parcel in the Commercial/Light Industrial zone. The parcel is located at 64450 HWY 2 and is identified as Assessor's Parcel RP62N01E140761A 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. Acting Zoning Administrator Clare Marley 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. Marley presented the staff report and reviewed the standards, findings of fact, and proposed conditions of the conditional use permit.

Applicant Presentation: Owner Mike Davis provided a history of the gym, the reasons for the expansion, and compliance with required parking. He advised that the required highway approach permit should be completed already.

Public Testimony: Clark Fairchild, Colin Fairchild, and Dave Schuman registered attendance at the hearing. Clark Fairchild spoke in favor of the proposed conditional use permit.

Applicant Rebuttal: No rebuttal was presented.

Close of Hearing & Deliberation: The Chair closed the hearing at 5:53 p.m. and called for deliberation.

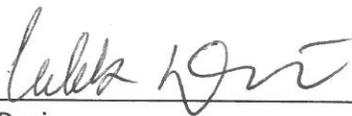
Motion: After a brief discussion regarding the use and ITD access permit, Commissioner Self moved, and Commissioner Cranor seconded the motion, to approve the conditional use permit for a commercial use with a primary structure exceeding 15,000 square feet to allow for an addition onto an existing gym, File #22-0157, 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 confirming proof of ITD access is included in the conditions of approval. This action does not result in a taking of private property. The Chair declared the motion approved on a unanimous voice vote.

New Business: The Commission reviewed with Ms. Marley current Boundary County land use codes addressing density, dwellings, residential uses, and residences. They reviewed sample definitions and how current code handles or does not address various aspects of dwellings and allowed unit density in the county's zoning districts. The Commission discussed how the absence or presence of various components of a home can determine whether a structure is a residence. Generally, the group agreed that running water for showering and a place to sleep are necessary components of a dwelling. However, staff noted that many residential placement permits may not have an inside bathroom or running water at the time of application. The Commission pointed out that sleeping quarters alone are not sufficient to define a dwelling, since there are bunk houses, sleeping porches, or "sleeping sheds" developed on properties that do not by themselves constitute a dwelling. While they preferred the basic American Planning Association definition for a habitable space that staff presented, they noted the definition relies on "activities" that a habitable space includes versus features of a home such as an oven, sink, shower, etc. The Commission requested staff return with some draft language and other examples they have used in the Idaho communities they serve for review at the next meeting.

The Commission deferred discussion on the subdivision code review and general ordinance updates to a future meeting.

Ms. Marley briefly discussed a proposed text amendment that would establish the effective dates for the official zoning map and subdivision laws. This text amendment will likely be presented to the Commission at a future public hearing.

Adjournment: Commission Purdom moved to adjourn. Commission Isaac seconded the motion. The Chair declared the motion passed on a unanimous voice vote. The meeting adjourned at 6:50 p.m.

 9/22/2022

Caleb Davis,
Boundary County Planning & Zoning Commission Chair