

Welcome to tonight's City Council meeting!

The elected officials of the City of Bonners Ferry are appreciative of an involved constituency. Testimony from the public is encouraged concerning issues when addressed under the Public Hearing portion of the agenda. Any individual who wishes may address the council on any issue, whether on the agenda or not, during the Public Comments period. Normal business will preclude public participation during the business portion of the meeting with the discretion left to the Mayor and Council.

Vision Statement

Bonners Ferry, "The Friendliest City", strives to achieve balanced growth, builds on community strengths, respects natural resources, promotes excellence in Government, and values quality of life.

AGENDA CITY COUNCIL MEETING Bonners Ferry City Hall 7232 Main Street 267-3105 April 7, 2015 7:00 p.m.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Co-op Gas and Supply Special Use Permit Hearing for Liquefied Petroleum Gas Storage and Distribution at 6410 Main Street (attachment)

PUBLIC COMMENTS

Each speaker will be allowed a maximum of five minutes, unless repeat testimony is requested by the Mayor/Council

GUESTS

REPORTS

Police/Fire/City Administrator/Economic Development Coordinator/Urban Renewal District

CONSENT AGENDA

1. Call to Order/Roll Call
2. Approval of Bills and Payroll
3. Treasurer's Report
4. Approval of March 2, 2015 Council Meeting Minutes

OLD BUSINESS

NEW BUSINESS

5. City – Authorize Purchase of Property from Milt and Catherine Schauble (attachment)
6. City – Discuss Lighted Downtown Signs (attachment)
7. Planning and Zoning – Consider Approval of Co-op Gas and Supply Special Use Permit for Liquefied Petroleum Gas Storage and Distribution at 6410 Main Street
8. Planning and Zoning – Consider Approval of Special Use Permit for Joseph and Robina Scarlett for a Professional Office in a Residential A Zone at 6945 Main Street (attachment)
9. City – Approve Parade Permit for American Legion for the Memorial Day parade on May 25, 2015 (attachment)

10. City – Set Fiscal Year 2016 Budget Hearing for September 1, 2015 at 7:00 p.m.
11. Electric – Authorize Hire of Bruce Dally and Discuss Seasonal Hiring (attachment)
12. Electric – Authorization to Advertise for Hiring Electric Department General Maintenance and Operations Technician (attachment)
13. Electric – Authorization to Advertise for Bids for the Moyie Substation Rebuild (attachment)
14. Pool – Authorization to Hire Head Lifeguard (attachment)
15. City – Reading of Ordinance Amending Title 1, Chapter 4 City Code Addressing Offense Grading and Penalties (attachment)
16. City – Consider Adoption of Ordinance Amending Title 1, Chapter 4 City Code Addressing Offense Grading and Penalties
17. City – Reading of Ordinance Amending Bonners Ferry City Code Title 5, Chapter 5 Pertaining to the Use of Deadly Weapons and Firearms within the City Limits (attachment)
18. City – Consider Adoption of Ordinance Amending Bonners Ferry City Code Title 5, Chapter 5 Pertaining to the Use of Deadly Weapons and Firearms within the City Limits (attachment)

EXECUTIVE SESSION PURSUANT TO IDAHO CODE 67-2345, SUBSECTION 1

- (a) Consider hiring a public officer, employee, staff member or individual agent.
- (b) Consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.
- (c) Conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.
- (d) Consider records that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code.
- (e) Consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.
- (f) Communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.
- (g) Engage in communications with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed.

ADJOURNMENT

NEXT MEETING DATE

INFORMATION

19. City – 2015 AIC Spring District Meeting Schedule (attachment)
20. City – PRIMA Training on May 12, 2015 in Coeur d'Alene (attachment)
21. Street – Cleanup Week April 6, 2015 through April 13, 2015
22. Sewer – Claim for Damage (attachment)

The regularly scheduled Planning and Zoning meeting of February 19, 2015 was called to order at 5:30pm by Vice Chairman Andy Howe. Present for the meeting were: Planning and Zoning Members Brad Hanson, Dave Gray, Sue Larson, Wally Cossairt, Chris Rawlings, Andy Howe, Office Clerk Christine McNair, Planning and Zoning Administrator Lisa Ailport, Boundary Economic Development Coordinator David Sims, Lou Meigs, Bruce Merrifield and Don

Dave moved to accept the minutes from the January 22, 2015 as written. Brad seconded the motion. Motion passed with all in favor.

David Sims gave a summary report of the Mobility West/South Hill Project. The open house on February 5, 2015 was well attended, with several business owners in attendance. David explained the two proposals that Idaho Transportation Department (ITD) is considering. Most of the people that attended the open house like proposal #2. The source of the grant is cigarette money and that money has to be used for safety improvements. There will be another South Hill Project meeting on February 25, 2015 and representatives from ITD will be there.

Lisa gave a brief training on ex-parte contact. Idaho Code definition 67-5253: Unless required for the disposition of the ex parte matters specifically authorized by statute, a presiding officer serving in a contested case shall not communicate, directly or indirectly, regarding any substantive issue in the proceeding, with any party, except upon notice and opportunity for all parties to participate in the communication. Ex parte communication is only a concern for quasi-judicial hearings, not legislative hearings.

Andy opened the public hearing to consider the special use permit for Co-Op Gas and Supply, file SUP002-14 for a 30,000 gallon bulk storage tank for liquefied petroleum gas(LPG), for distribution to clientele in Bonners Ferry and surrounding areas. Operations of the site will consist of weekly re-filling of the storage tanks by commercial vehicles and daily transfer of the propane to local delivery trucks.

Andy explained the hearing process.

There were no conflicts of interest.

Lisa stated that documentation was submitted on January 21, 2015 stating that Lou Meigs will be asking to remove condition #13. Condition #13 pertains to filling smaller propane tanks. Lisa added an amendment to condition #2 if the use is not in operation for a period of one year, that the use will expire.

Lou Meigs, the representative for Co-Op Gas and Supply, gave his presentation. He said that Co-Op wants to install a 30,000 gallon bulk storage tank for LPG. The tank will be filled two to three times a week by a large interstate truck, smaller bob-tail trucks will

fill-up from the 30,000 gallon tank and distribute propane to the customers. The bob-tail trucks will not be stored on-site. The trucks will leave Ponderay site in the morning, fully loaded with LPG, deliver to customers in the Bonners Ferry area, refill from this location, continue LPG delivery and return to the Ponderay site in the evening. Co-Op will not be selling BBQ bottles, there will be storage of empty, open the atmosphere, larger propane tanks at this site. The tank will be installed on a concrete foundation, with pedestals and surrounded by a chain link fence and bollards. A security light will also be installed. The interstate trucks will enter Co-Op from Highway 95, unload into the storage tank and exit onto Kennedy Street. There is a minor odor when the hose is disconnected from the truck. This installation will be all new from the fittings and control panel, to the tank.

Dave asked if there will be any employees at this site. Lou said, not to his understanding. If the business grows in the future, there may be employees, but at this stage of the game, there will not be.

Sue asked if the application that Dyck's brought to Planning and Zoning was different gas. Lisa said that it is essentially the same issue. The applicant, Lisa and the Fire Chief have met and conditions #7, #8 and #9 are regarding some of the concerns. Lou said he has discussed this with the State Fire Marshall's office.

No one spoke in favor of the application.

Bruce Merrifield, from Sunrise Trailer Park, asked how big the area is for the tank. He said that there are trailers parked within 10 feet of the property line with the Co-Op property.

No one spoke in opposition of the application.

Lou said the typical 30,000 gallon tank is 47 feet long and 10 feet in diameter. Lou also said the tank will be at least 75 feet from the property lines and 300 feet from a residence or hotel. Lou thinks the tank is about 350 feet from the property line between Co-Op and Sunrise Trailer Park.

Andy closed the public hearing at 6:36pm.

Brad thinks the proposal is well thought out and documented and is in good order. Dave agrees with Brad. Wally also agreed with Brad. He is disappointed with the Fire Chief. Sue is glad that the safety concerns can still be addressed.

Brad moved to approve the file SUP 002-14, for a special use to place a 30,000 gallon liquefied petroleum gas tank for the distribution of propane by local delivery trucks, finding that it is in accordance with the general and specific goals and standards of City of Bonners Ferry Comprehensive plan and City of Bonners Ferry zoning code pertaining

to special uses as enumerated in the following findings of fact and conclusions of law. I further move to adopt the following findings of fact and conclusions of law and including the conditions of approval as amended referring to the additions to amendment #2, condition #2. Lisa read the last sentence will read, Furthermore the use shall be considered abandoned if the use is not in operation for a period of one year, should the use be considered abandoned, a new permit shall be necessary in order for the use to continue. Amended condition #13, Lisa said to strike the first sentence, starting with, Storage of residential tanks onsite, shall be emptied completely prior to storing onsite and open to atmospheric pressure, distribution of propane for personal use shall be prohibited any amendment to this condition shall first be approved by the City Council through an addition public hearing process. And finally an additional condition #14, The existing residence as shown on the approved site plan located within the livestock co-op property shall be removed prior to placement of the bulk tank on site. The residence and/or structure south of the tank as shown on the approved site plan shall not be used as a residence while the use is in operation. Those are the conditions amended and additions that are enumerated in the record in the staff report. The actions to be taken to obtain the special use permit is to complete the conditions of approval as adopted. While finding in the affirmative of all the conclusions of law with the amendments that have been read into the record. Lisa clarified that would be conclusion 1,2,3,4,5,6,7,8,9 and 10. This action does not result in a taking of private property. Dave seconded the motion. Motion carried with all in favor.

Lisa stated that this is a recommendation only, the City Council makes the final decision. The next public hearing will happen as soon as we can notice it.

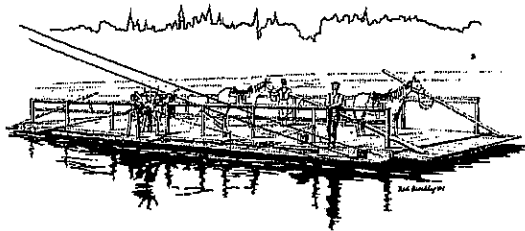
The next meeting will be March 19, 2015.

Dave moved to adjourn. Wally seconded the motion. Motion passed with all in favor.

Andy Howe, Vice Chairman

Attest:

Christine McNair, City Office Clerk



CITY OF BONNERS FERRY

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COUNCIL HEARING STAFF REPORT FOR CO-OP GAS AND SUPPLY CO. INC. SPECIAL USE PERMIT

Prepared by: Lisa Ailport, AICP
Contract Planner
219 Pine Street
Sandpoint, Idaho 83864

Project Description: The applicant is seeking approval to add a 30,000 gallon storage tank to sell and distribute liquefied petroleum gas through delivery system to local residents.

Location: The site is located at 6410 Main Street.

Parcel size: 1.25 acres

Applicant: Co-op Gas and Supply Co. Inc
125 Tibbets Lane
Ponderay, Idaho 83852

Applicant's Representative: Lou Meigs, P.E.
Welch Engineering
P.O. Box 934
Sandpoint, Idaho 83864

Property Owner: Same as Applicant

Application Filed with City: November 6, 2014

Notice Provided: Mailed: March 24, 2015
Site Posted: March 26, 2015
Published in Paper: March 19, 2015

Hearing Dates: Planning and Zoning: February 19, 2015
City Council: April 7, 2015

APPLICABLE CITY CODE:

§11-5-3, Limitations

§11-5-5 General Standards

§11-13-3- Design and Maintenance

§11-14-7 & 8 Signs, sign setbacks

§11-9-2 Height allowances

§11-5-4- Application filing contents

§11-5-6, Conditions and Safeguards

§11-13 4, &5 Off-Street Parking

§11-2-3C; table of uses Appendix B

§11-9-3 Bulk Storage

FINDINGS OF FACT

The following staff report, along with testimony received at the public hearings are herein incorporated into the forgoing findings of fact for the subject request.

RECOMMENDATION BY P/Z:

The Planning and Zoning Commission at the February 19, 2015 hearing unanimously recommended approval of the special use permit to City Council, subject to amendments to condition 13 and the addition of Condition 14. Condition 13 modified the original condition presented by staff to allow storage of residential tanks, provided they are emptied and opened to atmospheric pressure (see amended language below). Condition 14 requires the removal of the existing single wide mobile home located north of the subject site. This home is on land owned by the Co-op Gas and Supply. In addition the structure south of the site, previously used as a residence and/or professional office was also requested by P/Z to not be used as a residence while the bulk storage is in use on the property. These conditions would allow for the future use to be in compliance with the standards requiring no residential uses within 300-feet of the tank.

Staff Note: Condition 13 also limits the use of distribution of propane for personal use at the site. The applicant has provided testimony via his application that the site will not be used to distribute propane for personal use. As such, Condition 13 sought to restrict this activity, however the commercial district does not restrict this type of use so the condition is more restrictive than the current zoning. It has been recommended by city staff that this portion of the condition be stricken. A strike through of the proposed language is provide for consideration of the council.

PROJECT OVERVIEW/BACKGROUND

The applicant is requesting approval for bulk storage of a 30,000 gallon liquefied petroleum gas (LPG) for distribution to clientele in Bonners Ferry and surrounding areas. According to the application, operations of the site will consist of weekly re-filling of the storage tanks by commercial vehicles and daily transfer of the propane to local delivery trucks.

According to Bonners Ferry's City Code, appendix B use table, bulk storage is a special use in the commercial district. Under supplemental regulations, at Title 11, Chapter 9, Section 3 standards for build storage or flammable liquids and gases, specific standards have been established. Specifically, these types of uses are required to be located a minimum of 300 feet from a residence, motel or hotel, except for the owner's residence; will be erected with the written approval of the fire authority having jurisdiction and; will have suitable loading and unloading spaces and off-street parking facilities meeting the approval of the fire authority.

In order to comply with the standards of §11-9-3A the applicant provided a site plan showing the location of existing residences and a motel located on the east side of Highway 95. There is a single-wide manufactured home directly north of the proposed location, however the location is on property owned by the Co-Op energy, therefore it is not subject to the 300-foot rule. The site shows the general location of the proposed tank, location of adjoining properties and setbacks from property line and adjacent residential uses.

For compliance with §11-9-3B & C, the applicant met with the City Fire Chief on December 16, 2014, and supplied an example Hazard Communication Plan modeled from their Ponderay site. In addition the application was routed to Deputy State Fire Marshall, Don Strong with the Idaho State Fire Marshall's office in Moscow, Idaho for comment. Mr. Strong responded with comments (see agency comments below) on December 2, 2014.

The December 16, 2014, meeting led to the conditions proposed as 7-12. Essentially, if the City authorizes the use on the site, the applicant will produce a fire safety plan which will include, at a minimum, fire emergency contacts, the location shut-off valves and will address fire safety measures for emergency responders and spill prevention plan. In addition, the applicant will develop the site consistent with the International Fire Code (IFC) and the National Fire Protection Association (NFPA), and will certify the installation to the city by a licensed engineer.

PROPERTY DESCRIPTION

- A. Site Acreage: 1.25 acres (application)
- B. Access: The site is served by both Kennedy Street and Main Street (aka SR95), both are paved public right-of-way.
- C. Services: The site is served by City sewer and water; the site is also within the City fire district, and is served by City police. Frontier and Avista provide phone/cable and gas to the property.

Compass	Comp Plan Designation	Current Zoning	Surrounding uses/Densities
Site	Commercial	Commercial	1.25 acre tract with existing building and covered area.
North	Commercial / Residential	Commercial/residential	Subway Restaurant; Super One Grocery; residential homes
South	Commercial	Commercial	Vacant building; dry cleaning
East	Commercial	Commercial	Chick in Chop Restaurant; Motel
West	Residential/Commercial	Residential A	residential tracts; single family dwellings; multi-family dwellings

AGENCY COMMENTS

On November 25 2014, the application was sent to the following departments and/or agencies for review and comments: Avista Gas and Power, Traffic Safety Committee, City of Bonners Ferry Utilities (water and sewer), City of Bonners Ferry Utilities (electricity), City of Bonners Ferry Fire Department, City of Bonners Ferry Police, Boundary County School District, Idaho Department of Environmental Quality, Idaho State Fire Marshall and Idaho State Transportation Department (12/16/14).

- The Idaho State Fire Marshall's Moscow office replied to the file on December 2, 2014 that the facility is recommended to comply with both the 2012 IFC and 2014 NFPA 58 guidelines. Conditions below address the comments made by Don Strong, Deputy State Fire Marshall.
- The City Fire Department, City Engineer and myself met with the Applicant and the Applicant's representative on December 17, 2014 to discuss the State Fire

Marshall's comments and facility operations. Based on the meeting it was discussed that the applicant would provide the City an amended site plan showing property to the south and confirming the standards of the City code are being met and in addition that the applicant agreed to conditions requiring the 2012 IFC and 2014 NFPA would be adhered to as part of the request (see conditions below).

- ITD responded via email to the request for comment on 12/22/2014 with the following comments: *"Idaho Transportation Department has no comment on this application other than it appears that the tank will be at least 75' from the ROW of US95 based on the dimension to the south property line. ITD would like to see the dimension from the near tank corner to US95 called out on the plan sheet."*
 - **Staff Note:** The comments from ITD were forwarded to the Applicant's rep on 12/22/2014 with a follow up request to modify the site plan to include ITD's comments on 12/23/2014.

- The City's Traffic Safety committee met on December 10, 2014 and included a memo to the file that said: *"There were no problems or issues that were identified by the committee. The committee approved a motion which was passed which takes no action against the proposed special use permit."*

- The City Streets Department director, John Youngwirth submitted comments to the file indicating the following:
 - *"I have some concerns with the trucks accessing the property off of Kennedy street, mainly in the spring when the roads are soft. The Super 1 store rebuilt Kennedy Street from the highway to just past Cossette Street so they could access the store all seasons with loaded trucks. Other than the soft road base in the spring the City Street Department does not see any other issues with this special use permit."*
 - **Staff note:** Currently the city does not have a weight limit ordinance, however, Mr. Youngwirth will block streets off that are experiencing freeze/thaw issues in an attempt to reduce the impact to the road system. Most business will notify the City if they need to use the road as an access road. The site can be accessed from the SR. 95, but the application isn't clear on whether the site will be able to accommodate truck traffic in and out from the highway if Kennedy Street is blocked off.

PUBLIC COMMENTS

Kennedy Properties commented to the file on February 11, 2015 that they were opposed to the application.

Bruce Merrifield – spoke at the P/Z public hearing regarding the location and future size of the tank. His concern was for existing homes that were near their shared property line.

STANDARDS REVIEW:

Pursuant to Bonners Ferry City code, sufficient evidence must be found in the record to make the following conclusions- staff has attempted to provide some evidence in the record for the decision makers. Additional evidence and additional findings may be made at the public hearing:

Standards Review Table- Bonners Ferry City Code (see applicable codes above)	Evidence Provided for in Record
Special Use is provided for in City Code	The site is zone Commercial District. Section 11-2-3C provides for authority of special uses; Appendix B labels bulk petroleum products as a "S" special use in the commercial district table.
Existing Uses	The site currently has structure on it and is being utilized as a thrift store. An existing single wide mobile home is located north of the site and is owned by Co-op Gas and Supply.
Public Facilities that serve the site	The site is served by City sewer and water. Kennedy, a paved city right-of-way serves the site along with Main Street (aka Highway 95). The site is also within the City fire district, and is served by City police. Frontier and Avista provide phone/cable and gas to the property.
Extension of public services/facilities to the site.	All services are existing; no additional public services are anticipated to serve the property (application).
Vehicular approaches- so designed as to not interfere with traffic	The traffic safety committee reviewed the proposal provided on December 10, 2014 written response to the file indicating they had no traffic concerns with the proposal.
Hazardous activities	The site will be utilized as a distribution center of propane gases. The applicant has agreed to comply with both the 2012 International Fire Code and the 2014 National Fire Prevention Associations pertaining to the operation of LPG sites. See conditions below pertaining to the use, operation and maintenance of the site. The site is proposed to be fenced to protect it from being vandalized and may also include other security measures as identified with the IFC and NFPA standards. A sample emergency response and spill prevention plan was supplied to the file for a similar location in Ponderay, Idaho.

	Conditions 7-11 address both the emergency component and the installation of the facility in compliance with all state, federal and local laws.
Natural/historic features maintained	The existing site is not listed as a historic building or maintained on any historic registers (State Historical Society, Historic register). No other preservation plans or scenic area plans have been adopted by the City limiting growth in the manner requested with this application.
Parking requirements: 2012 IFC Standard applies	The use will be required to comply with the storage of distribution vehicles as listed in the 2012 IFC standards and 2014 NFPA standards. No on street parking is allowed. No additional parking is required per Title 11, Chapter 13.
Drainage Plan, required	No new parking lot is proposed as part of the application, therefore no drainage plan is required as part of this special use permit.

DRAFT MOTIONS

Motion to Approve: I move to approve this file SUP-002-14, for a special use to place a 30,000 gallon liquefied petroleum gas tank for the distribution of propane by local delivery trucks, finding that it is in accordance with the general and specific goals and standards of City of Bonners Ferry Comprehensive plan and City of Bonners Ferry zoning code pertaining to special uses as enumerated in the following findings of fact and conclusions of law. I further move to adopt the following findings of fact and conclusions of law, including the conditions of approval (as amended or substituted) and enumerated in the staff report. [READ CONCLUSIONS BELOW OR DIRECT STAFF TO FIND IN THE AFFIRMATIVE FOR ALL CONCLUSIONS]

The actions to be taken to obtain the special use permit is to complete the conditions of approval as adopted.

This action does not result in a taking of private property.

Motion to Deny: I move to deny this file SUP-002-14, for a special use to place a 30,000 gallon liquefied petroleum gas tank for the distribution of propane by local delivery trucks, to allow additional parking and use of an existing single family dwelling as church administration and gathering space, finding that it is not in accord with the following conclusions of law [READ CONCLUSIONS OF LAW AND SPECIFIC WHICH CONCLUSIONS OF LAW FAIL TO MEET THE REQUIREMENT] of approval as outlined in the staff report and the testimony received at the public hearing. Furthermore, I move to adopted the following findings of fact and conclusions of law (read conclusions 1-10 noting the findings that support your claim and which conclusions does it fail to meet)

The actions to be taken to receive approval is

1. Submit a new petition that meets the standards of the City of Bonners Ferry special use permit applications; or
2. Pursue such remedies as provided for at Title 67 Chapter 65, Idaho Code.

This action does not result in a taking of private property.

CONCLUSIONS OF LAW

***The above staff report and subsequent evidence in the record provides for the findings of fact required in order to make any conclusion of law. Based upon those findings, the following conclusions are adopted by the City Council.**

Conclusion 1:

The proposal was review for compliance with City of Bonners Ferry Code Section: (§11-2-3C, §11-5-3, §11-5-4, §11-5-5, §11-5-6, §11-9-3 §11-13-3, §11-13 4, &5, §11-14-7 & 8); Therefore, the proposal **is/is not** in accordance with the applicable standards.

Conclusion 2:

The special use **is/is not** a special use, as allowed for in the zone district in which it is located:

Finding: The site is zone Commercial;

Finding: Appendix B of the City code provides for "S" [Special Use] for Bulk Petroleum Products under the commercial zone category.

Conclusion 3:

The use **is/ is not** in general conformance with the general or specific objective of the comprehensive plan and zoning ordinance:

Finding: The Commercial zoning provides for bulk storage of petroleum products as a special use (appendix B, City of Bonners Ferry Code).

Finding: The long range comprehensive plan map shows the area as commercial (City records).

Finding: Surrounding properties consists of commercial uses (see above uses/density table)

Finding: The tank will be placed to be, at a minimum 300 feet from any surrounding residential uses.

Conclusion 4:

The use **will/will not** be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity. Therefore, the use **will/will not** change the essential character of the area.

Finding: The site has been operated in the past as a gas station (staff report). The location of the tank will be 50-75 feet from property lines and streets and 300 feet from adjoining residential homes (site plan).

Finding: The site will be required to operate in conformity with the 2012 IFC and the 2014 NFPA standards (see attached conditions).

Finding: The site is located in an area of mixed uses, commercial and single family residences (city current zoning map).

Finding: The applicant has proposed mitigation factors, including such things as a fencing and lighting around the tank.

Finding: The application notes that it is anticipated that only 1-2 service delivery trucks are expected per week.

Finding: According to the application a small 10 HP pump will be used during the loading and unloading of propane.

Finding: The application notes that *"the use will produce brief faint smells from the controlled atmospheric release of minute amounts of propane at the completion of loading and unloading operations."*

Conclusion 5:

The use **will/will not** be hazardous or disturbing to existing neighboring uses.

Finding: Section 11-9-3 requires standards for bulk storage tanks, such as a separation of the tank from residences, hotel and motels of 300 feet. The site plan included provides the minimum separation required by ordinance.

Finding: The applicant proposes to prepare a fire safety plan as a condition of the special use permit. The fire safety plan will include, at a minimum, fire emergency contacts, the location shut-off valves and will address fire safety measures for emergency responders and spill prevention plan.

Finding: Surrounding properties consists of residential and commercial uses (see above uses/density table).

Finding: The application notes that three (3) phase power will be brought to the site.

Finding: The application notes that *"the use will produce brief faint smells from the controlled atmospheric release of minute amounts of propane at the completion of loading and unloading operations."*

Finding: The site is located in an area of mixed uses, commercial and single family residences (city current zoning map).

Conclusion 6:

The use **is/is not** served by adequate public facilities and services which **will/ will not** create excessive additional requirements at public cost for public facilities and services and **will/will not** be detrimental to the economic welfare of the community.

Finding: The site is currently served by City water and sewer.

Finding: The city roads serving the property are Kennedy Lane and Main Street (aka

Highway 95).

Finding: The applicant does not propose to extend any additional services to serve the proposed use.

Finding: The application notes that three (3) phase power will be brought to the site.

Conclusion 7:

The use **will/will not** involve activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor, or other factors determined to be nuisances.

Finding: A condition of approval is that a fire safety plan shall be completed.

Finding: The application notes that *"the use will produce brief faint smells from the controlled atmospheric release of minute amounts of propane at the completion of loading and unloading operations."*

Finding: The applicant proposes to prepare a fire safety plan as a condition of the special use permit. The fire safety plan will include, at a minimum, fire emergency contacts, identifiable and the location shut-off valves and will address fire safety measures for emergency responders and spill prevention plan.

Conclusion 8:

The use **will/will not** have vehicular accesses that create interferences with traffic on surrounding public thoroughfares.

Finding: The site will be served by both Main Street (aka Highway 95) and Kennedy Street. Both streets are paved public rights of way.

Finding: The City's Traffic Safety committee met on December 10, 2014 and included a memo to the file that said: *"There were no problems or issues that were identified by the committee. The committee approved a motion which was passed which takes no action against the proposed special use permit."*

Finding: The City Streets Department director, John Youngwirth submitted comments to the file indicating the following: *Other than the soft road base in the spring the City Street Department does not see any other issues with this special use permit."*

Conclusion 9:

The use **will/will not** result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Finding: The site is not located on a known historic register (Idaho State Historical Office, register list).

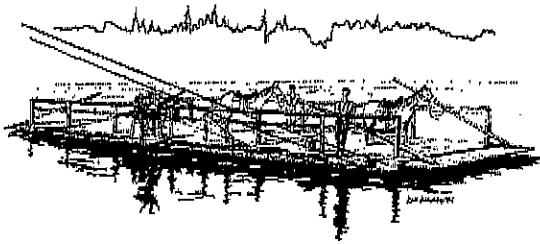
Finding: The site is not known to be located on any maps or plans identifying the area as a natural or scenic preserve.

CONDITIONS OF APPROVAL

1. The Conditional Use Permit shall not be valid until recorded by the City, pursuant to §11-5-10.
2. Pursuant to I.C. 67-6512D2-3, the city may regulate the timing and duration of development. Therefore, this special use permit shall expire if not recorded by the City within 2 years of the date of approval. Any extensions of this application shall be filed with the city prior to the expiration of the use.
3. All applicable conditions of approval shall be met or maintained prior to recording of the Special Use Permit by the City. Any condition that runs with the land shall stay in affect while the use is in operation. Failure to meet any condition of approval may be grounds for revocation of the permit by the city.
4. The use shall be developed and operated in accordance with the approved application, site plan, or conditions as approved with this application. Failure to comply within the bounds of this permit, may result in revocation of the permit by the City.
5. The special use permit shall not supersede any deed restriction(s).
6. The use shall run only with Co-op Gas and Energy and shall not extend outside the recorded legal description, as described with instrument #92773 and 227551. Subsequent owners of the parcel shall be required to apply for a special use permit if they desire to continue the use or if the use is moved to a different location.
7. Prior to recording of the special use permit, a fire safety analysis shall be submitted and approved by the City prior to recording of the special use permit. The fire safety plan should include, at a minimum, fire emergency contacts, the location of shut-off valves and address fire safety measures for emergency responders, including a spill prevention plan.
8. The use shall be required at all times to operate in compliance with state and federal regulations pertaining to storage, maintenance and dissemination of liquefied petroleum gases.
9. Prior to recording of the special use permit, the site shall be designed and operated to comply with City, State and Federal standards. Specifically, the 2012 International Fire Code (IFC), Chapter 61 pertaining to Liquefied Petroleum Gases and Appendix B of the National Fire Protection Association (NFPA). The Applicant's engineer shall sign off on the installation of the facility as meeting the applicable standards of IFC and NFPA.
10. Prior to recording of the special use permit, Installation of the tank shall be completed by a person or firm competent to make such installation. Confirmation of installation shall be signed off by the applicant's engineer, who is licensed to operate in the state, and submitted to the City for acceptance prior to tank being used.
11. Adequate fencing and security measures to protect the tank from vandalism and / or accidents shall be maintained at all times. Fencing or other security measures that

are in disrepair shall be corrected or fixed immediately at the expense of the landowner. Failure to maintain adequate fencing, in compliance with this conditions, may cause the City to take measure to protect the tank and charge the landowner for all materials and man hours.

12. Parking or storing LPG distribution vehicles shall be in accordance with 2012 IFC 6111 et. seq. No on street parking shall be authorized with the recording of this special use.
13. Onsite storage of residential tanks shall be emptied completely and open to atmospheric pressure prior to storing [on the property]. Storage of residential tanks and distribution of propane for personal use shall be prohibited. Any amendment to this condition shall be first be approved by the City Council, through an additional public hearing process.
14. The existing residence, as shown on the approved site plan, located within the "livestock" Co-op property shall be removed prior to placement of the bulk storage tank. The residence and/or structure location south of the tank, as shown on the approved site plan, shall not be used as a residence while the [bulk storage] use is in operation.



City of Bonners Ferry

Public Hearing Comment Form

3/30/15

Meeting Date: April 7, 2015

Name Kennedy Properties, LLC (Bonners Ferry)

Address PO Box 592, Sandpoint, ID 83869

Hearing: Special Use Permit for Co-Op 6410 Main St. 30,000 Gallon Storage Tank

Please indicate one of the following:

I Support the proposal

I wish to speak

I am Neutral

I do not wish to speak

I am Opposed to the proposal

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MAR 30 2015

Please provide any comments below:

CITY OF BONNERS FERRY

Lined area for providing comments, consisting of approximately 15 horizontal lines.

City of Bonners Ferry
Special Use Permit
Addendum Application

SUP 002-14
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CITY OF BONNERS FERRY

FOR OFFICE USE ONLY:

FILE #	RECEIVED:
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APPLICANT INFORMATION:

Landowner's name: CO-OP GAS & SUPPLY CO., INC.		
Mailing address: 125 Tibbetts Ln.		
City: Ponderay	State: Idaho	Zip code: 83852
Telephone: 208-263-6820	Fax: 208-265-7707	
E-mail: co_oprayd@hotmail.com		

REPRESENTATIVE'S INFORMATION:

Representative's name: Lou Meigs, PE		
Company name: WELCH ENGINEERING, INC.		
Mailing address: PO Box 934		
City: Sandpoint	State: ID	Zip code: 83864
Telephone: 208-263-6581	Fax: 208-263-9571	
E-mail: loumeigs1@welch-engineering.com		

PARCEL INFORMATION:

Section #: 33	Township: 62 N	Range: 1 E	Parcel acreage: 1.25
Parcel # (s): RPB 00000 339152A			
Legal description (Attach conveyance document):			
Current zoning: COMMERCIAL		Current use: VACANT	
Directions to site: 6410 MAIN STREET, BONNERS FERRY, IDAHO 83805			

APPLICANT NARRATIVE:

A Special Use Permit is a permit for a use which is specifically listed use within a zoning district as Special Use. If the use is not listed as either allowed or special, then the use is prohibited. All special uses in the City of Bonners Ferry shall seek approval of the use by recommendation by the Planning and Zoning Commission and approval of the City Council. Any modification of a special use requires an additional hearing by the City Council to approve the modification. The applicant shall to the best of their abilities provide the Council with accurate information about the special use they are seeking. The council may at its discretion approve, approve with conditions or deny an application, pursuant to I.C. 67-6509.

PROJECT DESCRIPTION

The applicant is requesting a **Special Use or Modification to a Special Use** (circle one) for:
Describe in detail the use—number of employees, hours of operation, size of buildings, etc.

The proposal consists of the installation of a 30,000 gallon Liquefied Petroleum Gas (LPG) tank for the storage and distribution of commercial propane sales. Operations will consist of weekly re-filling of the storage tank by commercial vehicles, and daily transfer of the propane to local delivery trucks. Hours of operation are planned to be daily from 7:00 am to 5:00 pm, with anticipated employment of 2 individuals. No filling of portable, BBQ-type propane tanks will occur. This is strictly bulk storage for further delivery to customers throughout the area.

Does the proposed use seek to extend any services, such as roads, sewer and/or water? If so, please explain what services are proposed to be extended:

All required services currently access the site. A three-phase power connection may be required to the existing electrical main along Hwy 95

Will land be offered for dedication as a result of this application? If so explain in detail:

No land will be offered for dedication as a part of this project. However, land was dedicated previously in order to improve the access of Kennedy Street onto Highway 95 as a part of the Super-1 Food development.

Describe surrounding land uses (ex: residential housing, commercial manufacturing etc):

All in Commercial Zone
North: *Commercial – Subway Sandwich*
South: *Commercial – Dry Cleaning*
East: *Commercial – Chick'n'Chop Restaurant, motel*
West: *Residential – single and multi-family*

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Describe adjacent zoning and densities (ex: AA, A, B, C, M and I, Platted 10k sq.ft., Commercial lots etc):

North: *Commercial*
South: *Commercial*
East: *Highway and Commercial*
West: *Commercial*

SITE INFORMATION: Please provide a general description of the lay of the land (ex: is the property flat, have any bodies or water or wetlands present, what existing structures and uses are present etc.)
The property is flat, with two existing commercial structures, one housing a retail thrift store, as well as an unused and non-operational fuel loading island.

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STANDARDS FOR REVIEW

CITY OF BONNERS FERRY

Explain how the proposed use constitutes an allowable special use established by Bonners Ferry Zoning Code:

The proposal is for the installation of a Liquefied Petroleum Gas (LPG) storage and distribution facility, which is allowed as a special use under Section 11-2-3 of the Bonners Ferry Zoning Code, Appendix B, 'TABLE OF USES' – Bulk Petroleum Products.

Explain how the proposed use will conform to the zone district in which it is located (Example, the applicant is meeting all the zoning requirements, such as signage, lighting and landscaping that is required of it in the zone district that it is located?)

Signing will be limited to the Co-Op logo on the storage vessel, and all required security lighting and fencing will comply with Federal rules and local ordinances pertaining to this type of storage facility.

How will the proposed use be compatible and harmonious with adjacent properties? What measures is the applicant taking to insure the use will be compatible with surrounding property owners? (Example, is the applicant proposing to limit the operating hours to reduce noise during the evening or morning hours to adjacent landowners?)

The proposed site is at least 300 feet from any residential use, and the only sound (other than delivery trucks during daylight hours) should be from an electrical motor running a liquid pump. There should not be any vibrations or any intrusive annoyances, except for an occasional, brief faint smell from the controlled release of propane at the completion of loading or unloading operations.

Explain how the proposed use will utilize existing utilities, or how the applicant proposes to extend services to the site?

The existing buildings currently have electric, sewer and water service. A 3-phase electrical connection may be required, and 3-phase electrical service is available at the Highway, so no main extensions will be required.

How does the proposed use comply with the applicable standards Bonners Ferry City Zoning Code?

A) The proposed use is not directly permitted in the Commercial Zone, but, as shown in the Bonners Ferry Zoning Code, Section 11-2-3, APPENDIX B, TABLE OF USES, is allowed within the District as a Special Use.

B) The proposed use of delivery, storage and distribution of a product is harmonious and in accordance with the general objectives of the Comprehensive Plan and the existing Commercial Zoning of the site.

C) The project will be designed, constructed, operated and maintained to be harmonious with both surrounding uses and the requirements of the Commercial Zone. The site chosen is currently commercial, has been historically operated as a commercial site, and will not generate undo traffic, noise or glare. Signing will be limited to the 'Co-Op' sign painted on the side of the tank.

D) The project will not be hazardous or disturbing to neighboring uses.

E) The site is currently served by all necessary public facilities. It accesses both US Highway 95 to the east and Kennedy Street to the north. The existing structures have currently have sewer, water and electrical connections. The only additional connection will be a 3-phase electrical connection to the existing main that parallels Hwy 95. No main extensions will be required.

There will be no additional demands on schools, streets, highways, police and/or fire protection or drainage structures. All stormwater runoff from the proposed storage vessel will be retained and treated on site.

F) The proposal will create no requirements for additional public facilities or services, and will not be detrimental to the economic welfare of the community. In fact, the proposed use will be a valuable addition to the economic welfare of the community in that it provides added price competition for energy, and being a commercial venture, will only flourish if the services and products offered are economically competitive.

G) The proposal addresses the uses, activities, processes, materials, equipment and conditions of operation in such a way that they will not be detrimental to the vicinity or the general welfare. Specifically:

1) TRAFFIC - The proposal is expected to generate 1-2 deliveries per week, during daylight hours, for both the refilling of the tank with product and/or the delivery of individual tanks for resale. Daily morning deliveries of products to the local market, and afternoon return of the empty delivery vehicles at the end of the work day.

2) NOISE - The proposal is not expected to generate any noise not commensurate with the site's setting on US Highway 95. Loading and unloading will be accomplished using a small, 10 HP electrical pump.

3) SMOKE- The proposal will generate no smoke.

4) FUMES/ODORS - The proposal will likely generate an occasional, brief faint smell from the controlled atmospheric release of minute amounts of propane at the completion of loading or unloading operations.

5) GLARE - The proposal will not create any glare. The proposed tank will be painted flat white with a painted 'Co-Op' logo, provided with a single security down-light and surrounded by a standard chain link security fence.

H) Access to the site is via either the existing approach to Highway 95, which is serviced by a northbound turn lane, or the recently improved highway access from Kennedy Street, which has a south bound turn lane.

I) The proposal, being located adjacent to the existing parking lot of the site, will not result in the destruction, loss or damage of any natural, scenic or historic features.

Explain how the proposed use is in general compliance with the goals of the Comprehensive Plan (attached additional paper if necessary):

The proposed use is in compliance with the goals of the Comprehensive plan in that it provides a valuable and needed Commercial use which will serve to aid in the control future energy costs for the entire community and surrounding rural areas.

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CITY OF BONNERS FERRY

I hereby certify that all the information, statements, attachments and exhibits submitted herewith are true to the best of my knowledge. I further grant permission to the City and its representatives to enter upon the subject land to make examinations, post the property or review the premises relative to the processing of this application.

Landowner's signature: Raymond J. Delany General Manager Date: 11-4-2014

Landowner's signature: _____ Date: _____

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City of Bonners Ferry Special Use Permit Application Check List

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CITY OF BONNERS FERRY

In order for the City to accept an application for Special Use Permit, the following check list shall be completed and submitted with the application. The City reserves the right to deem the application "complete" before scheduling the application before the City Council. A public hearing is required for Special Use Permits, pursuant to §4-1A, of Bonners Ferry's Zoning Code and the City Council shall authorize such uses prior to commencement of the use on property within the City.

Enforcement: Unauthorized commencement of uses on property within the City, without issuances of a Special Use Permit is subject to Chapter 6, Enforcement regulations and may be subject to fines imposed at §6-1B, of Bonners Ferry's zoning code.

The Applicant shall submit the following:

- A completed and signed (by the applicant or applicant's representative) City of Bonners Ferry Special Use Permit application;
- The appropriate fee, as established by the official City of Bonners Ferry Fee Schedule;
- Current Vesting Deed
- A Site Plan: A site plan showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards lot dimensions, property corners, all easements of record, proposed easements and their beneficiaries, outside storage areas and lighting plans.
- Preliminary Utility Plan- should show the future or proposed sewer and/or water service lines and connections. The plans can be conceptual, but should show logical connections to existing utility lines, location of lines within existing right-of-ways or easements. If right-of-way or easements are proposed to be dedicated, then the plan should note this. **[No new sewer, water or electric lines will be required]**
- Narrative statement evaluating the effects of noise, glare, odor, fumes and vibration on adjoining property. A discussion of general compatibility with adjacent and other properties in the district and the relationship of the proposed

use to the comprehensive plan. **[See attached Special Use Permit Application Addendum]**

- Names and addresses of adjoining property owners- if the names and addresses of adjoining landowners are over 30-days old, the City may request an updated list.
- Parking and signage plan, pursuant to Title 11 Chapter 13 and Chapter 14 of the Bonners Ferry City Code. **[No additional parking is required. The only sign will be painted on the tank.]**

Special Report/Conditions of Approval:

All Special Use Permits (SUP) shall have as a condition of issuance the requirement that the applicant provide a site plan to the City for review and approval. Included for reference for the applicant are the following reports that may be requested by the City pursuant to I.C. 67-6512):

- Special uses shall be issued to an individual or corporation specifically to a parcel of land or property. Subsequent owners of the parcel shall be required to apply for a special use permit if they desire to continue the use or move the use to a separate parcel of land;
- Traffic Impact Analysis
- Infrastructure plans and/or feasibility analyses
- Geotechnical and/or Environmental studies

***** Submittal of an application and payment of fees does not constitute approval by the City*****

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CITY OF BONNERS FERRY

11/05/14

PM0100 - PARCEL MASTER INQUIRY

15:25:52

PARCEL: RP B00000339171 A

F9=MS F10=SW F11=UR
F17=DD F19=SP

CHECK CORE NUMBERS-PP
DVORSEK, JOHN

LEGAL DESCRIPTION
TAX 10, 18 & 25
SEC 33 T62N R1E

6378 MAIN STREET

ProVal Area Number 1
CODE AREA 1-0007 OWNER CD _____
PARC TYPE _____ LOC CODE _____
EFFDATE 5012010 EXPDATE _____
PREV PARCEL RPB00000339171T

BONNERS FERRY ID 83805-8519
6378 MAIN ST 83805

X For parcel	comments	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
CAT/ST# RY	QUANTITY						
21 1 2014	2049	AC	172720				
42 1 2014			352110				

TOTALS 2049 524830
ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

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CITY OF BONNERS FERRY

11/05/14

PM0100 - PARCEL MASTER INQUIRY

15:26:35

PARCEL: RP B00000339355 A

F9=MS F10=SW F11=UR
F17=DD F19=SP

CHECK CORE NUMBERS-PP
IDAHO LTD

*TREND - TAX 32
SEC 33 T62N R1E

LEGAL DESCRIPTION

C/O VILLELLI ENTERPRISES, INC
533739 HIGHWAY 95
BONNERS FERRY ID 83805
6409 MAIN ST 83805

ProVal Area Number 1
CODE AREA 1-0007 OWNER CD
PARC TYPE LOC CODE 4217
EFFDATE 3131989 EXPDATE
PREV PARCEL RP62N01E339355A

CAT/ST# RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
21 1 2014	2510	AC	124160				
42 1 2014			216100				

TOTALS 2510 340260
ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

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CITY OF BONNERS FERRY

11/05/14

PM00 - PARCEL MASTER INQUIRY

15:27:06

PARCEL: RP B00000339031 A F1=SL

F9=MS F10=SW F11=UR
F17=DD F19=SP

LEGAL DESCRIPTION

CHECK CORE NUMBERS-PP

*TREND - TAX 33
SEC 33 T62N R1E

ERICKSON, RONALD P
& ERICKSON, EDITH
C/O CHIC N CHOP RESTAURANT

ProVal Area Number 1
CODE AREA 1-0007 OWNER CD _____
PARC TYPE _____ LOC CODE 4263
EFFDATE 3131989 EXPDATE _____
PREV PARCEL RP62N01E339031A

PO BOX 1092
BONNERS FERRY ID 83805
6421 MAIN ST 83805

X For parcel	comments	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
CAT/ST# RY	QUANTITY						
21 1 2014	640	AC	101720				
42 1 2014			199710				

TOTALS 640 301430
ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

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CITY OF BONNERS FERRY

11/05/14

PMC100 - PARCEL MASTER INQUIRY

15:28:02

PARCEL: RP B066000101A0 A

F9=MS F10=SW F11=UR
F17=DD F19=SP

KOOTENAI VALLEY
PRESERVATION LEAGUE LLC

LEGAL DESCRIPTION
LOT 1A
MAXWELL ACRE TRACT - AMENDED
SEC 33 T62N R1E
ProVal Area Number 1
CODE AREA 1-0007 OWNER CD
PARC TYPE LOC CODE 4217
EFFDATE 5012014 EXPDATE
PREV PARCEL RPB066000101A0T

C/O LEONARD SCHULTE, CPA
PO BOX 266
BONNERS FERRY ID 83805
6442 MAIN ST 83805

X for parcel	comments	CAT/ST#	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
		21	1	2014	1242	AC	143760			
		42	1	2014			225820			

TOTALS 1242 369580
ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

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CITY OF BONNERS FERRY

11/05/14

PM0100 - PARCEL MASTER INQUIRY

15:28:58

PARCEL: RP B066000104B0 A F1=SL

F10=SW F11=UR
F17=DD F19=SP
LEGAL DESCRIPTION

KENNEDY PROPERTIES 6985 LLC

LOT 4B
MAXWELL ACRE TRACT AMENDED
SEC 33 T62N R1E
ProVal Area Number 1

PO BOX 592

CODE AREA 1-0007 OWNER CD
PARC TYPE LOC CODE

SANDPOINT ID 83864
6985 KENNEDY

EFFDATE 2092011 EXPDATE
PREV PARCEL RPB0660001004BT

ST 83805

X for parcel	comments	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
CAT/ST# RY								
20 1 2014		490	AC	40010				
41 1 2014				104320				

TOTALS

490

144330

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

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CITY OF BONNERS FERRY

11/05/14

PM0100 - PARCEL MASTER INQUIRY

15:29:39

PARCEL: RP B00000338410 A F1=SL

F9=MS F10=SW
F17=DD F19=SP

F14=HO

LEGAL DESCRIPTION

CB

MANSKE, RICHARD R

*TREND - TAX 23
SEC 33 T62N R1E

PO BOX 1850

ProVal Area Number 1
CODE AREA 1-0003 OWNER CD _____
PARC TYPE T1 LOC CODE _____
EFFDATE 4012001 EXPDATE _____
PREV PARCEL RPB00000338410T

BONNERS FERRY ID 83805
6994 KENNEDY ST 83805

X for parcel		comments		VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
CAT/ST#	RY	QUANTITY	UN					
20 1	2014	1000	AC	60080	60080	30040	60080	
20 2	2014	700	AC	2180				
30 1	2014			4110				
41 1	2014			74070	74070	37035	74070	
TOTALS		1700		140440	134150	67075	134150	

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

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NOV 08 2014

CITY OF BONNERS FERRY

11/05/14

PM0100 - PARCEL MASTER INQUIRY

15:30:03

PARCEL: RP B00000338993 A

F9=MS F10=SW
F17=DD F19=SP

CHECK CORE NUMBERS-PP

BAUMAN LIVING TRUST
MERRIFIELD, BRUCE I TRUSTEE

LEGAL DESCRIPTION
SW4SE4 E OF RR LESS TAX 23,40
& LESS PART TAX 38
SEC 33 T62N R1E +

PO BOX 3086

ProVal Area Number 1
CODE AREA 1-0003 OWNER CD

BONNERS FERRY ID 83805

PARC TYPE T1 LOC CODE 7000

6342 MAIN ST 83805

EFFDATE 2222006 EXPDATE
PREV PARCEL RPB00000338992T

X for parcel	comments			VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
CAT/ST# RY	QUANTITY	UN						
21 1 2014	6353	AC		164980				
42 1 2014				108680				

TOTALS 6353 273660
ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

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CITY OF BONNERS FERRY

CITY OF BONNERS FERRY, ID
CASH RECEIPT

Printed 10:22:42 - 11/06/14

Batch:11711
Transaction:11

Reference Number: CO-OP 11-6-14

Name: WELCH ENGINEERING

Address: PO BOX 934 [SANDPOINT ID 83864]

Item(s) Description:

P&Z SPECIAL USE PERMIT FEE	150.00
Check # 14792	150.00
Cash Paid	
Credit Paid	
Less Change Given	()
TOTAL:	150.00

Christine McNair

From: Lou Meigs, P.E. - Welch Engineering, Inc. <loumeigs1@welch-engineering.com>
Sent: Thursday, January 22, 2015 11:07 AM
To: Lisa Ailport
Cc: Ray Delay; Christine McNair
Subject: Re: Emailing: Staff report_Co-Op.doc
Attachments: CO-OP-100-Scale_Surrounding_Uses.pdf; CO-OP-60-Scale_Site_Plan.pdf

Lisa –

Attached, please find the revised site plan for the proposed Co-Op 30,000 gal LPG storage tank. Additionally, as you requested, I have prepared a 1"=100' scale drawing showing the current uses to the south of the proposal.

Thank you for providing your DRAFT Staff Report. I would like to take this opportunity to address some of the comments included in it. I hope these provide some clarification and assist you in preparing your final report.

RECEIVED

Below are the comments, and our responses.

JAN 22 2015

COMMENT: The Idaho State Fire Marshall's Moscow office replied to the file on December 2, 2014 that the facility is recommended to comply with both the 2012 IFC and 2014 NFPA 58 guidelines. Conditions below address the comments made by Don Strong, Deputy State Fire Marshall.

CITY OF BONNERS FERRY

The City Fire Department, City Engineer and me met with the Applicant and the Applicant's representative on December 17, 2014 to discuss the State Fire Marshall's comments and facility operations. Based on the meeting it was discussed that the applicant would provide the City an amended site plan showing property to the south and confirming the standards of the City code are being met and in addition that the applicant agreed to conditions requiring the 2012 IFC and 2014 NFPA would be adhered to as part of the request (see conditions below).

RESPONSE: This is to confirm that the standards of the City code, as we understand them based upon our two meetings with staff, are being met and that the applicant fully plans, and is obligated, to adhere to the requirements of both the 2012 International Fire Code and 2014 NFPA.

COMMENT: ITD responded via email to the request for comment on 12/22/2014 with the following comments: "Idaho Transportation Department has no comment on this application other than it appears that the tank will be at least 75' from the ROW of US95 based on the dimension to the south property line. ITD would like to see the dimension from the near tank corner to US95 called out on the plan sheet."

Staff Note: The comments from ITD were forwarded to the Applicant's rep on 12/22/2014 with a follow up request to modify the site plan to include ITD's comments on 12/23/2014.

RESPONSE: The site plan has been amended to show the distance to the right-of-way (+/- 135').

COMMENT: The City's Traffic Safety committee met on December 10, 2014 and included a memo to the file that said: "There were no problems or issues that were identified by the committee. The committee approved a motion which was passed which takes no action against the proposed special use permit."

The City Streets Department director, John Youngwirth submitted comments to the file indicating the following:

"I have some concerns with the trucks accessing the property off of Kennedy street, mainly in the spring when the roads are soft. The Super 1 store rebuilt Kennedy Street from the highway to just past Cossette Street so they could access the store all seasons with loaded trucks. Other than the soft road base in the spring the City Street Department does not see any other issues with this special use permit."

Staff note: Currently the city does not have a weight limit ordinance, however, Mr. Youngwirth will block streets off that are experiencing freeze/thaw issues in an attempt to reduce the impact to the road system. Most business will notify the City if they need to use the road as an access road. The site can be accessed from the SR. 95, but the application isn't clear on whether the site will be able to accommodate truck traffic in and out from the highway if Kennedy Street is blocked off.

RESPONSE: It is anticipated that there will be approximately 2 deliveries per week. It is also important to note that trucks delivering product to the site will enter the site (in a loaded condition) from the access on US-95. They will offload to the proposed storage tank, and will exit the site (in a lighter, unloaded condition) via Kennedy Street.

This site will be functioning as a local, bulk storage site in order to better serve Boundary county from the company's operations in Ponderay. The smaller, (2,300 gal) bob-tail distribution truck will stage out of the Ponderay headquarters, and will ingress and egress the Bonners Ferry site up to three times per day. Instead of returning to Ponderay to refill and continue the day's deliveries, the small, bob-tail distribution truck will be able to refill locally and avoid the costly and time-consuming mid-day transits between Boundary County and Ponderay. The delivery truck will return to Ponderay at the end of the day, and will transit to Bonners Ferry as demand for product dictates.

If need be, the smaller bob-tail truck is capable of ingressing and egressing directly to and from US Highway 95. Since the bob-tail truck will stage out of Ponderay, no parking or overnite storage of the truck is anticipated.

And also, to reiterate, there will be no on-site sales or re-filling of small, portable bottles to the general public.

I do hope this helps. If you have any questions, or require any further information, please feel free to call.

Kind Regards,
Lou Meigs, PE
WELCH ENGINEERING, INC.
208-263-6581

RECEIVED

JAN 22 2015

CITY OF BONNERS FERRY

----- Original Message -----

From: "Lisa Ailport" <lailport@ruenyeager.com>

To: "Lou Meigs, P.E. - Welch Engineering, Inc." <loumeigs1@welch-engineering.com>

Cc: "Christine McNair" <cmcnair@bonnersferry.id.gov>

Sent: Thursday, January 22, 2015 9:28 AM

Subject: Re: Emailing: Staff report_Co-Op.doc

Hi Lou-Was checking in whether you'd be able to send me and Christine the information regarding the co-op site plan today?

Lisa Ailport-sent from my iPhone

> On Jan 21, 2015, at 4:21 PM, Lou Meigs, P.E. - Welch Engineering, Inc. <loumeigs1@welch-engineering.com> wrote:

>
> Thanks, Lisa!
>
> ----- Original Message ----- From: "Lisa Ailport" <lailport@ruenyeager.com>
> To: <lourmeigs1@welch-engineering.com>
> Sent: Wednesday, January 21, 2015 4:18 PM
> Subject: Emailing: Staff report_Co-Op.doc

>
>
>> FYI- this is draft only.

>>
>> The message is ready to be sent with the following file or link
>> attachments:

>>
>> Staff report_Co-Op.doc

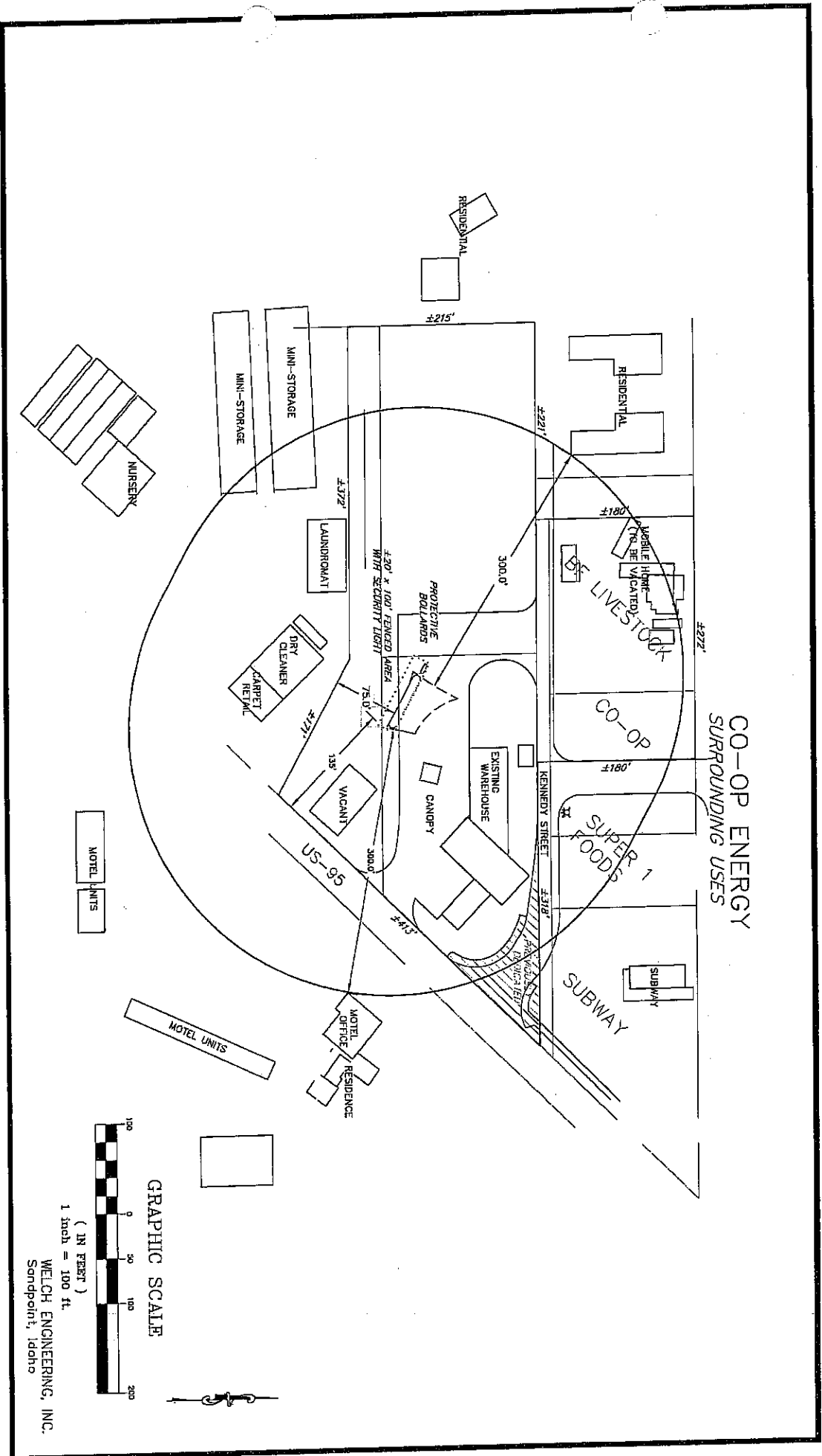
>>
>> Note: To protect against computer viruses, e-mail programs may prevent
>> sending or receiving certain types of file attachments. Check your e-mail
>> security settings to determine how attachments are handled.

RECEIVED
JAN 22 2015
CITY OF BONNERS FERRY

RECEIVED

JAN 22 2015

CITY OF BONNERS FERRY

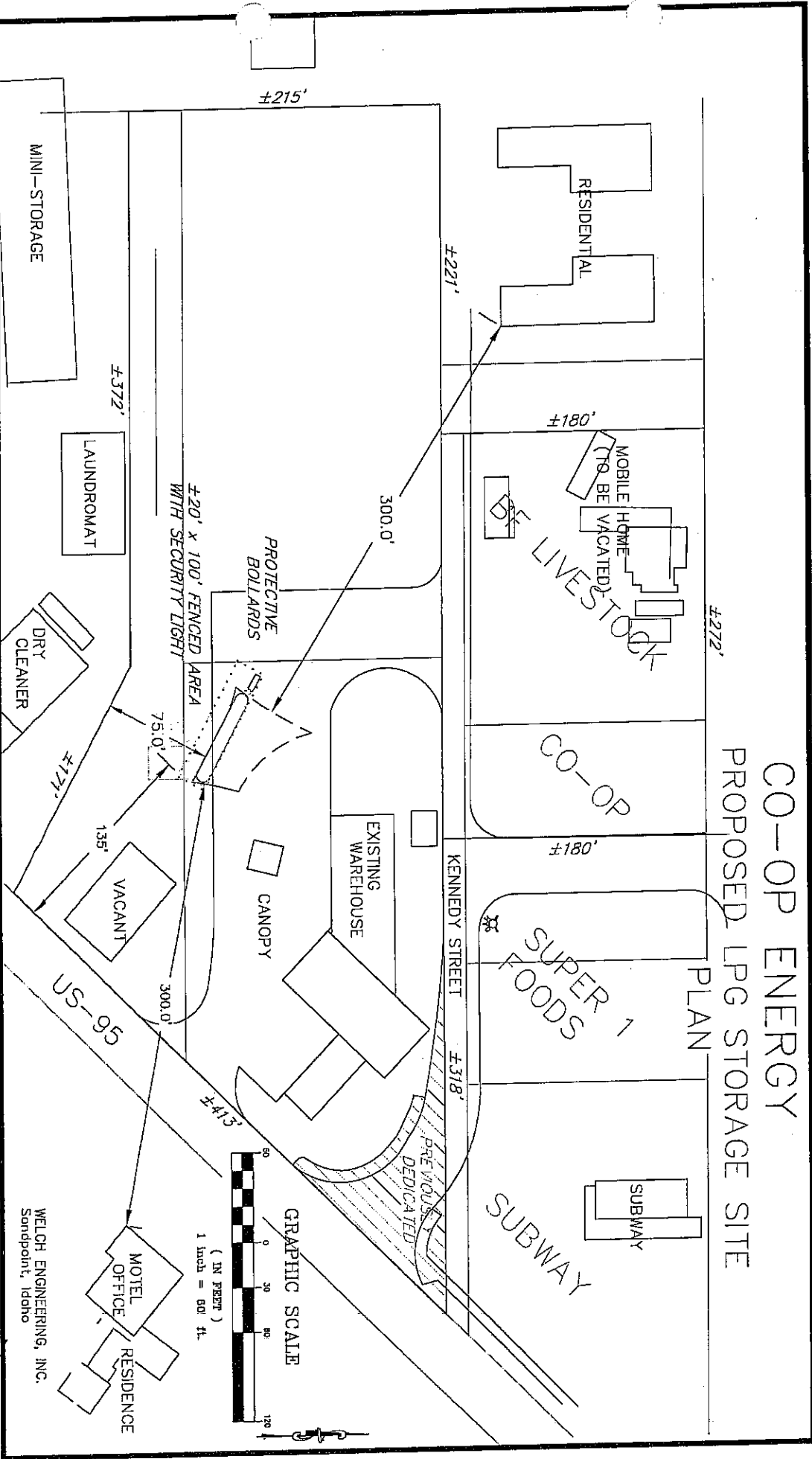


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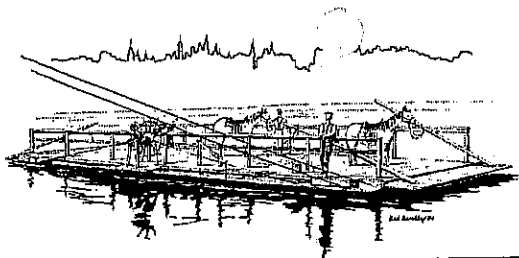
JAN 22 2015

CITY OF BONNERS FERRY

CO-OP ENERGY PROPOSED LPG STORAGE SITE PLAN



WELCH ENGINEERING, INC.
Sandpoint, Idaho



CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

November 25, 2014

TO:

- | | |
|--|--|
| <input type="checkbox"/> Panhandle Health District | <input type="checkbox"/> Idaho Dept. of Water Resources |
| <input checked="" type="checkbox"/> City of Bonners Ferry Street Dept. | <input checked="" type="checkbox"/> City of Bonners Ferry Utility (Electric) |
| <input checked="" type="checkbox"/> City of Bonners Ferry Fire Dept. | <input checked="" type="checkbox"/> City of Bonners Ferry Police Dept. |
| <input checked="" type="checkbox"/> City of BF Utility (Sewer/Water) | <input checked="" type="checkbox"/> Traffic Safety Committee |
| <input checked="" type="checkbox"/> Boundary County School District | <input type="checkbox"/> Fish and Wildlife Service |
| <input checked="" type="checkbox"/> Avista Power Company | <input type="checkbox"/> Forest Service |
| <input type="checkbox"/> Frontier | <input checked="" type="checkbox"/> State Fire Prevention Marshall (Dist. 1) |
| <input type="checkbox"/> Idaho Dept. of Fish and Game | <input type="checkbox"/> Other _____ |
| <input checked="" type="checkbox"/> Idaho Dept. of Env. Quality | |
| <input type="checkbox"/> Idaho Dept. of Transportation | |
| <input type="checkbox"/> Idaho Dept. of Lands | |
| <input type="checkbox"/> Idaho Dept. of Lands, Nav. Waters | |

FROM: Lisa M. Ailport, AICP, Contract City Planner

SUBJECT: Co-Op Gas and Supply, Co. Inc. File #SUP002-14

The enclosed application has been submitted to the City of Bonners Ferry for processing. Co-op Gas and Supply is seeking approval to place bulk storage of liquefied Petroleum Gas (LPG) on property currently owed by Co-op Gas and Supply. The storage tank will comprise of a 30,000 gallon storage tank placed near the southeastern property line. The application notes that the distribution of propane gas will be for local delivery only, servicing smaller propane tanks at the site is not proposed. The site is located at 6410 Main Street, Bonners Ferry, Idaho. Please review the application relative to your agency's area of expertise and include any recommended conditions of approval. A copy of the applicant's hazardous communication plan for their Ponderay site can be viewed at City Hall, upon request.

In addition, please specify in writing if additional information is requested by your agency prior to City staff scheduling or holding this project for public hearing. This request for additional information will be forwarded to the project applicant and project representative for their response. Please reference the project name and file number in your response.

Please respond by **December 19, 2015 by 5:00 pm**, in order for your comments to be included with the file record. Comments received after the above date, may be entered as public comments. If no response is provided, staff will conclude your agency has no objections to the project or recommended conditions.

If you have no comment or response, you may indicate below and return this form to the City as soon as possible to speed processing time. Thank you for your assistance.

NO COMMENT _____
Agency Name, Initials of Agency Representative Date

c: Co-Op Gas and Supply Co. Inc., Applicant (w/o enclosures)
Welch Engineering, Lou Meigs, P.E. Project Representative (w/o enclosures).



RUEN-YEAGER & ASSOCIATES, INC.
ENGINEERS ♦ PLANNERS ♦ SURVEYORS

November 24, 2014

Co-Op Gas and Supply Co. Inc.
125 Tibbetts Lane
Ponderay, Idaho 83852

Re: Bonners Ferry File SUP002-14

To Whom It May Concern:

This letter is meant to inform you of the acceptance of the above mentioned file as complete pending resolution of the bullet points below.

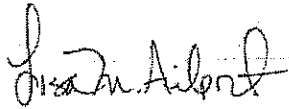
- §11-9-3A: Requires that at a minimum the bulk storage tank be located 300-feet from a residence, motel or hotel, except the owners residence. According to the application site plan, the separation arrow shows a motel may be within the 300-foot requirement. Please confirm that the motel's rooms are outside the 300-foot radius. In addition, show the property locations to the south within 300-feet and confirm that any structure are in fact, not residences, motels or hotels;
- It is suggested that you label the truck on the site plan as such, it can be confused as another proposed tank;
- §11-9-3B Supplementary Standards; Requires that written approval of the fire authority having jurisdiction be completed as a standard of the use. It was recommended that the applicant meet with the local fire authority to seek some level of understanding of future conditions on the site that are likely to be presented to the City as conditions of approval;
- §11-9-3C requires that at a minimum loading and unloading areas and on and off-street parking facilities meet the approval of the fire authority. It appears no parking is requested or proposed, however will the site be accommodating any overnight parking of the service trucks?
- Include a north arrow on your site plan.

A call placed on 11/24/14 to the City Fire Department revealed that the applicant has not made contact with the local authority. While it is not required as part of the conditional use permit process to contact the fire district prior to hearing, it is strongly recommended that you do so.

November 24, 2014

Page 2

Sincerely,
RUEN-YEAGER & ASSOCIATES, INC.

A handwritten signature in cursive script, appearing to read "Lisa M. Ailport".

Lisa M. Ailport, AICP
Contract Planner

Cc: City of Bonners Ferry (via electronic mail).
Lou Meigs, Applicant's representative (via electronic mail).

Christine McNair

From: Lisa Ailport <lailport@ruenyeager.com>
Sent: Wednesday, December 03, 2014 3:17 PM
To: Christine McNair
Subject: FW: Document1

Regards,

Lisa M. Ailport, AICP
RUEN-YEAGER & ASSOCIATES, INC.

219 Pine Street
Sandpoint, Idaho 83864
208.265.4629
208.263.0404
lailport@ruenyeager.com

From: John Youngwirth [<mailto:jyoungwirth@bonnersferry.id.gov>]
Sent: Wednesday, December 03, 2014 3:00 PM
To: 'Lisa Ailport'
Subject: RE: Document1

No Lisa we just close them off to truck traffic, and the police don't usually care about it so enforcement is usually me if I see them. Most of the local businesses will call before taking a load down a street and that helps. But I don't have any real enforcement.

From: Lisa Ailport [<mailto:lailport@ruenyeager.com>]
Sent: Wednesday, December 03, 2014 2:25 PM
To: John Youngwirth
Cc: Christine McNair; Stephen Boorman
Subject: RE: Document1

John- Thanks for keeping me in the loop. I will have Christine print this out an place in the file.

I have a couple question in return is, does the city impose weight limits during break-up? If so, would that suffice to meeting the concerns with the Streets department? If not, then we can place a restriction on them during the winter/spring break up but I have concerns if the City isn't regulating when that actually occurs then we could be asking them to make that determination without the expertise to do so.

I guess I would need a little more information before I send this on to the applicant.

Christine- can you print this email as well for the record. It can all be placed under the agency comment tab.

Regards,

Lisa M. Ailport, AICP
RUEN-YEAGER & ASSOCIATES, INC.

219 Pine Street
Sandpoint, Idaho 83864
208.265.4629
208.263.0404
lailport@ruenyeager.com

From: John Youngwirth [<mailto:jyoungwirth@bonnersferry.id.gov>]
Sent: Wednesday, December 03, 2014 1:33 PM
To: 'Lisa Ailport'
Subject: Document1

Hello Lisa,
I wasn't sure if just emailing this to you would be fine or should I attach it to the paperwork I recieved on this special use permit and put it in your box?
Thanks
John Youngwirth

Hello Lisa,

In response to the Co-op gas and supply Special use permit for File #SUP002-14 at 6410 Main Street.

I have some concerns with the trucks accessing the property off of Kennedy Street, mainly in the spring when the roads are soft. The Super 1 store rebuilt Kennedy Street from the highway to just past Cossette Street so they could access the store all seasons with loaded trucks. Other than the soft road base in the spring the City Street Department does not see any other issues with this special use permit.

Thanks,

John Youngwirth

City of Bonners Ferry

Street Superintendent

Christine McNair

From: Lisa Ailport <lailport@ruenyeager.com>
Sent: Wednesday, December 10, 2014 1:34 PM
To: loumeigs1@welch-engineering.com
Cc: co_oprayd@hotmail.com; Stephen Boorman; Christine McNair
Subject: FW: Co-Op Gas and Supply
Attachments: Application complete ltr.pdf; State Fire Marshall_Bonnors Ferry Bulk LPG proposal.pdf

Lou- I placed a call to you and followed up with this letter on November 24, 2014 regarding additional information needed in order to process the application for Co-op Gas and Supply. While the city has moved ahead to agency review in order to keep this application on track for hearing in January, the lack of response from the applicant on this matter may postpone the matter from being placed on P/Z's agenda in January. Please advice on your estimated time for response.

In addition, I have attached the Idaho State Fire Marshall's comments respective to the application, for your review. I believe there are items within this letter that need addressing, and likely will need to meet with you and your client to discuss. Please advice on how you would like to proceed.

Regards,

Lisa M. Ailport, AICP
RUEN-YEAGER & ASSOCIATES, INC.

219 Pine Street
Sandpoint, Idaho 83864
208.265.4629
208.263.0404
lailport@ruenyeager.com

From: Lisa Ailport [mailto:lailport@ruenyeager.com]
Sent: Monday, November 24, 2014 1:22 PM
To: 'loumeigs1@welch-engineering.com'
Subject: Co-Op Gas and Supply

Lou- see attached.

Regards,

Lisa M. Ailport, AICP
RUEN-YEAGER & ASSOCIATES, INC.

219 Pine Street
Sandpoint, Idaho 83864
208.265.4629
208.263.0404
lailport@ruenyeager.com

State of Idaho

DEPARTMENT OF INSURANCE

C.L. "BUTCH" OTTER
Governor

DON STRONG
Deputy State Fire Marshal

DIVISION OF STATE FIRE
MARSHAL
2218 Cambridge Ct.
Moscow, Idaho
Phone (208) 882-2368
FAX # (208) 882-5419

WILLIAM W. DEAL
Director

MARK A. LARSON
State Fire Marshal

Date: December 2, 2014
To: Lisa M. Ailport, AICP, Contract City Planner
From: Don Strong, Deputy State Fire Marshal
Subject: Co-Op Gas and Supply, Co. Inc. File #SUP002-14

At your request I reviewed the application and plot plan for a bulk storage facility for 30,000 gallons of Liquefied Petroleum Gas (LPG) on property owned by Co-Op Gas and Supply in Bonners Ferry. After reviewing the submitted material I offer the following recommendations and comments based on the 2012 International Fire Code (IFC) and the 2014 NFPA 58:

- IFC Section 6104.2- restricts the maximum amount of LPG storage in established limits to 2,000 gallons in heavily populated or congested area. This section does provide some exception for consideration of special features, degree of fire protection and the capabilities of the local fire department.
- IFC Section 6104.3- details requirements for container location based on the size of the container.
- IFC Section 6108.1- requires fire protection be provided for installation with a water capacity of more than 4,000 be provided as specified in section 6.25 of NFPA 58.
- IFC Section 6108.2- requires portable fire extinguishers as specified in NFPA 58.
- NFPA 58 Section 6.27- details fire protection requirements. Of note in this section, section 6.27.3.3 requires a written fire safety analysis for installations of more than 4,000 gallons.
- IFC Section 6111 details the requirements for the parking and garaging of LP-Gas tank vehicles.

It should be noted that whoever performs the fire safety analysis should use the 2012 Edition of the International Fire Code and the 2014 Edition of NFPA 58. Also it is important to note that the recommendations above do not include many operational requirements detailed in the referenced codes that should be included in the written fire safety analysis. If I can be of any further service don't hesitate to contact me.

Cc: File
Chief Pat Warkentin
Knut Sandahl



City of Bonners Ferry Police Department

7232 Main Street • P.O. Box 149 • Bonners Ferry, ID 83805
Phone: 208.267.2412 • Fax: 208.267.4398

December 16, 2014

Lisa M. Ailport, AICP
RUEN-YEAGER & ASSOCIATES, INC.
219 Pine Street
Sandpoint, Idaho 83864

SUBJECT: SPECIAL USE PERMIT APPLICATION "CO OP ENERGY"

Dear Ms. Ailport,

On Wednesday, December 10th, 2014 at 12 pm, a meeting of the Bonners Ferry Traffic Safety Committee was held at the Bonners Ferry City Hall in the City Council Chambers. The meeting was attended by the following persons:

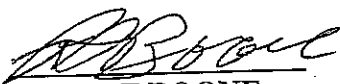
- Robert Boone, Chief of Police
- Dean Satchwell
- Richard Hollenbeck
- John Youngwirth
- John Marquette

The purposed 30,000 gallon Co Op Energy Storage Tank at the corner of Highway 95 and Kennedy Street was discussed and I asked for any recommendations regarding traffic hazards, increased traffic concerns or the need for additional traffic signs.

There were no problems or issues that were identified by the committee. The committee approved a motion which was passed which takes no action against the proposed special use permit.

Should you have any questions, please feel free to contact me directly.

SINCERELY YOURS,


ROBERT BOONE
CHIEF OF POLICE

The Traffic Safety committee meeting of December 10, 2014 convened at noon at City Hall. Present for the meeting were: Chief Boone, Richard Hollenbeck, Gus Diel, John Marquette, Deanna Galbraith, Mila Russell, John Youngwirth, Dean Satchwell, Kris Larson, Debbie Woods

Public comments~Gus brought up the issue that for some time now when using the crosswalk at Riverside, vehicles coming off of Hwy 95 are unaware of the crosswalk, and it is posing a danger to pedestrians. A suggestion was made that signage depicting crosswalk ahead could be helpful.

Guests~Deanna Galbraith and Mila Russell from Boundary Community Hospital presented to the committee the issue of the crosswalk in front of the hospital. Deanna stated that the crosswalk receives approximately 10,000 cars in a 10 day time period, and the majority of vehicles are travelling over the 20mph limit. In addition to that, most motorists do not recognize that the crosswalk is such because of the manner in which it has been striped. Some motorists even perceive it as parking spaces because the lines are so far apart. A suggestion was given to erect "Crosswalk Ahead" signs. Deanna also presented some examples of crosswalk signs that are lighted and run off of solar power. Deanna is continuing to seek grants that may be helpful for this project, and she asked if the City could provide a "letter of support". Dean motioned to ask City Council to support this venture, and John seconded, motion carries.

The next item on the agenda was to discuss the Special Use Permit Application from the Co-op Gas and Supply for the installation of a liquefied petroleum gas tank at 6410 Main St. This tank would be installed above ground, and would be used strictly for the service truck that supplies LP to our community. After some discussion about the safety of the project, John Marquette made a motion to take no action. The motion was seconded by Dean, motion carries.

Old business~ None

Richard Hollenbeck moved to approve the minutes of the last committee meeting, John Marquette seconded the motion, the motion passed, all in favor.

There being no further business, the meeting adjourned at 12:35pm.

RECEIVED

DEC 16 2014

CITY OF BONNERS FERRY

3428 E. 2nd. Ave.
Post Falls, ID 83854

March 25, 2015

Mr. David Anderson
Mayor of Bonners Ferry
PO Box 149
Bonners Ferry, ID 83805

Dear Mr. Anderson,

I am writing this letter regarding our ownership of property in Bonners Ferry located on Ash Street. There are a total of ten lots in Block 22 of the Eaton Townsite, number 1 to 10 approximate size of 30 feet by 140 feet each and two lots in Block 17 numbers 11 and 12 approximate size of 25 feet by 100 feet each. These are all located on the hill side going up from Ash Street.

I understand that the City of Bonners Ferry will not allow any logging or building on this hill side. The reason why we have these lots is that we bought the house of S. Bangs in the eighties and remodeled it for sale. The buyer of the house did not want the lots back of the house on the hillside so we had to accept them after selling the house only.

We have been paying taxes of \$90 a year over the last plus thirty years. If we could receive the amount of \$2700 for these lots we would be satisfied to let the City of Bonners Ferry take over the lots. The City would not have to contend with any logging or building problem in the years ahead.

I hope this would work out for the City of Bonners Ferry and Boundary County to the problems that could occur in the future and have complete control in this area of the Community.

Thank you for your attention and consideration on this purchase of these lots in the Eaton Townsite.

Please advise us of your decision and if you need more information you can contact us by phone #208-777-6036 or write to our address as stated. All lots are listed under the Schauble Living Trust.

Thank you very much for your consideration and cooperation on this matter.

Sincerely

Milton C. and Catherine L. Schauble

3428 E. 2nd Ave.

Post Falls, Id. 83854

March 25, 2015

Mr. David Anderson

Mayor of Bonanza Ferry

P.O. Box 149

Bonanza Ferry, Id. 83805

Dear Mr. Anderson;

I am writing this letter regarding our ownership of property in Bonanza Ferry located on Ash Street. There are a total of ten lots in Block 22 of the Eaton Township number 1 to 10 - approximate size of 30 ft. by 140 ft. each and two lots in Block 17 numbers 11 and 12 approximate size of 25 ft. by 100 ft. each. These are all located on the hill side going up from Ash Street.

I understand that the City of Bonanza Ferry will not allow any shopping or building on this hill side. The reason why we have these lots is that we bought the house of D. Boney in the eighties and reminded it for sale. The buyer of the house did not want the lots back of the house on the hillside so we had to accept them after selling the house only.

We have been paying taxes of \$90 a year over the last

plus thirty years. If we could receive the amount of \$2700 for these lots we would be satisfied to let the City of Bonora Ferry take over the lots. The City would not have to contend with any logging or building problems in the year ahead.

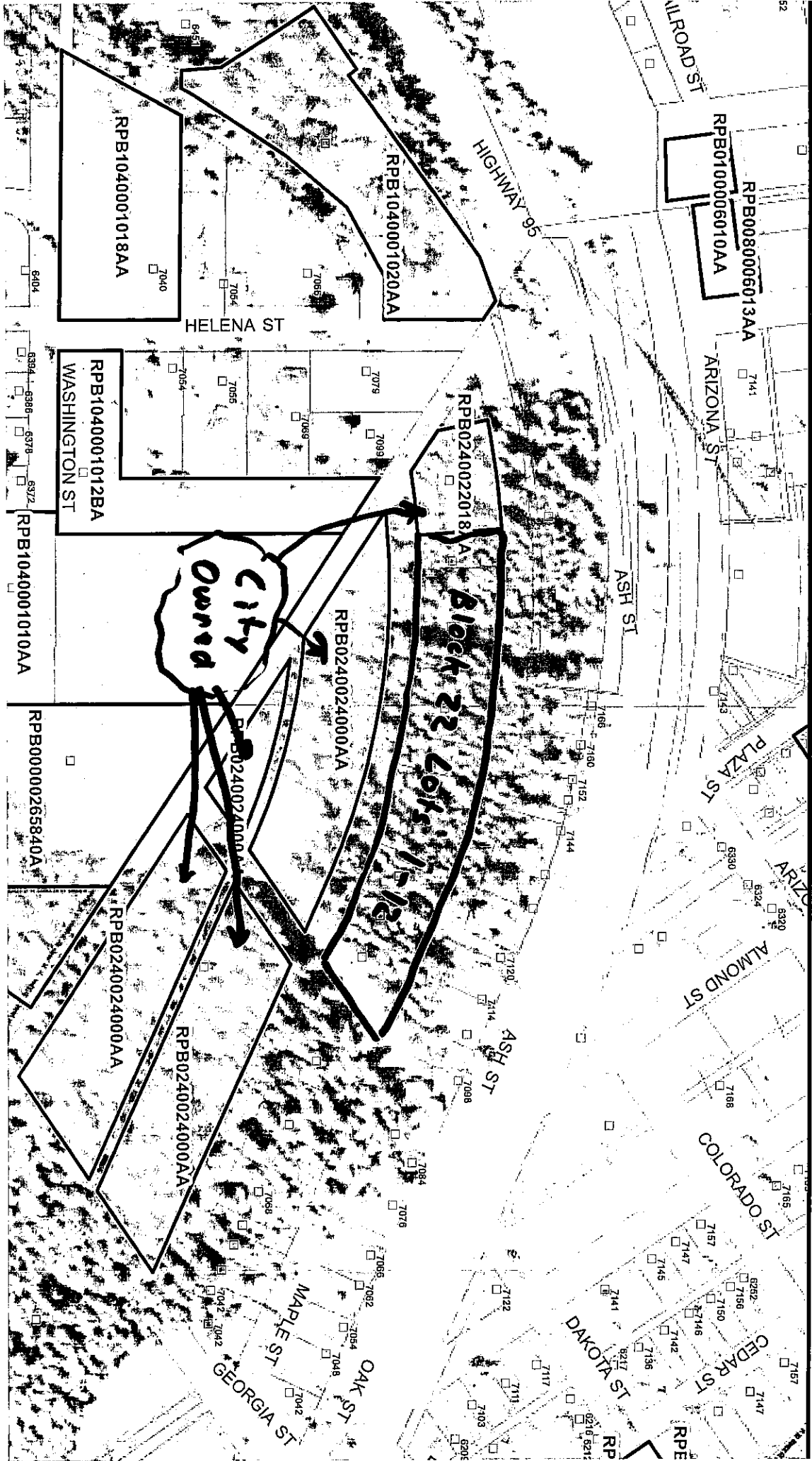
I hope this would work out for the City of Bonora Ferry and Boundary County to the problem that could occur in the future and have complete control in this area of the Community.

Thank you for your attention and consideration on this purchase of these lots in the Eaton Forensite.

Please advise me of your decision and if you need more information you can contact me by phone #208-777-6036 or write to our address as stated. All lots are listed under the Schankle Logging Trust.

Thank you very much for your consideration and cooperation on this matter.

Sincerely,
Metta C. and Catherine L. Schankle



City Owned

Block 22 Lots 1-12

RPB1040001018AA

RPB1040001020AA

RPB0080006013AA
RPB010006010AA

RPB1040001012BA

RPB0240022018A

RPB0240024000AA

RPB0240024000AAA

RPB00000265840A

RPB0240024000AA

RPB0240024000AA

MILROAD ST

HIGHWAY 95

HELENA ST

WASHINGTON ST

ARIZONA ST

ASH ST

PLAZA ST

ALMOND ST

ASH ST

COLORADO ST

MAPLE ST
GEORGIA ST

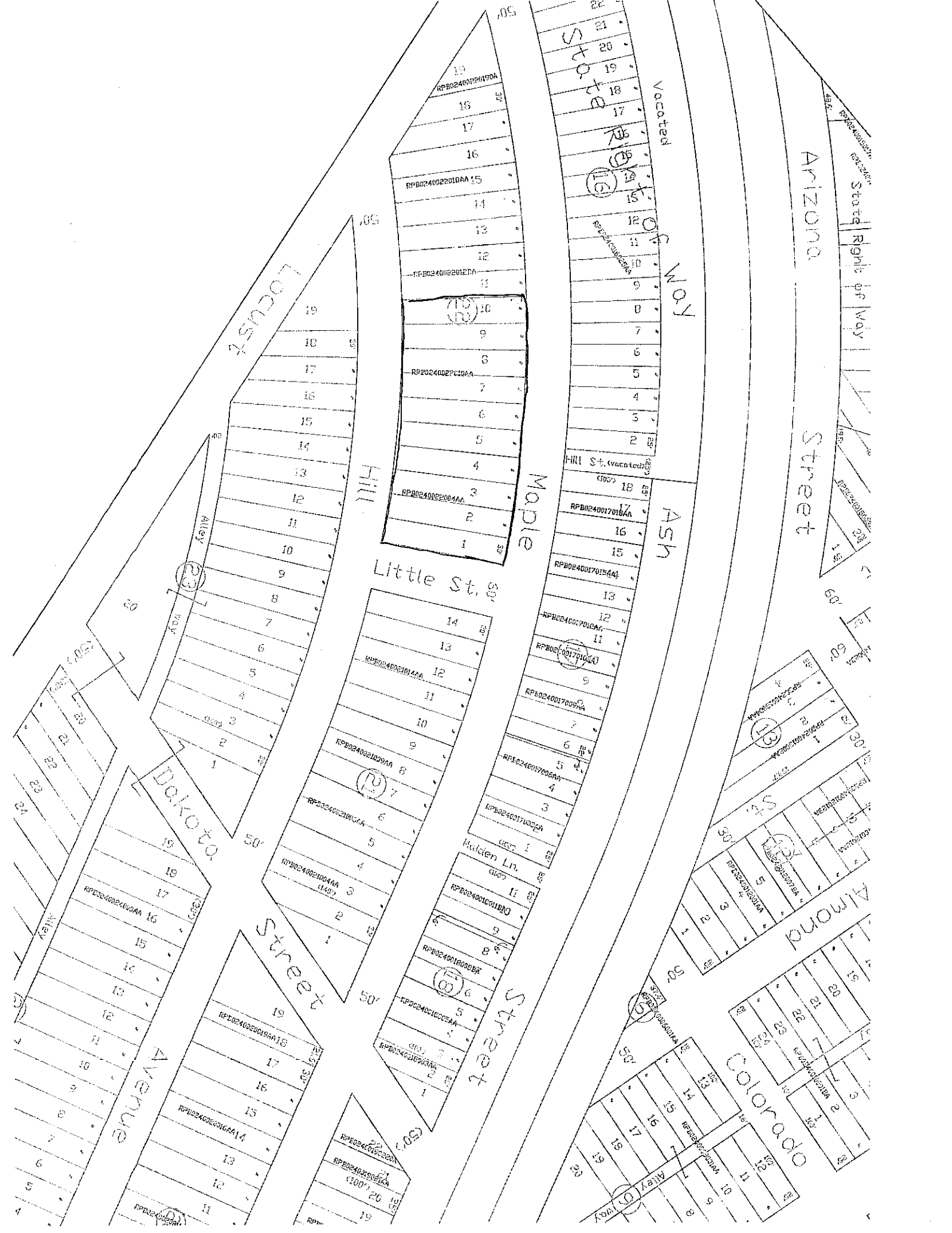
OAK ST

DAKOTA ST

CEDAR ST

RP

RPE



Locust

Hill

Little St.

Dakota

Avenue

Street

Street

Modie

Ash

Vacated

Arizona

Street

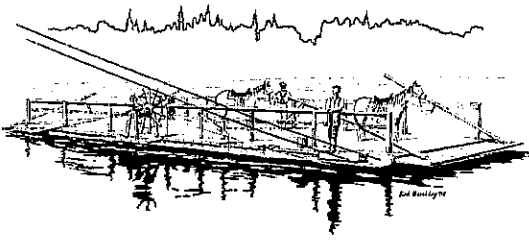
Colorado

STOP

OF WAY

State Right of Way

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| 15 | RPB024002010AA |
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| 12 | RPB024002012DA |
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MEMO

CITY OF BONNERS FERRY
CITY ADMINISTRATOR

Date: 3 April 2015
To: City Council
CC: Ms. Gaye Brown
From: Stephen Boorman, City Administrator
Subject: Downtown Lighted Sign.

Last Council meeting the subject of what was allowed for signs downtown was raised. Our sign ordinance is Title 11, Chapter 14. All of the following comments are for commercial zones.

Our code does is not structured well for the downtown area. It allows "flat or wall on premises signs in commercial areas without restriction. However, the sign in question would likely be considered a "free standing sign" that would be limited to 30' high and not be more than 300 square feet. It would also be required to be not be closer than 30' to adjoining lot lines and closer than 10' from the street.

Illuminated or lighted signs are allowable in the commercial zone which would include downtown and must be approved by the city prior to installation. "Reader board" type signs must have an automatic dimmer to reduce the illumination during the night.

Therefore, it would appear the sign would be allowable under our ordinance. It might also be appropriate to have Planning and Zoning review the ordinance with consideration of the character of downtown and the common wall type construction.

STB

The regularly scheduled Planning and Zoning meeting of March 19, 2015 was called to order at 5:30pm by Chairwoman Glenda Poston. Present for the meeting were: Planning and Zoning members Andy Howe, Brad Hanson, Dave Gray, Sue Larson, Wally Cossairt, Chris Rawlings, Office Clerk Christine McNair, Planning and Zoning Administrator Lisa Ailport, Robina Scarlett, Kalen Scarlett, Sandra Scarlett and Cory Smith.

Glenda had two corrections to the minutes, Sue had one correction.

Brad moved to accept the minutes from the February 19, 2015 as corrected. Chris seconded the motion. Motion passed with all in favor.

Glenda asked to move the May meeting from May 21st to either May 14th or May 28th, so she will be able to attend. Brad moved to change the May meeting to May 28th. Chris seconded the motion. Motion passed with all in favor.

Lisa did a training on Legislative Hearings vs. Quasi-Judicial Hearings. Lisa said the main difference is: Quasi-Judicial hearings deal with site specific issues and Legislative hearings deal with legislative issues. Ex-parte communication issues are only relevant in Quasi-Judicial matters.

Glenda opened the hearing to consider the special use permit for Robina and Joseph Scarlett who are requesting a special use permit in order to move an existing business known as Aspen Personal Care Services, LLC to 6945 Main Street and operate a professional office in the Residential A District, at 6:01pm.

Glenda explained the hearing process.

There were no conflicts of interest.

Lisa gave her presentation. She said that there was a special use permit granted in 2010, just north of the proposed site. There is a hair salon to the west of the proposed site that has been in operation since 2005, as well as a grandfathered professional office located south of the proposed site. There is a history of similar uses occurring in this general area. Lisa stated there is a condition stating that the new structure resemble a house, since this is a residential area. The Street Department was the only agency that had any comments. There is a condition regarding the comments. Lisa read the comment received March 18, 2015 from Gary Falcon: "They need to be in the medical zone that was created around the hospital. Professional means to me, lawyer, engineer or doctor's office. Is this a doctor's office?"

Robina Scarlett gave her presentation. She lives in Clark Fork and owns the business, but her children live here and will operate this office. They have been in business since 2003 and opened an office in Bonners Ferry last year. The building they are in is too

small for their needs. So, they purchased 6945 Main Street. They talked to the City about working on the house and were told they could work on it. During the remodel process, they realized it was going to be more of a project than they initially thought, due to the number of cats that had been in the house. The business provides in-home care. The office will be used for applicants, payroll and scheduling. They currently have 18 or 19 employees in the area. Dave asked how many clients they have. Robina said between both offices they have approximately 42 clients, 25 in Bonners Ferry. Andy clarified that it will be a professional use only, there won't be any clients in the office. Robina said that their clients do not come to the office, the employees go to the clients' home. She said they are a personal care service, they don't do medical care.

No one spoke in favor of the application.

Cory Smith owns the house across the highway from the proposed site. He just wanted to hear all the input and is curious why that whole area isn't zoned commercial. Glenda said that is something that would be considered during a comprehensive plan review.

Lisa previously read Gary Falcon's letter of opposition into the record.

For the rebuttal, Robina stated that she understands the concern by the opposition, but it's not a medical office.

Glenda closed the public hearing at 6:31pm.

Signage was discussed. Lisa said they are limited to 12 square feet of signage and they have chosen to have a free standing sign. The sign will be at least 10 feet from the sidewalk on the west side of the property and 12 feet from the edge of right of way on the north side of the property. Glenda asked if they would be allowed more than one sign. Lisa said they are limited to one sign.

Sue asked about condition #7 regarding approaches. Lisa read it and requested striking #7 since it was a carry-over from the last permit and it has been replaced with condition #12.

Sue asked about condition #9 regarding the hours of operation, if there will be weekend hours. Lisa said the hours are Monday – Friday only.

Lisa said there will be 11 conditions, striking #7.

Brad moved to approve this file SUP-001-14, for a special use request to move an existing business known as Aspen Personal Care Services, LLC to 6945 Main Street to operate a professional office in the Residential A District, finding that it is in accordance with the general and specific goals and standards of the City of Bonners Ferry Comprehensive Plan and the City of Bonners Ferry zoning code pertaining to special

uses as enumerated in the following findings of fact and conclusions of law. I further move to adopt the following findings of fact and conclusions of law in the affirmative and including the conditions of approval as amended to 11 conditions, striking condition #7 from the record as enumerated in the staff report. The actions to be taken to obtain the special use permit is to complete the conditions of approval as adopted. This action does not result in a taking of private property. Dave seconded the motion. The motion passed with all in favor.

Lisa stated this is a recommendation only, City Council makes the final decision.

Lisa resumed the training at 6:47pm. Dave asked if Lisa had copies of the bills. She said she will send him the links for the bills.

Glenda said she was very disappointed that the applicants started tearing down the facility before they came before Planning and Zoning. Brad asked why is it Stephen's decision to refuse to have someone buy a private residence and remodel it, because that's all that had happened to that point. If he had said that, then it would be stepping the bounds. We've had other special use permits denied because they didn't own the property. The fact that they took the commitment, even though they did not have a guarantee of getting it, shows a willingness to an enmeshment into the community even if it didn't work out. Lisa said that she is working with Stephen to have a condition on the building permit that states they can't occupy the structure until the recording has been done.

Glenda asked if the Flatlander is still operational and when does that permit go away. Lisa said that is an area of the code that needs attention. The only way the permit expires is if the property is sold.

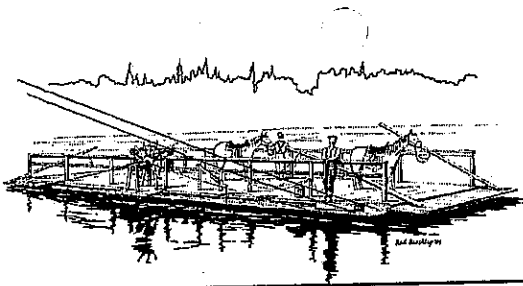
Lisa discussed senate bill # 1044 regarding eminent domain and house bill #142 regarding planning and zoning procedures. Annexation and urban renewal district eminent domain were also discussed.

The next meeting will be April 16, 2015.

Andy moved to adjourn. Dave seconded the motion. Motion passed with all in favor.

Glenda Poston, Chairwoman

Attest: _____
Christine McNair, City Office Clerk



CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

CITY COUNCIL STAFF REPORT FOR JOSEPH AND ROBINA SCARLETT SPECIAL USE PERMIT – FOR A PROFESSIONAL OFFICE IN THE RESIDENTIAL A ZONE

Prepared by: Lisa Ailport, AICP
Contract Planner
219 Pine Street
Sandpoint, Idaho 83864

Project Description: Robina and Joseph Scarlett are requesting a special use permit request to move an existing business known as Aspen Personal Care Services, LLC to 6945 Main Street to operate a professional office in the Residential A District. The applicant's propose to use the existing property in order to conduct payroll, billing and general business management.

Location: The site is located at 6945 Main Street, and is known as Lots 7 and 8, Block 3 of Park Addition to Bonners Ferry.

Parcel size: 0.29 acres; 12,623 square feet.

Applicant: Robina or Joseph Scarlett
P.O. Box 279
Clark Fork, Idaho 83811

Applicant's Representative: Sandra and Kalen Scarlett
c/o Aspen Personal Care Services, LLC
P.O. Box 1050
Bonners Ferry, Idaho 83805

Application Filed with City: January 16, 2015

Notice Provided: Mailed: March 3, 2015
Site Posted: March 9, 2015
Published in Paper: March 5, 2015

Hearing Date: Planning and Zoning: March 19, 2015
City Council: April 7, 2015 (*Not a public hearing; no public testimony allowed*).

APPLICABLE CITY CODES:

§11-5-3, Limitations

§11-5-5 General Standards

§11-9-1 Regulations

§11-13-3- Design and Maintenance

§11-14 et. Seq. Signs, sign setbacks

§11-2-3C; table of uses Appendix B

§11-5-4- Application filing contents

§11-5-6, Conditions and Safeguards

§11-13-2 Parking provisions

§11-13 4, &5 Off Street Parking

§11-14-7 Special permitted signs

FINDINGS OF FACT-**PLANNING AND ZONING RECOMMENDATION:**

The Planning and Zoning Commission recommend approval to the City Council on a unanimous vote, with the attached conditions, as amended.

PROJECT OVERVIEW/BACKGROUND

The applicants are requesting approval of a special use permit for operations of a business in the Residential A district. Currently the use is provided for within the City of Bonners Ferry use table as a professional office (§11-2-3C; Table of uses). According to the application the site will be used to coordinate work offsite, but will also serve as the billing and payroll for an established business, Aspen Personal Care Services, LLC. The business has operated in the past in the barber-ship building, according to the applicant's representative.

According to the application, only two employees will work onsite, with the majority of the other 20 employees working off-site and only visiting the office intermittently for work specifics and to receive pay checks. The application narrative also notes that the site will maintain the appearance of a house, while operating with less noise than a typical residence (see narrative).

The most recent site plan of February 18, 2015, shows five (5) off-street parking spaces to serve the use on site. According to Bonners Ferry parking code, a minimum of three (3) spaces are required, per §11-13-5; 1 space/250 gross floor area. The current house is approximately 722 square feet of floor area, with an unfinished basement.

According to records at the City, similar special uses have been issued or exist in the area. Roger Fraser was granted a special use permit, north of the property, in 2010 for a professional office (Inst. #248820). In addition, west of the proposed site a hair salon has been in operation since circa 2005. Lastly, Leonard Schulte operates a grandfathered professional office south of the proposed site.

Idaho Code 67-6509 and Bonners Ferry City §11-5-6 code allows for the opportunity to condition special use permits with appropriate conditions, bonds and safeguards relating the impacts the use creates. As such, staff has prepared draft conditions that seek to limit hours of operations, direct building appearance and restrict vehicle access to Monroe Street.

As proposed by staff, the hours of operation would limit the business hours from 8:00 am – 6:00 pm, Monday – Friday and restrict business operations on the weekend in order to limit the effects of the business on neighboring property owners.

In addition, staff provided a condition directing the building appearance based on a site visit on March 9, 2015, that revealed the original house had been nearly removed with only the original

exterior walls remaining. Since the application material indicates the use will occur in the existing house (see application narrative), it would seem appropriate that a condition be placed requiring the final structure to resemble or retain a single family appearance.

Lastly, a draft condition restricting access and parking to Monroe Street, will address any future changes to the State Highway system, also known as Main Street, from allowing parking in the Highway right-of-way.

PROPERTY DESCRIPTION

- A. Site Acreage: 0.29 or 12,623 square feet, known as Assessor Parcel #RP B0820003008A
- B. Access: The site is served by Main Street (AKA Highway 95) and Monroe Street.
- C. Services: The site is served by City sewer and water; the site is also within the City fire district, and is served by City police. Frontier and Avista provide phone/cable and gas to the property.

Compass	Comp Plan Designation	Current Zoning	Surrounding uses/Densities
Site	Residential	Residential A	0.29 acre lot, Existing 722 square foot single family dwelling
North	Residential	Residential A	0.2-0.5 acre residential tracts/lots
South	Residential	Residential A	0.2-0.5 acre residential tracts/lots
East	Residential	Residential A	0.25-1 acre residential tracts/lots
West	Residential	Residential A	0.2-1-acre residential tracts/lots

AGENCY COMMENTS

On February 6, 2015, the application was sent to the following departments and/or agencies for review and comments, Frontier Communications, Avista Gas and Power, Traffic Safety Committee, City of Bonners Ferry Utilities (water and sewer), City of Bonners Ferry Utilities (electricity), City of Bonners Ferry Fire Department, City of Bonners Ferry Police.

John Youngwirth, the City Street Superintendent commented to the file on 2/9/2015 and then again on 2/19/2015 after a revised site plan was received. Mr. Youngwirth requested the applicant excavate a minimum of 6" of native material and install road fabric and cover with gravel for those portions of the lot that front on Monroe Street. Mr. Youngwirth also requested a drainage swale be designed and installed at a location approved by the department, in order to treat and drain any waters from the newly graveled parking area. Conditions requiring the above have been include below.

Traffic Safety committee responded in an email dated 3/12/2015 that they did not see any traffic safety problems with the proposed project.

No other agency comments were received to the file.

PUBLIC COMMENTS

The City has received a comment from Gary Falcon commented to the file that the use is more appropriately placed in the Medical Zone.

Staff note: The definition of Professional Office space, according to Appendix A of Bonners Ferry City Code is "Offices and related spaces maintained and used as a place

of business, such as doctors, dentist, engineers, attorneys, architects, accountants and other person providing professional services."

STANDARDS REVIEW: Pursuant to Bonners Ferry City code, sufficient evidence must be found in the record to make conclusions

Standards Review Table- Bonners Ferry City Code (see applicable codes above)	Evidence Provided for in Record
Special Use is provided for in City Code	The site is zone Residential A, §11-2-3C provides for authority of special uses; Appendix B provided for Professional offices as a special use in the table.
Existing Uses	The site currently has a 722 square-foot single family dwelling that will be converted to office space.
Public Facilities that serve the site	The site is served by City sewer and water. Monroe and Main Street (AKA Highway 95) are paved city right-of-way which serve the existing home. The site is also within the City fire district, and is served by City police. Frontier and Avista provide phone/cable and gas to the property.
Extension of public services/facilities to the site.	All services are existing; no additional public services are anticipated to serve the property (application).
Vehicular approaches- so designed as to not interfere with traffic	The traffic safety committee reviewed the proposal and commented that it did not see any traffic safety problems with the proposed request (email 3/12/2015).
Hazardous activities	The application does not list any hazardous activities as proposed as part of the request. No hazardous materials are proposed to be stored on site (application).
Natural/historic features maintained	The existing site and home is not listed as a historic building or maintained on any historic registers (State Historical Society, Historic register). No other preservation plans or scenic area plans have been adopted by the City limiting growth in the manner requested with this application.
Parking requirements: 1 space for every 250 square feet of gross floor area.	The applicant's site plan shows five (5) spaces are being retained on the site for parking spaces. According to §11-13-5, other type of commercial use is 1 space per 250 square feet of gross floor area. Three spaces minimally are required.

Drainage Plan, required	A drainage plan, approved by the City is required as a condition (§11-13-3B). A preliminary plan was submitted by the applicant, a condition of approval requires the applicant to submit a final plan, approved by the City.
Signage – allowable square footage (§11-14-7)	According to B.F. City Code, a maximum 12-square feet of signage is allowed. A condition authorizing the signage is provided.

~~~~~  
**DRAFT MOTION(S) BY THE COUNCIL**

*Motion to Approve:* I move to approve this file SUP-001-14, for a special use request to move an existing business known as Aspen Personal Care Services, LLC to 6945 Main Street to operate a professional office in the Residential A District, finding that it is in accordance with the general and specifics goals and standards of City of Bonners Ferry Comprehensive plan and City of Bonners Ferry zoning code pertaining to special uses as enumerated in the following findings of fact and conclusions of law. I further move to adopt the following findings of fact and conclusions of law (READ ALL CONCLUSION OR MAKE STATEMENT THAT YOU FIND IN THE AFFIRMATIVE FOR ALL) and including the conditions of approval (as amended, or as submitted) and enumerated in the staff report.

The actions to be taken to obtain the special use permit is to complete the conditions of approval as adopted.

This action does not result in a taking of private property.

*Motion to Deny:* I move to deny this file SUP-001-14, for a special use request to move an existing businesses known as Aspen Personal Care Services, LLC to 6945 Main Street to operate a professional office in the Residential A District finding that it is not in accord with the following conclusions of law [READ CONCLUSIONS OF LAW AND SPECIFICIY WHICH CONCLUSIONS OF LAW FAIL TO MEET THE REQUIREMENT] of approval as outlined in the staff report and the testimony received at the public hearing. Furthermore, I move to adopted the following findings of fact and conclusions of law (read conclusions 1-10- noting the findings that support your claim-which conclusions does it fail to meet).

The actions to be taken to receive approval is

1. Submit a new petition that meets the standards of the City of Bonners Ferry special use permit applications; or
2. Pursue such remedies as provided for at Title 67 Chapter 65, Idaho Code.

This action does not result in a taking of private property.

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CONCLUSIONS OF LAW

*The above staff report and subsequent evidence in the record provides for the findings of fact required in order to make any conclusion of law. Based upon those findings, the following conclusions are adopted by the Commission/ City Council.

Conclusion 1:

The proposal was review for compliance with City of Bonners Ferry Code Section: §11-5-3, §11-5-4, §11-5-5, §11-5-6, §11-13-3, §11-13 4, &5, §11-14-7 & 8, §11-2-3C; Therefore, the proposal **is/is not** in accordance with the applicable standards.

Conclusion 2:

The special use **is/is not** a special use, as allowed for in the zone district in which it is located:

Finding: The site is zone Residential A;

Finding: Appendix B of the City code provides for "S" [Special] for professional offices under Residential A zoning.

Conclusion 3:

The use **is/ is not** in general conformance with the general or specific objective of the comprehensive plan and zoning ordinance:

Finding: The residential A zoning provides for professional office spaces as a special use (appendix B, City of Bonners Ferry Code).

Finding: The proposed use complies with standards of special use permits, parking and sign requirements of Bonners Ferry City Code (see applicable sections of BFGD, listed above).

Finding: Surrounding properties consists of residential uses (see above uses/density table)

Conclusion 4:

The use **will/will not** be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity. Therefore, the use **will/will not** change the essential character of the area.

Finding: The application does not propose to alter the outside appearance of the existing 722 square foot single family dwelling.

Finding: The site is located in an area of single family residences (city current zoning map).

Finding: The site plan shows a 12 square foot sign located approximately 12 feet from Monroe street right-of-way and approximately 10-feet from Main Street (aka Hwy 95).

Conclusion 5:

The use **will/will not** be hazardous or disturbing to existing neighboring uses.

Finding: The residential A zoning provides for Professional office spaces as a special use (appendix B, City of Bonners Ferry Code).

Finding: The application does not list that hazardous materials or hazardous items will be stored onsite.

Finding: The proposed use complies with standards of special use permits, parking and

sign requirements of Bonners Ferry City Code (see applicable sections of BFCO, listed above)

Finding: Surrounding properties consists of residential uses. (see above uses/density table). Two professional office special use permits have been issued in the past in surrounding neighborhoods.

Finding: An existing grandfathered hair salon is in operations west of the proposed site.

Conclusion 6:

The use **is/is not** served by adequate public facilities and services which **will/ will not** create excessive additional requirements at public cost for public facilities and services and **will/will not** be detrimental to the economic welfare of the community.

Finding: The site is currently served by City water and sewer.

Finding: Monroe Street will provide the physical access to the property.

Finding: Parking will be provided from Monroe Street.

Finding: The applicant does not proposed to extend any additional utilities to serve the proposed use.

Conclusion 7:

The use **will/will not** involve activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor, or other factors determined to be nuisances.

Finding: The application notes that it is likely that the noise level will be less than produced at a typical residence.

Conclusion 8:

The use **will/will not** have vehicular accesses that create interferences with traffic on surrounding public thoroughfares.

Finding: The use will be served Monroe Street. Off-street parking will also be served via Monroe Street.

Finding: The Traffic Safety Committee met on March 12, 2015 and had no significant issues with the proposed project and location.

Conclusion 9:

The use **will/will not** result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Finding: The site is not located on a known historic register (Idaho State Historical Office, register list).

Finding: The site is not known to be located on any maps or plans identifying the area

as a natural or scenic preserve.

CONDITIONS OF APPROVAL

1. All applicable conditions of approval shall be met or maintained prior to issuances of the Special Use Permit by the City. Any condition that runs with the land shall stay in affect while the use is in operation. Failure to meet any condition of approval may be grounds for revocation of the permit by the city.
2. The use shall be developed and operated in accordance with the approved application, site plan, or conditions as approved with this application. Failure to comply within the bounds of this permit, may result in revocation of the permit by the City.
3. The special use permit shall not supersede any deed restriction(s).
4. Pursuant to I.C. 67-6512D2-3, the city may regulate the timing and duration of development. Therefore, this special use permit shall expire if not recorded by the City within 2 years of the date of approval. In the event of expiration a new permit may be required in order to commence the use.
5. The use shall run only with Joseph and Robina Scarlett and/or Aspen Person Care, LLC and shall not extend outside the recorded legal description as provided for with Instrument #262455. Subsequent owners of the parcel shall be required to apply for a special use permit if they desire to continue the use or if the use is moved to a different location.
6. Prior to recording of the special use permit, the applicant shall submit a final drainage plan, to the satisfaction of the City Engineer and/or street superintendent. A letter, signed by the City Engineer or Street Superintendent as meeting the intent of the parking ordinance, shall constitute compliance with this condition.
7. The applicant shall apply for a building permit for any outdoor signage that maybe requested as part of this special use permit.
8. Hours of operation shall be limited from the hours of 8:00 am to 6:00 pm Monday – Friday.
9. A minimum of three off-street spaces shall maintained on site. Vehicular access and parking from Main Street, also known as Highway 95, shall be prohibited.
10. The final building shall resemble a single family dwelling from the exterior, to the satisfaction of the City Council.
11. Prior to recording, an encroachment permit shall be approved and completed for the approach off of Monroe Street to the satisfaction of the Bonners Ferry Street Superintendent. Improvements shall include, at a minimum, excavating native material and replacing with road fabric and approved gravel size, within the right-of-way of Monroe Street affected by the encroachment permit.

City of Bonners Ferry

Special Use Permit Application

FOR OFFICE USE ONLY:

FILE #	<p>RECEIVED</p> <p>JAN 16 2015</p> <p>CITY OF BONNERS FERRY</p>
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APPLICANT INFORMATION:

Landowner's name: <u>Joseph Scarlett & Robinia Scarlett - (Aspen Personal Care Service, Inc)</u>		
Mailing address: <u>PO Box 279</u>		
City: <u>Clark Fork</u>	State: <u>ID</u>	Zip code: <u>83811</u>
Telephone: <u>208-266-1550</u>	Fax: <u>208-266-1550</u>	
E-mail: <u>aspen1@robinia@gmail.com</u>		

REPRESENTATIVE'S INFORMATION:

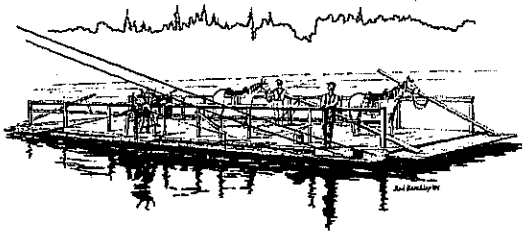
Representative's name: <u>Sandra & Helen Scarlett</u>		
Company name: <u>Aspen Personal Care Service, Inc</u>		
Mailing address: <u>PO Box 1050</u>		
City: <u>Bonnors Ferry</u>	State: <u>ID</u>	Zip code: <u>83805</u>
Telephone: <u>208-267-8777</u>	Fax: <u>1-806-695-0944</u>	
E-mail: <u>aspenpersonalcare@frontier.com</u>		

PARCEL INFORMATION:

Section #: <u>27</u>	Township: <u>62N</u>	Range: <u>1E</u>	Parcel acreage: <u>0.29 Acres</u>
Parcel # (s): <u>RPP0820003008A (6728)</u>			
Legal description (Attach conveyance document): <u>6945 Main St. Bonnors Ferry ID 83805</u>			
Current zoning: <u>Residential</u>		Current use: <u>Non Vacant</u>	
Directions to site: <u>South on 95, turn right on Monroe St. (South hill location) on corner Main St, Monroe St.</u>			

CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375



Special Use Permit Application

FOR OFFICE USE ONLY:

FILE #	RECEIVED: RECEIVED JAN 16 2015 CITY OF BONNERS FERRY
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APPLICANT INFORMATION:

Landowner's name: <u>Robina (or) Joseph Scarlett</u>	Company: <u>Aspen Personal Care Service LLC</u>
Mailing address: <u>PO Box 279</u>	
City: <u>Clark Fork</u>	State: <u>ID</u> Zip code: <u>83811</u>
Telephone: <u>208.266.1550</u>	Fax: <u>208.267.1550</u>
E-mail: <u>aspenrobina@gmail.com</u>	

REPRESENTATIVE'S INFORMATION:

Representative's name: <u>Sandra & Helen Scarlett, Robina Scarlett</u>	
Company name: <u>Aspen Personal Care Service LLC</u>	
Mailing address: <u>PO Box 1050</u>	
City: <u>Bonnors</u>	State: <u>ID</u> Zip code: <u>83805</u>
Telephone: <u>208.267.8777</u>	Fax: <u>1.866.695.0944</u>
E-mail: <u>aspenpersonalcare@frontier.com</u>	

PARCEL INFORMATION:

Section #: <u>27</u>	Township: <u>62N</u>	Range: <u>1E</u>	Parcel acreage: <u>0.29 Acres</u>
Parcel # (s): <u>RPB0820003008AA (lot 7&8)</u>			
Legal description: <u>6945 Main St. Bonnors ID 83805</u>			
Current landowner's name: <u>Robina (or) Joseph Scarlett</u>			
Current zoning: <u>Residential</u>	Current use: <u>Vacant</u>		
Directions to site: <u>North on 95, Right on Monroe St. on corner of 95 & Monroe</u>			

JAN 16 2015

APPLICANT NARRATIVE:

A Special Use Permit is a permit for a use which is specifically listed use within a zoning district as Special Use. If the use is not listed as either allowed or special, then the use is prohibited. All special uses in the City of Bonners Ferry shall seek approval of the use by recommendation by the Planning and Zoning Commission and approval of the City Council. Any modification of a special use requires an additional hearing by the City Council to approve the modification. The applicant shall to the best of their abilities provide the Council with accurate information about the special use they are seeking. The council may at its discretion approve, approve with conditions or deny an application, pursuant to I.C. 67-6509.

PROJECT DESCRIPTION

The applicant is requesting a Special Use or Modification to a Special Use (circle one) for:
Describe in detail the use—number of employees, hours of operation, size of buildings, etc. Use additional paper if necessary:

Aspen Personal Care Service, Inc - In home care
Employees 20 Not on site (2 on site)

Hours M-F 8:30-5pm Using current 720 sq' as an office

Does the proposed use seek to extend any services, such as roads, sewer and/or water? If so, please explain what services are proposed to be extended:

Back Driveway will have rock installed, & stopped to existing shallow ditch line.

Will land be offered for dedication as a result of this application? If so explain in detail:
NO

Describe surrounding land uses (ex: residential housing, commercial, manufacturing, etc):

North residential ~~special use~~ South residential
East residential West residential

In general the surrounding is residential w/ some side for small businesses.

Describe adjacent zoning and densities (ex: Single Family (R-1) Platted 10k sq.ft., Commercial lots etc): Examples: CDD, Flatlander, & Hair Salon.

North A South A
East A West AA

SITE INFORMATION: Please provide a general description of the lay of the land (ex: is the property flat, have any bodies of water or wetlands present, what existing structures and uses are present etc.)

Gently sloping grounds w/ grass & trees.

Directions to site (Please be specific)
North on 95, Right on Monroe, on corner of 95 & Monroe

JAN 16 2015

STANDARDS FOR REVIEW (KCZC§4-1D)

CITY OF BONNERS FERRY

Explain how the proposed use constitutes an allowable special use established by Bonners Ferry Zoning Code:

This is used as an office - NON retail business. In home care this includes NAs & CNAs going into peoples homes. Payroll, Billing, Advertising, maintenance purposes, will be only work on this site. In General The main function on this site, is coordinating work done off site.

Explain how the proposed use will conform to the zone district in which it is located (Example, the applicant is meeting all the zoning requirements, such as signage, lighting and landscaping that is required of it in the zone district that it is located?):

1 Sign 12' x 18' will be placed in yard, on corner of Monroe & 95, This will follow signage code 11-14-7, we will also submit permits for approval.

How will the proposed use be compatible and harmonious with adjacent properties? What measures is the applicant taking to insure the use will be compatible with surrounding property owners? (Example, is the applicant proposing to limit the operating hours to reduce noise during the evening or morning hours to adjacent landowners?)

IN our proposed site plan, we have provided off street parking for the proposed use, based on the buildings sq. listed in the city parking ordinance. The office & yard is going to look & remain like a residential home.

Explain how the proposed use will utilize existing utilities, or how the applicant proposes to extend services to the site?

Utilities are basic, whatever a residential home has, the office will have. If upgrades are needed, permits will be pulled & completed in a timely matter. However, it is not anticipated for anything additional to be done beyond the standard residential use.

How does the proposed use comply with the applicable standards Bonners Ferry City Zoning Code?

This office will be just a standard use for payroll, billing, & advertisement purposes.
Not Retail or Providing Healthcare in this location.

Explain how the proposed use is in general compliance with the goals of the Comprehensive Plan (attached additional paper if necessary):

We have hired 20 employees to date, & continue to grow. This business will help increase employment for the city. The on site location will not need to increase room, or exterior as it increases employment. See Comprehensive Plan Excerpts Attached...

I hereby certify that all the information, statements, attachments and exhibits submitted herewith are true to the best of my knowledge. I further grant permission to the City and its representatives to enter upon the subject land to make examinations, post the property or review the premises relative to the processing of this application.

Applicant's signature: Polen Seecelt Date: 1/5/15
Landowner's signature: Jo Scarlett Date: 1/5/15
Polen Seecelt 1/5/15

City of Bonners Ferry Special Use Permit Application Check List

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JAN 16 2015

CITY OF BONNERS FERRY

In order for the City to accept an application for Special Use Permit, the following check list shall be completed and submitted with the application. The City reserves the right to deem the application "complete" before scheduling the application before the City Council. A public hearing is required for Special Use Permits, pursuant to §4-1A, of Bonners Ferry's Zoning Code and the City Council shall authorize such uses prior to commencement of the use on property within the City.

Enforcement: Unauthorized commencement of uses on property within the City, without issuances of a Special Use Permit is subject to Chapter 6, Enforcement regulations and may be subject to fines imposed at §6-1B, of Bonners Ferry's zoning code.

The Applicant shall submit the following:

A completed and signed (by the applicant or applicant's representative) City of Bonners Ferry Special Use Permit application;

The appropriate fee, as established by the official City of Bonners Ferry Fee Schedule;

Current Vesting Deed;

A Site Plan: A site plan showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards lot dimensions, property corners, all easements of record, proposed easements and their beneficiaries, outside storage areas and lighting plans.

Preliminary Utility Plan- should show the future or proposed sewer and/or water service lines and connections. The plans can be conceptual, but should show logical connections to existing utility lines, location of lines within existing right-of-ways or easements. If right-of-way or easements are proposed to be dedicated, then the plan should note this.

Narrative statement evaluating the effects of noise, glare, odor, fumes and vibration on adjoining property. A discussion of general compatibility with adjacent and other properties in the district and the relationship of the proposed use to the comprehensive plan.

Names and addresses of adjoining property owners- if the names and addresses of adjoining landowners are over 30-days old, the City may request an updated list.

Parking and signage plan, pursuant to Title 11 Chapter 13 and Chapter 14 of the Bonners Ferry City Code.

Special Report/Conditions of Approval:

All Special Use Permits (SUP) shall have as a condition of issuance the requirement that the applicant provide a site plan to the City for review and approval. Included for reference for the applicant are the following reports that may be requested by the City pursuant to I.C. 67-6512):

Special uses shall be issued to an individual or corporation specifically to a parcel of land or property. Subsequent owners of the parcel shall be required to apply for a special use permit if they desire to continue the use or move the use to a separate parcel of land;

Traffic Impact Analysis

Infrastructure plans and/or feasibility analyses

Geotechnical and/or Environmental studies

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JAN 16 2015

CITY OF BONNERS FERRY

*** Submittal of an application and payment of fees does not constitute approval by the City***

Aspen Personal Care Services, LLC - Special Use Permit Application

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JAN 16 2015

CITY OF BONNERS FERRY

Site Plan:

The attached Existing Site Plan shows the current house and approximate locations of the property lines and some of the existing trees. No property pins were found. The property lines shown are approximate, and are based on measurements taken on site, relative to the lot dimensions and the existing fences, sidewalk, alley, and roadways.

The Proposed Site Plan shows the intended parking plan, which includes three spaces on a gravel surface. The existing ditch line is very shallow and currently has no gravel. This proposal includes the installation of 4 to 6 inches of gravel from the road edge to the east side of the house to provide for parking, access to the house, and a durable surface within the city right-of-way.

Preliminary Utility Plan

No additional utilities are required for this proposed use. Water, sewer, and electrical service are already available to the existing house.

Effects of Proposed Use

It is anticipated that no noise, odors, fumes, or vibrations will be produced with the proposed use that would be greater than that of a typical residential use. It is likely that the noise will be less than that produced at a typical residence, as two office employees will be working inside of the existing house, once remodeled. The applicant believes that the proposed use is very compatible with adjacent properties, and consistent with the city's comprehensive plan.

Parking

Based on the requirements of City's Parking Ordinance, the applicant will provide 3 off-street spaces that that measure 9' X 23'. This is based on the Schedule of Parking Requirements found in Title 11, Chapter 13, with respect to commercial office use and building square footage.

Signage

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The following is taken from the City's Sign Ordinance:

JAN 16 2015

11-14-7: SPECIAL PERMITTED SIGNS:  

CITY OF BONNERS FERRY

The administrator may allow the following signs upon the issuance of a sign permit:

- A. *Any sign advertising a commercial enterprise, including real estate developers or subdividers, in a district zoned residential shall not exceed twelve (12) square feet in area and shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located. (Ord. 525, 7-19-2011)*

Consistency with City's Comprehensive Plan

The applicant has hired 20 employees to date, and continues to grow. We feel that this business will help increase continued employment opportunities in the City and is consistent with the goals listed in the City's Comprehensive Plan. While this business will hire additional people the proposed office space is not anticipated to grow, since the activities at the office simply coordinate the work of off-site employees.

Applicable Comp Plan Excerpts

CHAPTER 5 - ECONOMIC DEVELOPMENT

The City of Bonners Ferry should encourage economic development that will enhance the overall economic stability of the Bonners Ferry area by emphasizing existing industrial and retail activity while encouraging new development which complements the existing base.

Goal 1: Encourage the development of business and industry to create jobs for City residents and tax revenues for the City.

Policies:

- 1. Encourage new businesses to locate in Bonners Ferry that will expand job opportunities for the community at large that would further utilize the City's current and future labor work forces.*
- 2. Zone areas that have potential for business development in such a manner that they can be used for commercial and industrial development while maintaining adjoining land use interests. Show the locations of future commercial and industrial areas on the future land use map, thereby indicating to potential developers where the City envisions those features to be.*
- 3. Encourage business establishments that will promote the City of Bonners Ferry and the surrounding area.*
- 4. Work for the expansion and growth of existing businesses to enhance employment and property values to provide better support for existing public services.*

CHAPTER 6 - LAND USES

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JAN 16 2015

CITY OF BONNERS FERRY

Goal 5: Buffers between uses that generate noises, odor, dust, light, etc., and other incompatible uses should be provided through both zoning and subdivision ordinances. Special use permits should be used appropriately and as necessary to create a soft transition and blend from one zone to another. Policies that apply judgment to the manner and location of development of special uses that may have particularly significant consequences should be consistently applied.

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JAN 16 2015

CITY OF BONNERS FERRY

RECEIVED

JAN 16 2015

CITY OF BONNERS FERRY

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
419 North Second Ave.
Sandpoint, ID 83864

262455

STATE OF IDAHO }
County of Boundary } ss.
Filed by: 1st American Title
on 12-2-14 at 9:15
Glenda Poole
County Recorder: JP Peterson
By Deputy
Fee \$ 34.00 (by
Mail to EA-TCO

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 524816-S (hb)

Date: November 18, 2014

For Value Received, Houske Family Partnership, a California General Partnership, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Joseph E. Scarlett and Robina Scarlett, husband and wife, hereinafter called the Grantee, whose current address is P.O. Box 249, Clark Fork, ID 83811, the following described premises, situated in Boundary County, Idaho, To-wit:

²⁷⁹ Lots 7 and 8, Block 3 of PARK ADDITON TO BONNERS FERRY, according to the plat thereof, recorded in Book 1 of Plats, page 19, records of Boundary County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

262455

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
419 North Second Ave.
Sandpoint, ID 83864

STATE OF IDAHO } ss.
County of Boundary }

Filed by: 1st American Title
on 12-2-14 at 3:45

Glenda Poston Peterson
County Recorder By Deputy

Fee \$ 34.00 chg

Mail to FATCO

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 524816-S (hb)

Date: November 18, 2014

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to-wit:

279
dk

Lots 7 and 8, Block 3 of PARK ADDITION TO BONNERS FERRY, according to the plat thereof, recorded in Book 1 of Plats, page 19, records of Boundary County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

RECEIVED

JAN 16 2015

CITY OF BONNERS FERRY

Date: 11/18/2014

Warranty Deed
- continued

File No.: 524816-S (hb)

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of November, 2014, before me, a Notary Public in and for said State, personally appeared **Marta K. Houske**, known or identified to me to be one of the partners in the partnership of **Houske Family Partnership**, and the partner is one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said partnership name.

Notary Public for the State of _____
Residing at: _____
My Commission Expires: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of November, 2014, before me, a Notary Public in and for said State, personally appeared **Lars C. Houske**, known or identified to me to be one of the partners in the partnership of **Houske Family Partnership**, and the partner is one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said partnership name.

Notary Public for the State of _____
Residing at: _____
My Commission Expires: _____

RECEIVED
JAN 16 2015
CITY OF BONNERS FERRY

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE § 1189**

State of California

County of Los Angeles

On Dec 1, 2014 before me, GAIL MARIE SCHMIDT, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Wesley R. Houske JR
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Gail Marie Schmidt
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: WARRANTY DEED Document Date: _____

Number of Pages: 4 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Wesley R. Houske JR Signer's Name: _____

- | | |
|--|--|
| <input type="checkbox"/> Corporate Officer — Title(s): _____ | <input type="checkbox"/> Corporate Officer — Title(s): _____ |
| <input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General | <input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General |
| <input checked="" type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact | <input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact |
| <input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator | <input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |

Signer Is Representing: _____

Signer Is Representing: _____

RECEIVED

JAN 16 2015

CITY OF BONNERS FERRY

Date: 11/18/2014

Warranty Deed
- continued

262455

File No.: 524816-S (hb)

Houske Family Partnership, a California
General Partnership

By: Chesley R. Houske, Jr., Partner

Marta K Houske, Partner
By: Marta K. Houske, Partner

By: Lars C. Houske, Partner

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of November, 2014, before me, a Notary Public In and for said State, personally appeared **Chesley R. Houske Jr.**, known or identified to me to be one of the partners in the partnership of **Houske Family Partnership,** and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

Notary Public of _____
Residing at: _____
Commission Expires: _____

RECEIVED

JAN 16 2015

CITY OF BONNERS FERRY

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of LOS ANGELES

On 12.01.2014 before me, LJ KELLY, Notary Public
(Here insert name and title of the officer)

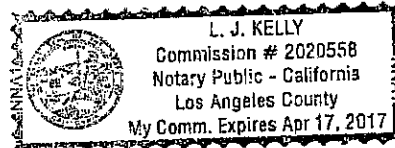
personally appeared MARTA K. HOUSKIE

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public



(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they- is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ◆ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ◆ Indicate title or type of attached document, number of pages and date.
 - ◆ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

DESCRIPTION OF THE ATTACHED DOCUMENT

WARRANTY DEED
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 3 Document Date 12.1.14

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer

(Title)

- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other _____

RECEIVED

JAN 16 2015

CITY OF BONNERS FERRY

Date: 11/18/2014

Warranty Deed
- continued

File No.: 524816-S (hb)

Houske Family Partnership, a California
General Partnership

By: Chesley R. Houske, Jr., Partner

By: Marta K. Houske, Partner



By: Lars C. Houske, Partner

STATE OF _____)
) ss.

COUNTY OF _____)

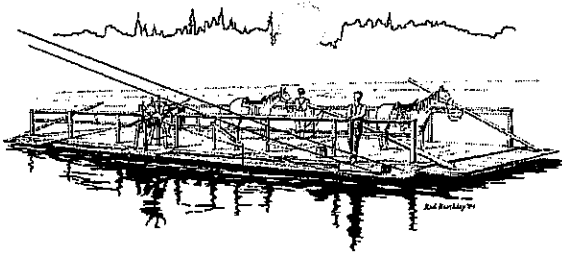
On this _____ day of **November, 2014**, before me, a Notary Public in and for said State, personally appeared **Chesley R. Houske Jr.**, known or identified to me to be one of the partners in the partnership of **Houske Family Partnership**, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

Notary Public of _____
Residing at: _____
Commission Expires: _____

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JAN 16 2015

CITY OF BONNERS FERRY



City of Bonners Ferry

Public Hearing Comment Form

RECEIVED

MAR 18 2015

CITY OF BONNERS FERRY

Meeting Date: March 19, 2015

Name Gray Falco

Address 6519 Monroe St
BF, ID

Hearing: Special Use Permit for Aspen Personal Care LLC at 6945 Main Street

Please indicate one of the following:

I Support the proposal

I wish to speak

I am Neutral

I do not wish to speak

I am Opposed to the proposal

Please provide any comments below:

They need to be in the medical zone
that was created ~~at~~ around the hospital.
Professional means to me, Lawyer, Engineer
or Doctor's office. Is this a doctor's office?

Monroe St.

Edge of Asphalt Road Surface

Slope to Ditch Line

Shallow Ditch

23

Edge of Right-of-Way / Property Line

4 TO 6" OF 3/4" CRUSHED GRAVEL

23

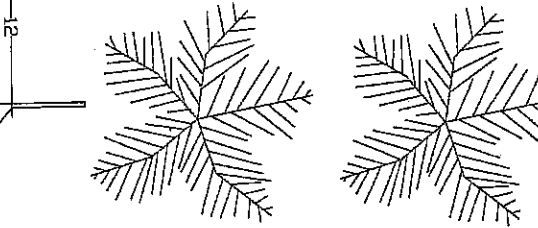
Parking Space #1

5' Slope to Ditch Line

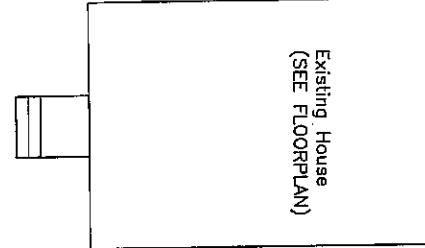
30

Parking Space #3

Parking Space #2



12 SQUARE FOOT SIGN,
ONCE PERMITTED, AT LEAST
10 FEET FROM SIDEWALK

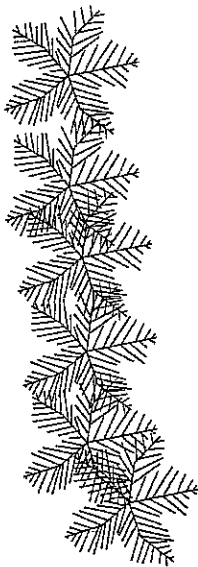


Existing House
(SEE FLOORPLAN)

10 20

3 Parking Spaces (9' X 23')

SCALE 1" = 10'

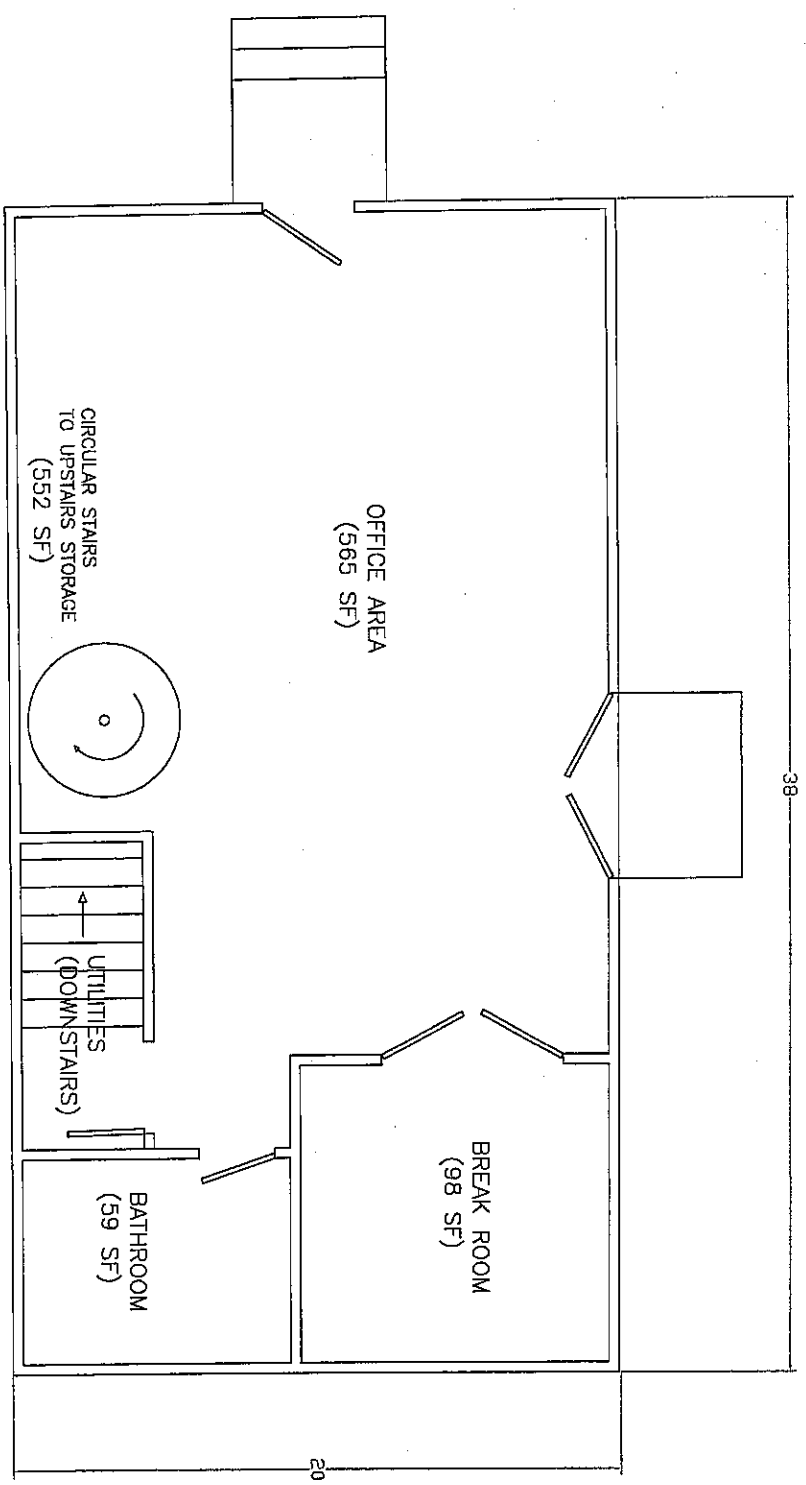


Revised
RECEIVED
FEB 18 2015
CITY OF BONNERS FERRY

ASPEN PERSONAL CARE

PROPOSED SITE PLAN - DECEMBER 2014

Property Line



Revised
RECEIVED
FEB 18 2015
CITY OF BONNERS FERRY

ASPEN PERSONAL CARE
FLOORPLAN - FEBRUARY 2015

RECEIVED

MAR 13 2015

City of Bonners Ferry
Parade Permit Request

CITY OF BONNERS FERRY

Applicant: American Legion
(Organization)

Are you a non-profit: If yes, non-profit # _____

Do you have insurance for this event: Yes Policy: Nation American Legion INS

Address: PO Box 996, B. F. ID 83805

Purpose: Memorial Day

Parade Date: May 25, 15 Time: 10:00 AM

Describe parade route & include sketch: See Attached

- * No throwing candy or items from other vehicles (must be handed out)
- * No sirens during parade
- * No-debris left on street. If animals are to be in the parade there must be someone designated to follow and clean up after them.

Special conditions: _____

I request approval for the above parade, and agree to the terms and conditions. I am an authorized representative of the group making application.

Signature: [Signature] Title: Post Commander Phone: 2093042910

Date of request: 3-13-15 (minimum of 30 days advanced notice required.)

Approved: Chief of Police: [Signature] Date: 3/17/15

Mayor: _____ Date: _____

Fees Paid:

Special Event Fee \$35.00 Waived _____ Paid Date: 3-17-15

Cleanup Fee \$100.00 Waived _____ Paid _____ Date: _____

3/13
copy to Police
& Fire

HOLD HARMLESS AGREEMENT, WAIVER, AND RELEASE

***** INITIAL EACH PARAGRAPH, SIGN AND RETURN THIS DOCUMENT WITH YOUR APPLICATION*****

***** PLEASE RETAIN A COPY FOR YOUR RECORDS *****

ACTIVITY: Memorial Day Parade

MM In consideration for being permitted by the **City of Bonners Ferry, Idaho** to participate in the above activity, I hereby waive, release, and discharge any and all claims for damages for personal injury, death, or property damage which I may have or which may hereafter accrue as a result of my participation in said activity. This release is intended to discharge and indemnify, in advance, the **City of Bonners Ferry, Idaho** (its officers, employees, and agents) from and against any and all liability arising out of or connected in any way with my participation in said activity, even though that liability may arise out of negligence or carelessness on the part of the **City of Bonners Ferry, Idaho** (its officers, employees or agents).

MM I further agree that this hold harmless agreement further binds any corporation, person and/or entity which I may own, represent or be an agent for, throughout the activity, to include preparation and conclusion activities. It is my express intent that this Acknowledgement of Risk and Waiver of Liability shall serve as a release, discharge and assumption of risk for my heirs, estate, executor, administrator, assignees and all members of my family

MM I understand that the above activity may be of a hazardous nature and/or include physical and/or strenuous exercise or activity, that serious accidents occasionally occur during the above activity; and that participants in the above activity occasionally sustain mortal or personal injuries and/or property damages as a consequence thereof. Knowing the risks involved, nevertheless, I have voluntarily applied to participate in said activity, and I hereby agree to assume any and all risks of injury or death and to release, indemnify and hold harmless the **City of Bonners Ferry, Idaho** (its officers, employees, and agents) who through negligence, carelessness, or any other act or omission might otherwise be liable to me. I further understand and agree that this waiver, release, and assumption of risks is to be binding on my heirs and assigns.

MM I further agree to indemnify and to hold the **City of Bonners Ferry, Idaho** (its officers, employees and agents) free and harmless from any loss, liability, damage, cost, or expense which they may incur as a result of any injury and/or property damage that I may sustain while participating in said activity.

MM I HAVE CAREFULLY READ THIS HOLD HARMLESS AGREEMENT, WAIVER, AND RELEASE AND FULLY UNDERSTAND ITS CONTENTS. I AM AWARE THAT THIS IS A RELEASE OF LIABILITY AND A CONTRACT BETWEEN THE **CITY OF BONNERS FERRY, IDAHO**, AND MYSELF AND I SIGN IT OF MY OWN FREE WILL. (Each participant / vendor must personally sign).

SIGNATURE: Terry L Spence DATE: 3/13/15

PRINT NAME: Terry L Spence ADDRESS: 132 Heights Loop, BF, ID
83805

TELEPHONE # 208 304 2910

ARIZONA STREET

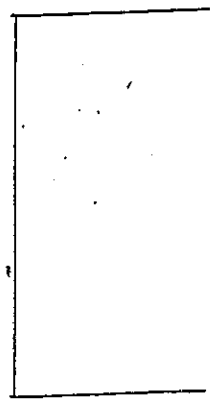
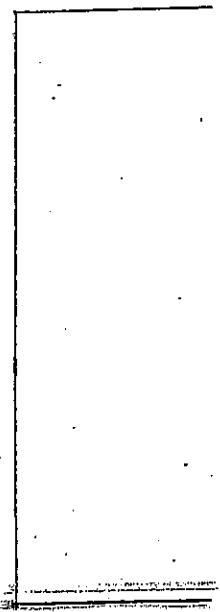
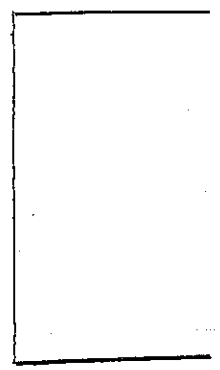
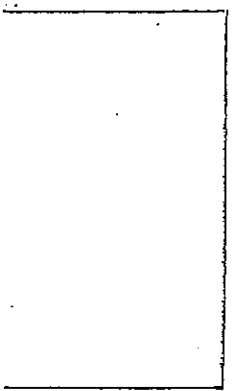
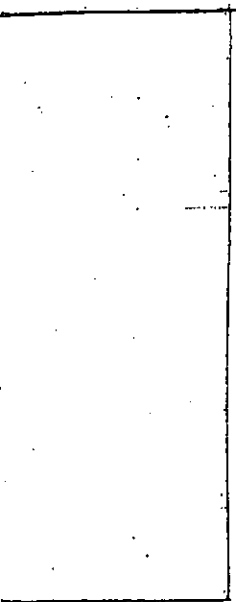
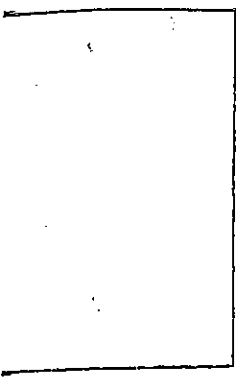
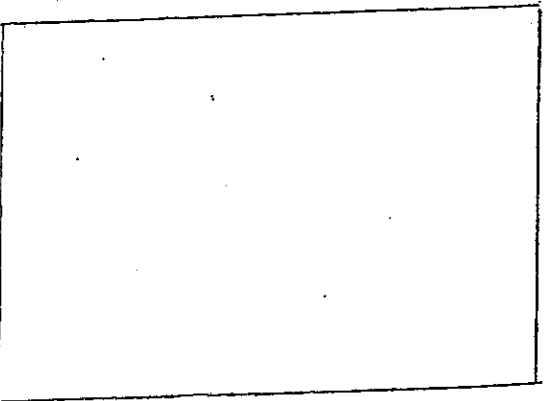
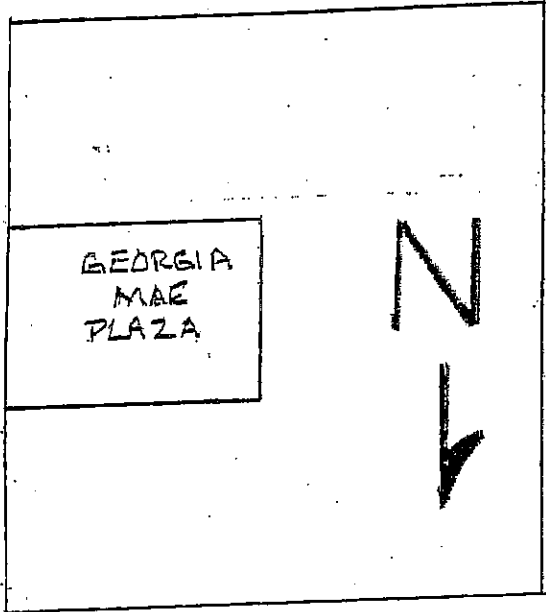
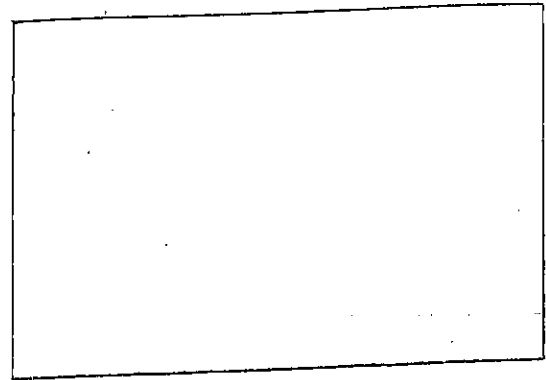
KOOTENAI STREET

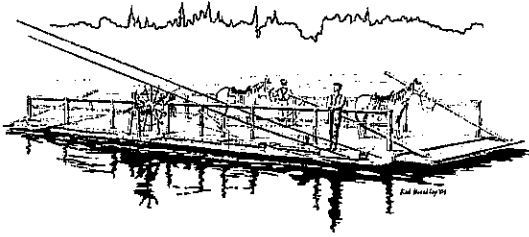
MAIN STREET

FIRST STREET

BONNER STREET

TO FAIRGROUNDS →





MEMO

CITY OF BONNERS FERRY
CITY ADMINISTRATOR

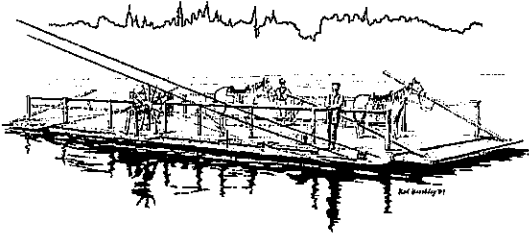
Date: 3 April 2015
To: City Council
From: Stephen Boorman, City Administrator
Subject: Seasonal Employment of Bruce Dally.

This memo is to recommend that we have Bruce Dally work for us on a seasonal basis this summer. We have used Bruce for a number of summers for concrete repair work on the dam and other construction projects. Bruce was unavailable last summer as he was working for BF Builders. The recommended pay is \$18.00 per hour. Please note as a seasonal laborer there are no retirement or insurance benefits with this position if he works less than 4 months and 28 days without a 30 day gap.

Bruce has worked with the powerplant operators to repair most of the top deck and back face of the dam. For this year we would like to have Bruce build the new Moyie Substation Shack, complete the approximate 100' of the top deck remaining to be repaired and significant sections of the front face. We would also like to put a concrete floor in the garage at the powerplant to reduce the corrosion to the materials stored there. In addition there is some backlogged general maintenance on City hall that needs to be done.

Please note we did have a discussion regarding employment of seasonal employees and when we should re-advertise for those positions. At this time we competitively advertise for a seasonal employee initially and then hire them for the next season without a competitive process. However, this practice should be added to our hiring policy which does not address seasonal employees.

SJB



MEMO

CITY OF BONNERS FERRY
CITY ADMINISTRATOR

Date: 3 April 2015
To: City Council
From: Stephen Boorman, City Administrator
Subject: Electric Department General Maintenance and Operations Technician.

We have previously discussed with the council options for fortifying our backup abilities for the powerplant. After the council feedback, we sat down at the staff level with the affected employees and have developed the below proposal.

In our development we worked to define what we meant by an operator. There are really three types of operators. One is a skilled season operator that knows the plant operations, maintenance, has a historical knowledge of problems, and can conduct the on-site oversight of outside contractors. This comes from many years of experience and attentiveness. Second is a skilled operator that understands the purpose all of the components in the plant, knows seasonally what activities need to happen, and has some historic knowledge of common problems in the plant. Third, is a person who can safely start and stop a machine, can take appropriate action when there is a problem, and manage the reservoir level.

In our discussions we worked to identify the issues/needs we are trying to address. The needs are short term plant operating and two person maintenance work, long term back-up plant monitoring operation, consideration of long term succession planning, and other needs in the electric department.

In our review we estimated the hours of work would be as follows:

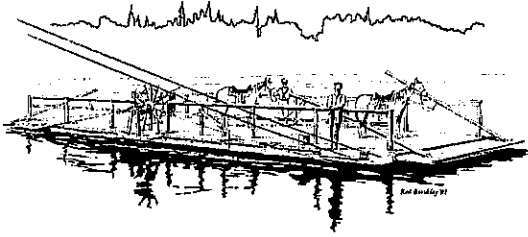
Powerplant operator	600
Powerplant maintenance	400
Electricians Assistant	300
Meter/billing	250
Door hangers, check reads, back-up meter reader	
Electric Conservation administration	250
(with misc. plus vacation/leave this will be a full time position)	

Therefore, it is our recommendation to advertise for an internal employee that would be ½ time apprentice powerplant operator, ½ time apprentice electrician/meterman. Further, it would be our recommendation that this person would report to Electric Superintendent. The skills we would expect this person to learn would be; knowledge of the powerplant, basic electricity fundamentals, basic knowledge of SCADA systems, BPA conservation programs, and meter reading and billing processes.

We would propose that the pay for this position be based off of the Powerplant scale starting at 80% and moving up 5% each six months based on adequate skill progression and approval of the Electric Superintendent and City Administrator. This result in the following wages:

Initial	18.73
6 months	19.90
1 year	21.07
1.5 years	22.24
Final	23.41

SJB



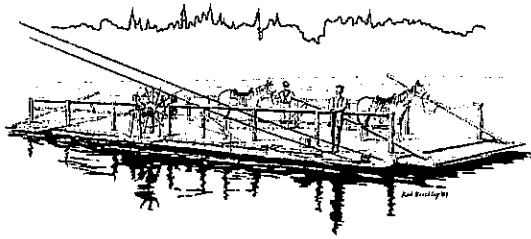
MEMO

CITY OF BONNERS FERRY
CITY ADMINISTRATOR

Date: 3 April 2015
To: City Council
From: Stephen Boorman, City Administrator
Subject: Moyie Substation Rebuild.

This memo is to request authorization to go out for bid for the Subject Project. The "Engineers Estimate of Cost" for this project is \$870,000. We do plan to provide bid specification to 8-10 contractors who do this type of work. We plan to bid the transmission and distribution line work separately as there will be a different group of contractors interested in that type of work.

STB



MEMO

CITY OF BONNERS FERRY
CITY ADMINISTRATOR

Date: 3 April 2015
To: City Council
From: Stephen Boorman, City Administrator
Subject: Head Lifeguard Hire.

We received two applicants for head lifeguard and expect to have a recommendation by council meeting time.

SJB

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING BONNERS FERRY CITY CODE TITLE ONE, CHAPTER FOUR CONCERNING PENALTY PROVISIONS; AMENDING SECTION 1-4-1 CONCERNING GRADING OF OFFENSES; AMENDING SECTION 1-4-2 CONCERNING APPLICATION OF PENALTY PROVISIONS; PROVIDING SEVERABILITY; PROVIDING FOR A WAIVER OF THE READING RULES; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Mayor and City Council find it in the interest of the citizens of Bonners Ferry to enact amendments within Bonners Ferry City Code Title One Chapter Four to address offense grading and penalties for City Code violations.

NOW THEREFORE, Be it ordained by the Mayor and the Council of the City of Bonners Ferry, Idaho, as follows:

Section 1: That Bonners Ferry City Code Section 1-4-1 is hereby amended as follows:

A. Misdemeanor: ~~Unless specifically provided elsewhere, any person convicted of a violation of any section or provision of this code deemed a misdemeanor may be fined in a sum not to exceed the maximum dollar amount established for misdemeanors under Idaho Code section 18-113 and in accordance with Idaho Code section 50-302. In addition thereto, any person so convicted shall pay such costs as the court may assess.~~ Except as otherwise specified herein, any person convicted of a violation of any provision of this code that is designated as a misdemeanor may be fined and/or imprisoned as provided by Idaho Code regarding general punishment for misdemeanors.

B. Infraction: Except as otherwise specified herein, any person convicted of a violation of any provision of this code that is designated as an infraction may be fined in an amount not exceeding the maximum dollar amount authorized by the state under Idaho Code and no incarceration may be imposed. ~~When an offense is designated as an infraction by any section or provision of this code (ordinance of the city), it is punishable only by a penalty not exceeding the maximum dollar amount authorized by the state under Idaho Code section 18-113A and in accordance with Idaho Code section 50-302 and no incarceration may be imposed. Prosecution of infractions shall be in accordance with the procedures required for the prosecution of infractions as established under state law and rules.~~

Section 2: That Bonners Ferry City Code Section 1-4-2 is hereby amended as follows:

A. Application Of Penalty Provisions: ~~1- The penalty provided in this chapter shall be applicable to every section of this code the same as though it were a part of each and every separate section. Any person convicted of a violation of any section of this code where any duty is prescribed or obligation imposed or where any action which is of a continuing nature is forbidden or is declared to be unlawful shall be deemed guilty of a misdemeanor unless otherwise provided.~~

Any person convicted of a violation of any section of this code where grade of offense is not specifically designated shall be deemed guilty of an infraction. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues unless otherwise specifically provided in this code.

~~2. Whenever the doing of any act or the omission to do any act constitutes a breach of any section or provision of this code, and there shall be no fine or penalty specifically declared for such breach, the provisions of this chapter shall apply.~~

Section 3: PROVISIONS SEVERABLE: The provisions of this Ordinance are hereby declared to be severable and if any provision of this Ordinance or application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

Section 4: WAIVER OF READING RULES: That pursuant to the affirmative vote of the majority of the full council, the rule requiring two (2) separate readings by title and one (1) reading in full, be, and the same is hereby dispensed with, and accordingly, this ordinance shall be read once by title.

Section 5: EFFECTIVE DATE: This ordinance shall be effective upon its passage and publication in the manner provided by law.

APPROVED by the Mayor and City Council of the City of Bonners Ferry this _____ day of _____, 2015.

CITY OF BONNERS FERRY, IDAHO

BY: _____
Mayor

Attest:

Clerk, City of Bonners Ferry

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING BONNERS FERRY CITY CODE TITLE FIVE, CHAPTER FIVE CONCERNING FIREARMS; AMENDING THE DEFINITION SECTION TO ADD "DEADLY WEAPON"; REPEALING SECTION 5-5-2 CONCERNING CONCEALED WEAPONS; RENUMBERING SECTION 5-5-3 AND PROHIBITING THE USE OF DEADLY WEAPONS; RENUMBERING SECTION 5-5-4; ENACTING A NEW SECTION 5-5-4 PERTAINING TO VIOLATIONS; PROVIDING SEVERABILITY; PROVIDING FOR A WAIVER OF THE READING RULES; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Mayor and City Council find it in the interest of the citizens of Bonners Ferry to enact amendments within Bonners Ferry City Code Title Five Chapter Five pertaining to the use of deadly weapons and firearms within the city limits in order to ensure public safety.

NOW THEREFORE, Be it ordained by the Mayor and the Council of the City of Bonners Ferry, Idaho, as follows:

Section 1: That Bonners Ferry City Code Section 5-5-1 is hereby amended as follows:

DEADLY WEAPON: A. Any firearm, whether loaded or unloaded; or

B. Any weapon which is capable of producing death or great bodily harm, including, but not restricted to, any types of daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives and all such weapons with which dangerous cuts can be given or with which dangerous thrusts can be inflicted, including sword canes and any kind of sharp pointed canes; or

C. Slingshots, slungshots, flippers or bludgeons; or

D. Bow and arrow, crossbow or related weapons; or

E. Any other weapons with which dangerous wounds can be inflicted.

FIREARM: Wherever the term "firearms" is used in this chapter, the term shall mean any instrument used in the propulsion of shot, shell or bullets or other harmful objects by the action of gunpowder exploded within it, or by the action of compressed air within it, or by the power of springs and including what are commonly known as air rifles, BB guns, slings or flippers.

Section 2: That Bonners Ferry City Code Section 5-5-2 is hereby repealed.

Section 3: That Bonners Ferry City Code Section 5-5-3 is hereby amended as follows:

5-5-2 5-5-3: DISCHARGE PROHIBITED:

It shall be unlawful for any person to use or discharge deadly weapons or firearms of any kind or description within the limits of the city, ~~provided, however, that this shall not apply to police officers in the discharge of their duties.~~

Section 3: That Bonners Ferry City Code Section 5-5-4 is hereby amended as follows:

5-5-3 5-5-4: EXCEPTIONS; PERMIT REQUIRED:

A. Shooting Galleries, Gun Clubs, Etc.; Permit Required: The city council may, upon application, grant permits to shooting galleries, gun clubs and others for shooting within the city limits in fixed localities and under fixed rules. Such permits shall be in writing attested by the clerk conforming to such requirements as the council shall demand, and the permit thus issued shall be subject to revocation at any time by action of the council.

B. Law Enforcement: This chapter does not apply to those persons listed in section 18-3302(12)(a through c), Idaho Code, while acting in their official capacity.

C. A person lawfully discharging a firearm in the lawful defense of person or persons or property.

Section 4: That a new section 5-5-4 of Bonners Ferry City Code is hereby adopted:

5-5-4: VIOLATIONS:

Any person found guilty of a violation of this section may be charged as a misdemeanor with penalties pursuant to Idaho Code.

Section 5: PROVISIONS SEVERABLE: The provisions of this Ordinance are hereby declared to be severable and if any provision of this Ordinance or application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

Section 6: WAIVER OF READING RULES: That pursuant to the affirmative vote of the majority of the full council, the rule requiring two (2) separate readings by title and one (1) reading in full, be, and the same is hereby dispensed with, and accordingly, this ordinance shall be read once by title.

Section 7: EFFECTIVE DATE: This ordinance shall be effective upon its passage and publication in the manner provided by law.

APPROVED by the Mayor and City Council of the City of Bonners Ferry this _____ day of _____, 2015.

CITY OF BONNERS FERRY, IDAHO

BY: _____
Mayor

Attest:

Clerk, City of Bonners Ferry



Creating Quality Cities

Better cities, a better life!

The Official Newsletter of the Association of Idaho Cities No. 2015-2 March 26, 2015

2015 AIC Spring District Meetings

AIC's Spring District Workshops are scheduled for April and May at the following locations and dates:

- ✿ April 23 - District 1 - Best Western Plus, Coeur d'Alene
- ✿ April 24 - District 2 - Best Western University Inn, Moscow
- ✿ April 28 - Districts 3 & 3A - Vendome Events Center, Weiser
- ✿ April 29 - District 4 - Best Western Plus Burley Inn, Burley
- ✿ April 30 - District 6 - Hilton Garden Inn, Idaho Falls
- ✿ May 1 - District 5 - Hampton Inn & Suites, Pocatello

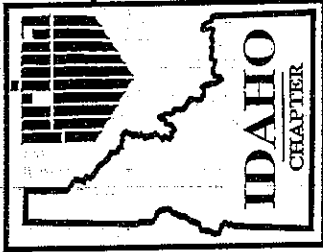
All meetings will be held from 9:00 a.m. to 3:00 p.m. Training will be done by AIC and ICRMP staff.

Topics include:

- ✓ A review of the 2015 Legislative Session including a discussion of new laws and amendments to existing laws that affect cities
- ✓ An overview of legislative issues AIC will be working on in the interim
- ✓ Training on municipal budgeting
- ✓ Training on conducting open meetings
- ✓ Training on ethics in government and conflicts of interest
- ✓ Training on public records in the digital age

The registration fee is \$35.00 (Early Bird Registration), which includes lunch.

REGISTER TODAY at www.idahocities.org/districtmeetings



PLEASE COPY AND CIRCULATE THIS BROCHURE WITHIN YOUR AGENCY.

May 12, 2015

SESSION 4 – Liability Issues and Exposures, Current Trends

9:00 am to 4:00 pm - Meeting

8:30 am to 9:00 am - Sign In

- ◇ IRS and Public Entity Issues
- ◇ Understanding Unemployment Laws
- ◇ Workers Compensation Trends
- ◇ The Wired Workplace: Social Media, Smart Phones and More
- ◇ Public Facility Liabilities
- ◇ How to Keep You and Your Agency Out of Trouble
- ◇ Claims Talk Show
- ◇ Title 74, Conflicts of Interest Investigation Trends

Breaks and Lunch are included in the meeting

CANCELLATIONS: To keep registration fees low, cancellations must be received in writing no less than 5 business days prior to training to receive a refund. Mail cancellations to Idaho Chapter of PRIMA, PO Box 15298, Boise, ID 83715-5298 or email them to leona@idprima.org.

www.idprima.org

NOTICE OF TORT

RECEIVED
APR 03 2015

For Damage or Injury

ATTENTION:

This form is to be completed by the claimant and is a requirement that if used, be presented to and filed with the clerk or secretary of the public entity involved. This form is being provided as a courtesy to assist you in filing your claim. Providing this form to you, is not an admission nor shall it be construed to be an admission of liability or an acknowledgement of the validity of a claim by the political subdivision. Legal requirements for filing claims can be found in the Idaho Code: Title 6, Chapter 9. All claims must be filed promptly and in writing.

Name: Parkside Laundry Bob Mastie owner
Address: 6865 S. Main Box 1700 B.F. Ida
City: Bonnets Ferry State: Ida Zip Code: 83805

Address for the Six Months Prior to the Date of the Damage or Injury Occurred:
same

Home Number: (208) 267-2742 Work Number: (610) 8999 cell

Date of Incident: 3-31-15 Time: ? A.M. or P.M.

Location of Occurrence: 6865 S Main

Injuries that Resulted: None

Provide a Description of What Happened:
(Please attach any additional information you deem necessary)

The city main sewer line plugged and filled our laundromat basement with over 4000 gal. sewage.

I hereby certify that I have read the above information and it is true and correct to the best of my knowledge.

I hereby make a claim against City of Bonnets Ferry
(a public entity)
for Damages in the amount of \$1918.⁰⁰
(damage, injury, etc.)

If you were injured and you are on medicare/medicaid, please fill out the following as required by 42 U.S. C. 1395.

Date of Birth N/A

SSN N/A

Medicare/Medicaid Number N/A

Signature: Bob Mastie

Date: 4-3-15

APR 03 2015

CITY OF BONNERS FERRY

Panhandle Laundry Claim for Damage

pumping sewage out of basement	\$525 ⁰⁰
Clean up labor 35 hours	\$1050 ⁰⁰
Loss of laundry income	\$100 ⁰⁰
Clean up supplies	\$93 ⁰⁰
Damaged merchandise	\$150 ⁰⁰