

What to know about a property before buying?

Bonner County has not had any adopted building codes since 1997. This means the structural integrity of a building **is not** regulated and there is not a “one-stop-shop” to obtain all permits required for building. However, the location and use of development is regulated by Bonner County via permits and other applications to ensure conformance with the standards of Bonner County’s Revised Code (BCRC). It is highly encouraged to contact the Planning Department for any questions or concerns you may have about a property.

Bonner County is full of natural resources and landscapes that the code protects against development. Steep hillsides, significant land disturbance, wetlands, waterfronts/shorelines, flood hazard areas, and floodways should be known features of a property before buying or developing. Public maps do not always have the necessary tools or information to know what features exist on the property.

Is there a difference between nonconforming and noncompliant?

Yes! Noncompliant structures and uses **are illegal** and subject to violations, whereas nonconforming structures and uses **are legal**.

Please see the following definitions from the BCRC 12-814 for nonconforming below.

NONCONFORMING STRUCTURE: A structure or building, or portion thereof, which was lawfully erected or altered and maintained at the time this title was adopted, but which because of the applications of this title to it, no longer conforms to the use, height, or area regulations of the zone in which it is located.

NONCONFORMING USE: A use which was lawfully established and maintained at the time this title was adopted, but which, because of the application of this title to it no longer conforms to the use regulations of the zone in which it is located.

Does Bonner County Planning Department require permits?

Bonner County’s Planning Department regulates both “use” and “location.”

“Uses” and related information are enumerated under the “What uses are allowed on this property?” question.

“Location” is regulated through Building Location Permits, Shore land Development standards, Floodplain Development Permits, and Stormwater Management, Grading and Erosion Control Applications.

- Permits or applications are **not required** for any development where **exempted** from the structure definition of [BCRC Title 11 Chapter 2](#) and enumerated therein. Regardless of being classified as exemptions or exceptions, all structures as defined in BCRC 12-819 shall adhere to the setbacks and zoning requirements per BCRC Title 12.
- **Building Location Permits** are required for all structures that are over **four hundred (400) square feet**, or any habitable structure regardless of size. Please see [BCRC 11-101: Building Location Permits Required](#), for more information.
- **Notice of Completion; Notice of Occupancy** once a structure is ready to occupy or completed for its intended purpose, the owner or the owners representative will notify the Planning department confirming completion. An acknowledgment from Panhandle Health district is required prior to final inspection. Please see [BCRC 11-119: Notice of Completion; Notice of Occupancy](#), for more information.
- **Floodplain Development Permits** are required for **any** man-made change in the designated Special Flood Hazard Areas or Floodways. See the [Floodplain Information & Resources](#) for extensive information on the requirements, standards, and the great importance of following these requirements and standards when building in a floodplain or floodway.
 - Am I in a floodplain/floodway? Please see FEMA’s website and maps: [FEMA Flood Maps - FEMA.gov](#). You can type in an address or street name/state. This will not show property boundaries.
 - Should there be any questions regarding this please contact the Planning Department and ask to speak to a floodplain manager.

What other permits are required to build?

- An applicant for a building location permit must also comply with any other requirements contained within Bonner County Revised Code, Idaho Code, and state or federal regulations, such as obtaining permits for sewage disposal, wells, driveway/encroachment, electrical, plumbing, and HVAC permits. Other permits may include, but are not limited to:
 - State electrical, plumbing, mechanical, propane, manufactured home placement permits. For more information contact the State of Idaho Division of Occupational and Professional Licenses (DOPL). [1250 Ironwood Drive, Suite 220, Coeur d'Alene, ID 83814 (208) 334-3233 or <https://dopl.idaho.gov>]
 - GIS addressing assignments for all new dwellings. [1500 Highway 2, Suite 115 Sandpoint, ID 83864 (208)265-1469]
 - Bonner County Road and Bridge Dept. encroachment permits. [1500 Highway 2, Suite 101, Sandpoint, ID 83864 (208) 255-5681]
 - Idaho Transportation Department (ITD) encroachment permit or approval. [Telephone: (208)772-1200]
 - Independent Highway District encroachment permit or approval. [Telephone: (208) 263-8121]
 - Panhandle Health District (PHD) or sewer district approval. [PHD, 2101 Pine St, Sandpoint, ID 83864 (208) 265-6384]
 - Idaho Department of Water Resources [Telephone: (208) 762-2800]
 - Idaho Division of Environmental Quality (DEQ) or water district approval. [DEQ Telephone: (208) 769-1422]
 - Local fire district approvals
 - Local water and sewer district approvals
- See the link below for an informational brochure regarding other permits required by state and local departments related and unrelated to land development: [Do I Need a Permit?](#)

What zone is this property located in?

1. See the map here: [Bonner County Viewer 2.0](#)
2. After entering the address or zooming in on the subject property, turn on the “Zoning & Landuse” layer via the stacked paper icon at the bottom left-hand side of the page.
3. Click on the “i” symbol icon then click on the parcel to obtain zoning and parcel information.

What uses are allowed on this property?

1. Please see the [BCRC Table 12-332 \(Residential\)](#), [Table 12-333 \(Commercial\)](#), [Table 12-334 \(Industrial\)](#), [Table 12-335 \(Public Use\)](#), and [Table 12-336 \(Resource Based\)](#).
 - a. Refer to the tables’ respective footnotes for additional conditions/restrictions/exemptions.
 - b. Additional standards for specific uses can be found in [BCRC Title 12 Chapter 4.8 & 4.9](#).
 - c. Definitions of uses in the table can be found in [BCRC Title 12 Chapter 8](#).
 - d. If the proposed use cannot be found in the tables or does not quite fit in a particular definition, please call staff.
 - e. Vacation Rentals require a Vacation Rental Permit.
 - f. Home Occupations require a Home Occupation Permit.
 - g. An assortment of uses may require Conditional use Permits (CUP). A “C” will be denoted in the table where a CUP is required.
 - h. A “P” indicates a use is permitted and a blank box indicates a use is not permitted.
2. Events and structures of a temporary nature may need a Special Use Permit subject to the applicability section in [BCRC 12-241](#).

Setback/Distancing Information

1. Please see the [BCRC Table 12-411 \(Forestry, Agricultural/Forestry And Rural Zones\)](#), and [Table 12-412 \(Suburban, Commercial, Industrial, Rural Service Center, Recreation and Alpine Village Zones\)](#).
 - a. Refer to the tables' respective footnotes for additional information regarding restrictions and exceptions.
2. If the property is part of a Planned Unit Development (PUD), the setbacks per the tables listed above may not apply. Please call us for more details.
3. Additionally, the Planning Department does not enforce CC&R's (these are civil agreements) which may have setback requirements unique to a subdivision. The setbacks per BCRC are the minimum standards regardless of what is stated in the CC&R's.

Can property be split/subdivided?

- Depending on the zone and the existing acreage you may or may not be able to split your property into smaller parcels.
 - Any parcel with acreage less than the zone minimum **may not** be split further.
 - Any parcel exceeding the acreage of the zone minimum **may** be split further so long as each new parcel exceeds or meets zone minimums and can meet the applicable subdivision requirements.
 - Creation of parcels 20 acres or greater or described as a one thirty-second ($\frac{1}{32}$) aliquot or larger may obtain a waiver of land division requirements with a review of the proposed deed. The Planning Department will stamp off on the proposed parcels' descriptions **before** recording the deeds and descriptions at the Recorder's Office.
- See this link to view the different land division and platting applications: [Subdivisions & Platting](#)

Note: Please be aware that Idaho is a "**Buyer Beware**" state. This means that properties may have been unlawfully split or developed and sellers/realtors may not disclose this information. This may result in higher fees for buyers to resolve legal issues or violations when ready to develop new property. Please come in, call, or email the Planning Department to inquire about any property you have an interest in. Staff are more than happy to help answer any questions you may have.

Additionally, staff cannot confirm the legality of a lot or parcel without the landowner filing for a Certificate of Compliance. Please see "[BCRC 12-616: Certificate of Compliance, Conditional Certificate of Compliance](#)" for the standards we review the application and supplemental documents against.

As for buildability of a property, legality of a lot or parcel is just one factor that could affect if it is buildable. Other factors restricting development include but are not limited to: setbacks (to property lines, septic, right of ways, shorelines, etc.), density, easements, protected natural features and other agency restrictions (utility and service providers, local, state, & federal regulations). Plat maps, if applicable, may further restrict the development of certain lots.

Lastly, Bonner County Planning Department's jurisdiction is limited to unincorporated Bonner County. Bonner County Planning Department does not have jurisdiction over the cities or waterways within the county. The cities have their own ordinances and building codes that may differ from the county ordinances. Please contact your city's Planning Department or City Clerk for questions related to city planning.