



BONNER COUNTY PLANNING DEPARTMENT

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FAMILY EXEMPTION FROM PLATTING INFORMATION

What is a "family exemption?"

A family exemption or "family split" is a division of unplatted land which is made for the purpose of a one-time gift or sale to the landowner's spouse, parent, child, sibling, grandparent or grandchild. This means a landowner can give or sell one parcel to one family member (as defined) one time only, and not have to go through the subdivision process. A "final plat," which is a recorded map showing the surveyed boundaries of the lots created, is not required. However, if the split will result in a parcel less than five acres, a record of survey is required by County ordinance. In addition, parcels created via this exemption must be retained by the grantees (the receivers of the property) for a period of four years from the date of deed recording. If they are not retained, the parcels are subject to platting standards, such as a public hearing and the recording of a plat. This means if they do not keep the parcels, the exemption from platting no longer applies and the parcels must be platted. If the purpose of the division is to create parcels for sale to third parties, the "family exemption" does not apply and platting is necessary.

How do I qualify for a family exemption?

To qualify for a "family exemption:" (BCRC 12-612(c))

- (1) The property was not created by a division of unplatted land made for the purpose of a single gift or sale from the landowner's spouse, parent, child, sibling, grandparent or grandchild;
- (2) The landowner has not previously been exempt from platting requirements by a gift or sale of another single parcel to the same person(s);
- (3) An individual may only receive one parcel by gift or sale created pursuant to this exemption ever within Bonner County. (See examples at BCRC 12-612(c)(3))
- (4) The parcel created and any remaining parcel meets the minimum zoning district requirements for the district in which the parcel is located;
- (5) The parcels created conform with the design criteria set forth in Sections 12-621, 12-623(a-c) 12-624, 12-625, and 12-626(a) and (c) of this chapter;

Planning staff can assist you in determining if you qualify for the exemption.

How much does a family exemption application cost?

The filing fee is \$210.00 plus \$16.00 per parcel created.

How long does it take to review a family exemption application?

Processing time is dependent on a number of factors, including the complexity of the project, the completeness of the application and the number of applications being considered by Bonner County at any given time. Plan on a minimum of 30 days for the processing of the application.

Why is a family exemption application required?

Bonner County Revised Code requires that "family splits" be reviewed for compliance with Bonner County's subdivision and zoning Ordinances.

Who prepares a family exemption application?

Landowners are welcome to complete the application. Applicants can also retain a licensed land surveyor or civil engineer. If a survey is required, a licensed surveyor is needed to complete the process.

What is requested in the application for a family exemption application?

The application requires draft deeds describing the parcels to be created and any access or utility easements; a map of the proposed land division showing the dimensions of the proposed parcel, the size of the parcel, rights-of-way and land features; the persons involved in the division; basic information about roads, sewer and water systems; a road improvement plan for all new public or private roads and zoning information. Planning staff can assist you, should there be any questions.

How do I get my "family split" approved?

Upon a determination by the planning director that the proposed division is exempt from platting and meets county code requirements for family splits, the applicant will submit signed and notarized deeds for the parcels to be created. The planning director will stamp the deeds indicating the land divisions are approved exemptions. The deeds will be recorded at the Recorder's office by the planning department. If new roads are being constructed, the roads must first be certified by your private engineer as complete in accord with the private or public road standards prior to the recording of the deeds. If a survey of the land division is required because the proposed parcels will be less than 5 acres, the survey must be recorded prior to the recording of the deeds. The surveying and road improvement requirements should be discussed with a planner in advance. The recording fees are \$10.00 for the first page and \$3.00 per page thereafter, plus \$1.00 to conform the document. Once the approved deeds are recorded, the land division is complete.