

Bonner County Planning Department

"Protecting property rights and enhancing property value"

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Bonner County Zoning Commission Staff Report for September 19, 2024

Project Name: Southside Water & Sewer District

File: CUP0008-24 Conditional Use Permit –
Public Utility Facility

Request: The applicant is requesting a conditional use permit for a public utility facility.

Legal Description: 3-56N-2W TAX 87

Location: 824 Brisboys Road, Sagle

Parcel Number: RP56N02W037205A

Parcel Size: 0.23-acres

Applicant and Property Owner: Southside Water & Sewer District
PO Box D
Sandpoint, ID 83864

Project Representatives: Jack Howard, Chairman
Southside Water & Sewer District
PO Box D
Sandpoint, ID 83864

Kyle Meschko
Keller Associates
601 Sherman Ave Suite 1
Coeur d'Alene, ID 83814

Application filed: May 13, 2024

Notice provided: Mail: August 22, 2024
Site Posting: September 5, 2024
Published in newspaper: August 20, 2024

Proposed Water Storage

Existing Water Storage

GENERAL SHEET NOTES

1. EXISTING UTILITIES ARE SHOWN IN AN APPROXIMATE LOCATION. CONTRACTOR TO VERIFY EXISTING CONDITIONS AND UTILITIES PRIOR TO CONSTRUCTION. SEE STUDY PLANS FOR MORE INFORMATION.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, AS APPLICABLE.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, AS APPLICABLE.

SHEET KEYNOTES

1. EXISTING CONCRETE WATER TANK. EXISTING OVERFLOW, 120" DIA. TOP OF FLOOR IS 4.00'
2. EXISTING OF PIPELINE
3. CONCRETE AND BRICK SHOWN WITH DOTTED LINES
4. NEW CONCRETE WATER TANK. EXISTING AT GRADE OVERFLOW IS 120" DIA. TOP OF FLOOR IS 4.00'
5. OVERFLOW PIPE - 12" DIA. PVE
6. MANHOLE - 12" DIA. PVE
7. NEW WATER PIPE - 12" DIA. PVE
8. AT NEW TANK AND TOWER

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SOUTHWEST WATER AND SEWER DISTRICT

WATER SYSTEM IMPROVEMENTS
EXISTING SITE PLAN CONDITIONS

C-120-A

The applicant is requesting a Conditional Use Permit for a Public Utility Facility to construct one additional 100,000 gallon water reservoir for Southside Water and Sewer District. The 0.23-acre property is zoned Rural 5. The project site is located off Brisboys Road in Section 3, Township 56 North, Range 02 West, Boise Meridian.

The following sections of BCRC, Title 12 apply to this project:

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BCRC 12-4.4, Sign standards
BCRC 12-4.5, Design standards
BCRC 12-4.6, Landscaping and screening standards
BCRC 12-7.2, Grading, stormwater management and erosion control

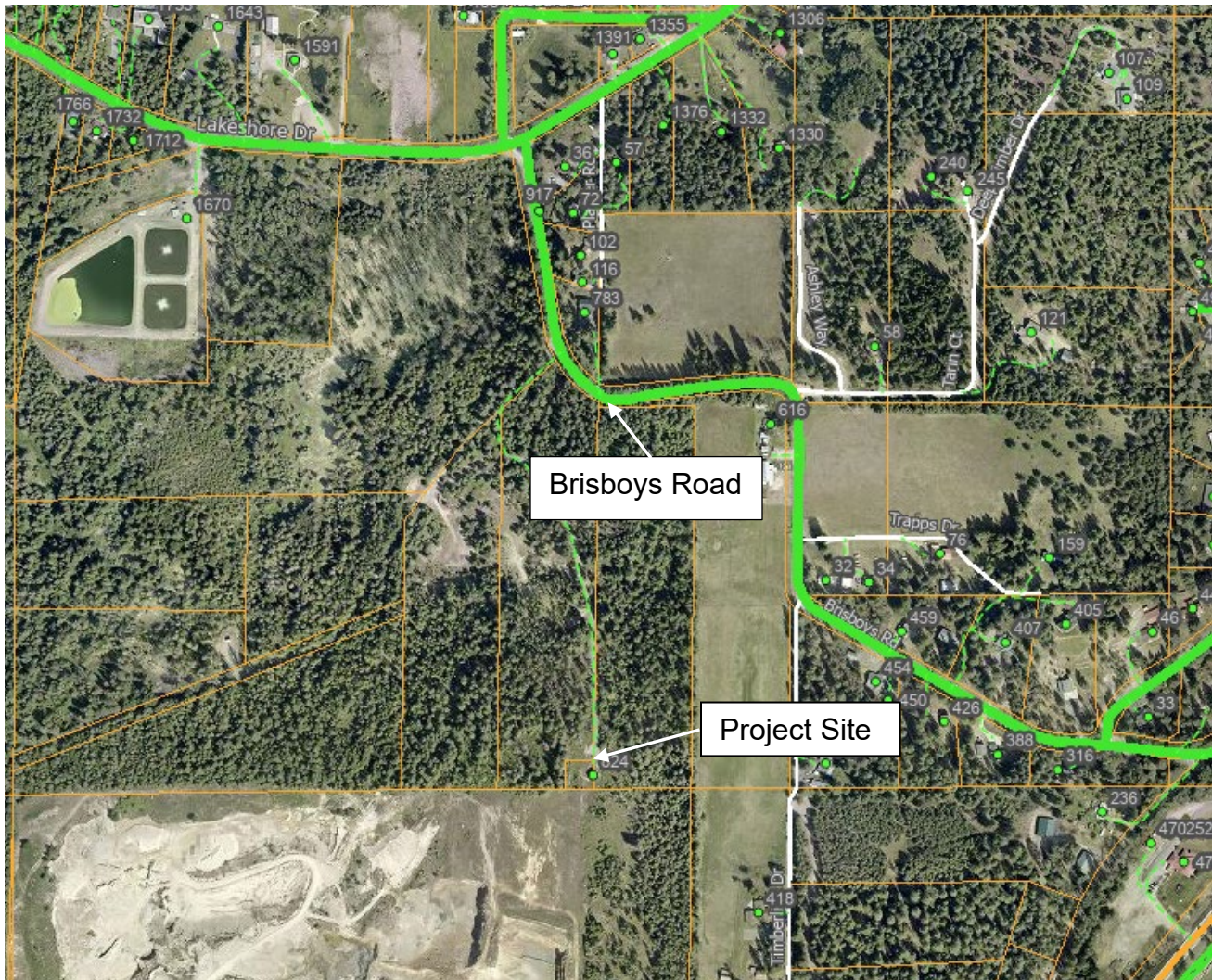
Background:

A. Site data:

- The subject parcel currently has an existing water tank on it for public utility service.
- Unplatted: 3-56N-2W TAX 87
- Size: Approximately 0.23-acres
- Zone: Rural 5
- Land Use: Rural Residential

B. Access:

Brisboys Road is a Bonner County-owned and maintained public right-of-way. See Vicinity Map below.



Vicinity Map

C. Environmental factors:

- Site does contain mapped steep slopes of 0-29.9% grade. (USGS)
- Site does not contain mapped wetlands. (USFWS)
- Site does not front on a lake or any other waterbodies.
- Parcel is within SFHA Zone X Panel Number 16017C0950E, Effective Date 11/18/2009. (FEMA)

D. Services:

- Water: N/A
- Sewage: N/A
- Fire: Sagle Fire District
- Power: Avista Utilities
- School District: Lake Pend Oreille School #84

E. Comprehensive Plan, Zoning and Current Land Use:

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Rural Residential	R-5	Utility Facility/0.23-acres
North	Rural Residential	R-5	Residential/ 10.77 acres
East	Rural Residential	R-5	Vacant/ 10 acres
South	Rural Residential	R-5	Gravel Pit/ 74.61 acres
West	Rural Residential	R-5	Vacant Forest Land/ 8.50 acres

Agency Review and Public Comments:

The application was routed to the required agencies; a full list of the agencies routed is included in Appendix A of this staff report.

The following agencies commented:

Idaho Department of Environmental Quality
(See letter for complete comments.)

The following agencies responded with “No Comment”:

- Idaho Transportation Department
- Panhandle Health District
- Kootenai-Ponderay Sewer District

No other agencies, notified of the request, replied.

Public Notice & Comments

As of the date of this staff report, no public comments were received for this proposal.

Standards Review and Staff Analysis:

BCRC 12-220, et seq., conditional use permit, application and standards:

Staff: The application was considered complete on May 13, 2024.

BCRC 12-223 specifies that the Zoning Commission shall review the particular facts and circumstances of each proposal. To grant a conditional use permit, the Hearing Examiner must find there is adequate evidence showing the proposal is in accord with the general and specific objectives of the comprehensive plan and Title 12 and the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.

BCRC 12-335 Public Use Table:

Resource Based Use Table 3-6

Use	Zoning District								
	F	A/F	R	S	C	I	RSC	REC	AV
PUBLIC UTILITY FACILITY (6), (11)	C	C (3)	C (3)	C	C	C	C	C	C

(3) Where access to the site is by road, the road shall be located within a recorded easement or public right-of-way, and constructed to the appropriate standard set forth in title 2 of this Code or [appendix A](#) of this title, except where subject to the terms of an approved special use permit issued by a State or Federal agency.

Staff: The parcel on which this use is proposed is located off Brisboys Road, a Bonner County-owned and maintained public right-of-way There was no comment from Bonner County Road & Bridge Department as to whether or not this road meets Title 2, Public Road Standards.

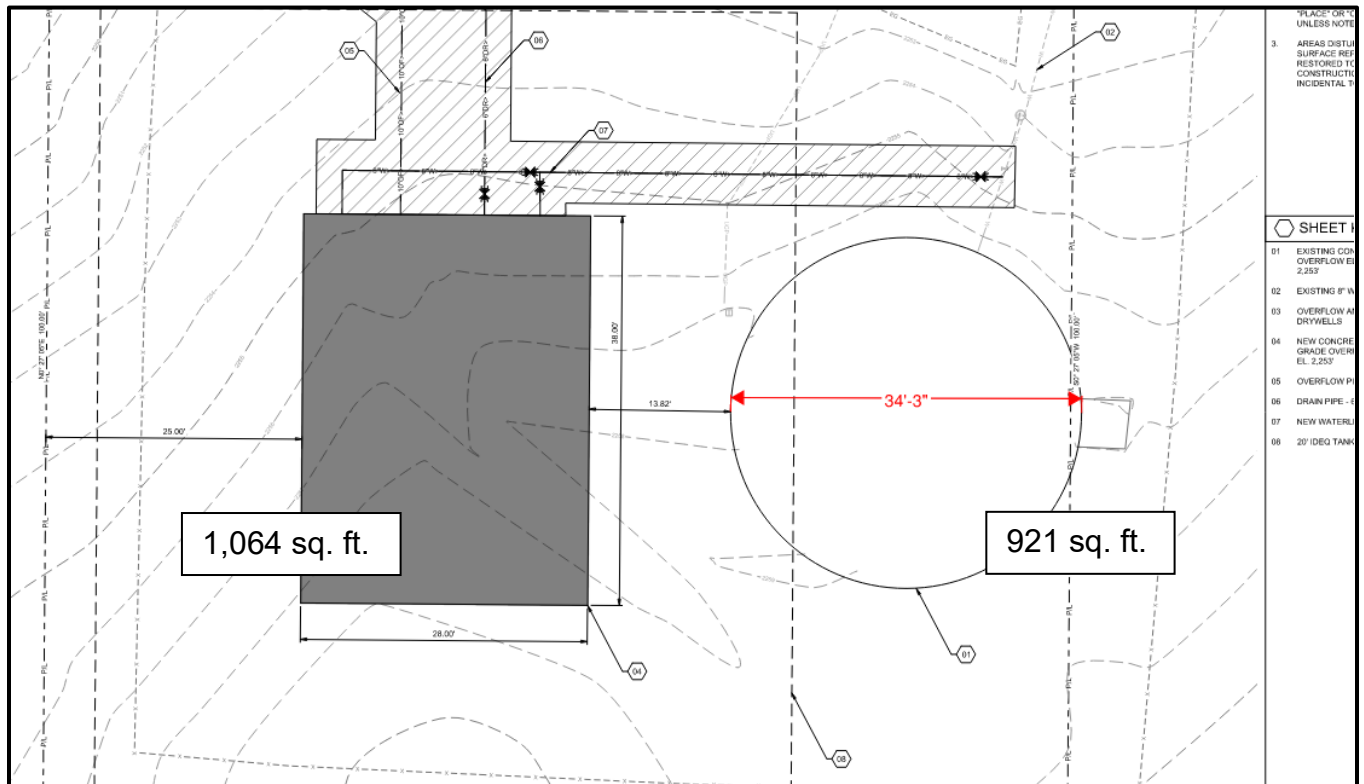
(6) Specified conditions with respect to emissions of noise, light, glare, smoke, odor, dust, particulate matter, vibrations or hours of operation may be prescribed differently from those required in a given district, as to be compatible with other applicable State and Federal standards.

Staff: The applicant does not propose any additional emissions of noise, light, glare, smoke, odor, dust, particular matter, vibrations, or hours of operations than what is allowed in the Rural district. **See Conditions of Approval.**

(11) The area of land covered by buildings shall not exceed 35 percent of the total lot area. The site area shall be sufficient to accommodate the facility and required parking, setbacks, landscaping, walkways and other applicable development standards. The public utility facility lot or parcel is not required to meet the minimum lot/parcel size of the zoning district in which it is located. In considering applications, the Planning or Zoning Commission shall consider the public convenience and necessity of the facility and any adverse effect that the facility will have upon properties in the vicinity, and may require such reasonable restrictions, or conditions of development; or protective improvements as to uphold the purpose and intent of this title and the comprehensive plan. A sewage management agreement shall be approved and executed prior to the issuance of a conditional use permit for subsurface sewage disposal systems serving 10 or more residential dwelling units or designed with a capacity of 2,500 gallons or more per day.

Staff: Per the applicant, the property has a lot coverage of approximately 2,000 square feet for the two water storage tanks (Proposed shaded tank = 28'x38' = 1,064 sq. ft;

Existing circular tank = $\pi(34.25'/2)^2 = 921$ sq. ft.) At 0.23-acres, the 35% lot coverage limit for this property would be equal to approximately 4,268 square feet. Per the applicants site plan, all setbacks will be met. The property appears to meet the landscaping requirement, it does not appear that walkway standards are applicable for this project, there is no requirement of minimum off-street parking spaces for a Public Utility Facility. If required, the site has sufficient area to accommodate parking for the proposed use.



Per the applicant and an assessment by the Idaho Department of Environmental Quality, this additional water tank is necessary to meet the needs of the district's service area and provide additional capacity for fire hydrants. **See IDEQ's comments for full details.** The applicant is not requesting a new sewage disposal system, therefore they will not be required to enter into a Sewage Management agreement.

BCRC 12-420 General Standards

Staff:

- The project does not propose development of any structures on the property to accommodate or house greater number of families than permitted by the standards of Bonner County Revised Code. **See Conditions of Approval.**
- The project is not proposing any development to occupy a greater percentage of lot area than that required by the standards of the Bonner County Revised Code, Title 12.
- The project does not propose any deviations to open space, yard requirements or parking spaces being used for the winery. **See Conditions of Approval.**
- The property is accessed by Brisboys Road, a Bonner County owned and maintained public right-of-way.
- Currently, the project has an existing fence surrounding the property. Per the applicant, the fence will be rebuilt.
- Currently, the project proposes no parking or storage of vehicles that are not in operating condition or that have not been used for a period of six months in conjunction with the requested uses.
- Temporary buildings, construction trailers, equipment and materials used in conjunction with construction work for the proposed project may be permitted during the period the construction work is in progress, but such temporary facilities shall be removed upon completion of the construction work. **See Conditions of Approval.**
- This project does not propose conversion of any existing residences to accommodate an increased number of dwelling units.
- The subject site is not a corner lot. The standards for visibility at intersections do not apply to this project.
- All architectural projections such as canopies, eaves, balconies, platforms, decks, carports, covered patios, and similar architectural projections shall be considered parts of the building to which attached and shall not project into any required setback. **See Conditions of Approval.**

BCRC 12-421 Performance Standards for All Uses:**Staff:**

- The project proposes no activity involving the use or storage of flammable or explosive materials on or off site.
- The project proposes no activity involving emittance of harmful radioactivity or electrical disturbance.
- The application does not propose specific hours of operation. The use will be continuous to distribute water.
- The project does not propose any activities that would seem to contribute to air or water pollution.

See Conditions of Approval.

BCRC 12-432 Table 4-3 Minimum Off-Street Parking Requirements:

Staff: There is no requirement of minimum off-street parking spaces for a Public Utility Facility. If required, the site has sufficient area to accommodate parking for the proposed use.

BCRC 12-4.4, Sign Standards:

Staff: The project does not propose any additional signage.

BCRC 12-4.5, Design Standards:

BCRC 12-451: Applicability:

The standards in this chapter shall apply to all new development in the commercial, industrial where commercial uses and services are proposed, and rural service center districts and all other commercial, multi-family, public and industrial development in other zoning districts unless otherwise noted.

Staff: The standards of this subchapter are applicable to this proposal for a public utility facility is a public use and is located in the Rural 5 zoning district.

BCRC 12-452: Site and Building Plans:

The applicant shall submit site and building plans through the applicable permit process detailed as necessary to demonstrate how the standards in section 12-453 of this chapter have been met.

Staff: The proposed approximately 1,000 square feet structure shall be required to obtain a building location permit from the Bonner County Planning Department. **See Conditions of Approval.**

BCRC 12-453 Standards:

Staff:

- This is a proposal for a public use on a property zoned Rural 5. The sidewalk/pathway and pedestrian connection standards do not apply to the project.
- Per the submitted site plan, the proposed location of the parking shows that it covers less than 50% of the lot frontage. Therefore, the project qualifies for reductions of landscaping buffers, minimum front yard setback requirements and for setbacks of free-standing signs per BCRC 12-453.D.
- A lighting plan has not been provided as part of the application. The applicant will be required to provide a lighting plan. All lighting on site is required to meet the standards of BCRC 12-453.F. **See Conditions of Approval.**
- Building plans have been provided as part of this application. Any development in conjunction with the proposed use is required to meet the standards of BCRC 12-453.G. **See Conditions of Approval.**
- Any outdoor storage of commercial and industrial materials on site is required to meet the standards of BCRC 12-453.J. **See Conditions of Approval.**
- Per the application, solid waste will be taken to a solid waste collection facility as needed.

BCRC 12-4.6, Landscaping and Screening Standards:

BCRC 12-461: This standard is only applicable for new development in the commercial, industrial and rural service center districts and all other commercial, multi-family, public and industrial development in other district unless otherwise noted.

Staff: The applicant is proposing a public use on a property zoned Rural 5. The proposed use falls under the "Public Use" table in the Bonner County Revised Code. It appears that the existing vegetation provides adequate landscaping and screening. **See Conditions of Approval.**

BCRC 12-7.2, Grading, Stormwater Management and Erosion Control

BCRC 12-720.3 Activities to which this Subchapter is Not Applicable:

(K) Applications for conditional use permits, industrial and commercial site plan reviews, planned unit developments and variances that do not result in the creation of additional "impervious surface", as defined in section 12-809 of this title.

Staff: This project proposes new development that would result in the creation of additional impervious surface. The applicant shall be required to submit a storm water management, grading and/or erosion control plan in accordance with the provisions of BCRC 12-7.2 prior to any development on site in conjunction with this Conditional Use Permit. **See Conditions of Approval.**

COMPREHENSIVE PLAN ANALYSIS:

Review against the Comprehensive Plan Goals and Objectives:

Property Rights:

Goal:

1. Protect property rights and enhance property values through conscientious land use planning that complies with state law relevant to all county land use actions.

Objective:

1. Private property should not be taken for public uses without just compensation or due process of law.
2. Impacts to other properties should be taken into account when considering land use proposals, policies and codes.

Staff: The application was routed to neighbors 300' from the property line, informing neighbors of the proposed conditional use permit. As of the date of this staff report, Bonner County Planning received no comments stating potential impacts to the neighbor's property rights.

This proposed use is conditionally allowed for all private property owners in the Rural zoning districts under BCRC 12-335, Public Use Table.

Population:

Goal:

1. Ensure that the impact of demographic changes including generational issues and economic diversity are identified and considered during planning activities and decisions.

Objective:

1. Maintain current and projected county population estimates and utilize this information when making land use decisions.

Staff: Bonner County has received the results of the 2020 census. The data indicates the demand for housing and jobs will continue to trend upward in both the unincorporated and incorporated areas of Bonner County.

The goal and objective of this component appear to be unaffected by the proposal.

School Facilities & Transportation

Goal:

1. Preserve the county's commitment to and ability to provide quality education to the current and future students of Bonner County.

Objective:

1. Ensure that the proposed developments and county land use decisions do not adversely impact the local school districts and their ability to provide adequate school facilities and transportation systems.
2. The county should encourage school districts to proactively review development applications to determine particular school needs and concerns.
3. Bonner County roads, trails and bicycle paths should be designed and maintained to allow safe passage of students to schools.
4. Long-term consequences of land use proposals should be considered, including the adequacy of existing facilities and the siting of future schools.

Staff: Lake Pend Oreille School District #84 did not comment as to how a public utility facility could affect the delivery of school services. Lake Pend Oreille School Transportation that serves the property was notified of this proposal. No comments were received. This project does not propose any additional residential density.

Economic Development

Goal:

1. Support and encourage economic development.

Objective:

1. Support small businesses such as markets, restaurants, recreational activities, campgrounds, and marinas that provide services which support resort residents and visitors in their local communities.
2. Enable development of small-scale cottage industries and home-based occupations while protecting the surrounding areas from adverse impacts.
3. Policies regarding economic development activities should seek to mitigate the impacts of such factors as noise, light glare, odors, fumes and vibrations on the surrounding community.
4. Support local economic development by increasing support for outdoor recreation in Bonner County. Encourage and protect public access to public lands and water, campgrounds, and recreational areas.
5. Support local businesses by enabling development of workforce housing in proximity to commercial, industrial and agricultural uses.

Staff: These goal and objectives appears to be unaffected by this proposal.

Land Use**Goal:**

1. Bonner County intends to balance and integrate its land use policies and proposed land use map with the components of the comprehensive plan to enable the community to grow while retaining its rural character and protecting its unique natural resources.

Objective:

1. Bonner County should develop and maintain a future land use map and land use codes that acknowledge and protect its agricultural, timber and mining lands, protects the water and wildlife resources, identifies and avoids hazard areas, provides areas for economic growth, encourages affordable housing and centers growth in areas where adequate public and private services can be provided.
2. Encourage clustered development for medium and large scale commercial and industrial uses.
3. Commercial and industrial uses should be located and operated in a manner to ensure the protection of our natural resources including clean air and water, dark skies, and overall environmental quality and rural character of Bonner County.

Staff: The proposed conditional use permit could add to the economic growth of Bonner County while still maintaining the rural character of the area. The goal of this component appears to support the proposal for conditionally allowed uses which allows the community to grow while protecting the natural resources. Objective 1 is met by encouraging growth in areas that have adequate public services. Southside Water & Sewer District serves an area that has increased in population.

Natural Resources

Goal:

1. Protect, enhance and maintain the County's natural resources such as air, water, forest, minerals, plants and wildlife for long-term benefits to the public.
2. Acknowledge and consider agency comments regarding natural resources.

Objective:

1. Bonner County's system of lakes and waterways is one of its greatest assets, and Bonner County should strive to preserve both the quality and quantity of its water resources.
2. Bonner County values its productive agricultural lands and forests, mining lands, its fisheries, wildlife, wetlands and aquifer recharge areas and should provide measures to protect and maintain these natural features.
3. Bonner County should protect its water resources by requiring adequate sewer treatment systems based on soil, density, and intensity of use to reduce impacts to water resources.

Staff: The goal and objectives of this component appear to be unaffected by this proposal. Furthermore, the Bonner County Revised Code has requirements to ensure that natural resources are protected.

Hazardous Areas

Goal:

1. Protect Bonner County from loss of lives and property due to natural hazards.
2. Reduce public and private financial losses due to flood, fire, landslides, avalanches and excessive slopes by setting standards for development in high hazard areas.

Objective:

1. Bonner County intends to regulate the location and density of new development in floodplain to reduce the potential for the loss of lives and property within flood hazard areas.

2. Future development should be designed to reduce exposure to wildland fire and to provide for emergency and escape routes for residents.
3. Development within areas of excessive slopes, unstable areas and avalanche zones should be discouraged.

Staff: The property is not located in a flood plain hazard zone. The property is not characterized by steep slopes of over slopes of 30% grade on approximately 10% of the subject site. A geotechnical analysis is not required.

Public Services, Facilities & Utilities

Goal:

1. Future development approvals should require adequate services and should not adversely impact the services or utilities of the utility provider.
2. Require adequate public services, facilities, and utilities in future development approvals.

Objective:

1. New development should be adequately served by fire protection, roads, sewer, schools, law enforcement, ambulance, power and emergency services, water and other public or private services.
2. Require the developers to provide infrastructure, utilities or financial support to offset the capital costs of expansion of services, required by the proposed development.
3. Bonner County shall require adequate provisions for future utility services in areas of commercial, industrial, residential or other similar uses.

Staff: The property is afforded fire protection, roads, power, emergency services, and law enforcement for the current residential use on the property. This public utility facility is proposed to provide water within a taxing district that serves residential and commercial uses within their service area. There appears to be enough area on the parcel to expand existing services or to enhance their services.

Transportation:

Goal:

1. Provide a transportation system that is safe, uncongested, and well maintained.

Objective:

1. Future development should not adversely impact the existing transportation system by reducing the quality or level of service or creating hazards or congestion.

2. Roads within new development should be built to county standards and at the expense of the developer.
3. Roads within new development should provide adequate access for fire and emergency vehicles as well as routes of escape.
4. Future access roads should be designed and built to integrate with the state and county system of roads without overburdening the transportation system.
5. To reduce transportation costs, road building and environmental impacts, cluster development should be encouraged.
6. Bonner County intends for certain intense land use developments to provide paved roads.
7. Bike ways and pedestrian paths should be considered in development plans to provide an integrated community transportation system wherever possible.
8. To communicate and work cooperatively with other jurisdictions within the county to ensure the best possible flow of traffic county-wide.

Staff: The property is accessed by Brisboys Road, a Bonner County owned and maintained public right-of-way. This project is not proposing any new residential development that would require the construction of new roads or the enhancement of existing roads. The traffic to this property will be limited, as it will only need to be accessed for maintenance.

Recreation:

Goal:

1. Protect and encourage public and private recreational opportunities as an important asset that supports a key segment of the County's economy.

Objective:

1. Ensure public legal recreational accesses and amenities are not obstructed or adversely impacted by future development.

Staff: The goal and objective of this component do not conflict with this proposal.

Special Areas or Sites:

Goal:

1. To protect, preserve and maintain special areas and sites both natural and manmade in relation to land use.

Objective:

1. Future developments should not adversely affect or destroy culturally or ecologically sensitive sites.

Staff: The goal and objective of this component do not conflict with this proposal.

Housing:

Goal/ Objective:

1. Provide an environment that enables opportunities for diverse housing needs.

Staff: The goal/objective of this component do not conflict with this proposal.

Community Design:

Goal:

1. To enable a variety of lifestyles while maintaining the rural character in the future development of Bonner County.

Objective:

1. New development should be located in areas with similar densities and compatible uses.
2. The adverse impacts of new development on adjacent areas should be minimized.
3. Consider the protection of natural resources, rural features and surrounding uses of the community in the design and location of new development.

Staff: The goal and objectives of this component appear to be unaffected by this project.

Agriculture:

Goal/ Objective:

1. Protect the rural character and agricultural heritage of Bonner County by retaining large and small scale commercial agriculture and hobby farms as viable uses.
2. Support the local economy by encouraging production, distribution, and retail sales of locally grown food and other agricultural products.
3. Develop policies to discourage fragmentation of very large productive agricultural lands.

Staff: The goal and objectives of this component appear to be unaffected by this project.

Planner's Initials: AF **Date: September 12, 2024**

Note: The final decision rests with the governing body after the completion of the public hearing and consideration of all relevant oral and written testimony and evidence.

Motion by the Governing Body:

MOTION TO APPROVE:

I move to approve this project FILE CUP0008-24 requesting a Conditional Use Permit for a public utility facility, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following **CONCLUSIONS OF LAW:**

Conclusion 1: The proposed conditional use permit **is** in accord with the Bonner County Comprehensive Plan.

Conclusion 2: This proposal **was** reviewed for compliance with the criteria and standards set forth at BCRC Title 12, Chapter 2 ,Subchapter 2.2; Chapter 3, Subchapter 3.3; Chapter 4, Subchapter 4.2-4.6; and Chapter 7, Subchapter 7.2.The proposal **is** in accord with the Bonner County Revised Code.

Conclusion 3: The proposed use **will not** create a hazard or **will not** be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the findings of fact and conclusions of law as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft written findings and conclusions to reflect this decision and transmit to all interested parties. The action that could be taken to obtain the conditional 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 project FILE CUP0008-24 requesting a Conditional Use Permit for a public utility facility, based upon the following **CONCLUSIONS OF LAW:**

Conclusion 1: The proposed conditional use permit **is/ is not** in accord with the Bonner County Comprehensive Plan.

Conclusion 2: This proposal was reviewed for compliance with the criteria and standards set forth at BCRC Title 12, Chapter 2 ,Subchapter 2.2; Chapter 3, Subchapter 3.3; Chapter 4, Subchapter 4.2-4.6; and Chapter 7, Subchapter 7.2.The proposal **is/is not** in accord with the Bonner County Revised Code.

Conclusion 3: The proposed use **will/will not** create a hazard or **will/will not** be dangerous to persons on or adjacent to the property.

The decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. I further move to adopt the findings of fact and conclusions of law as set forth in the Staff Report as amended during this hearing and direct planning staff to draft written findings and conclusions to reflect this decision and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the conditional use permit is to:

(1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or

(2) Pursue such remedies as may be applicable at Title 67, Chapter 65, Idaho Code.

Findings of Facts:

1. The site is zoned Rural 5, where public utility facilities are conditionally permitted.
2. The site does not have any water or sewer service connections.
3. The site is 0.23 acres in size.
4. The site is accessed off Brisboys Road, a Bonner County owned and maintained public right-of-way.
5. The site is served by Avista Utilities for power.
6. The site is in the mapped service area of Sagle Fire District.
7. The site contains steep slopes of 0-29.9% grade per USGS.
8. The site is located within SFHA Zone X per FEMA.
9. The site does not contain mapped wetlands per NWI, USFWS.
10. The project does not propose development of any structures on the property to accommodate or house a greater number of families than permitted by the standards of Bonner County Revised Code.
11. The project does not propose any signage for this use.
12. The project proposes no activity involving the use or storage of flammable or explosive materials on or off site.
13. The project proposes no activity involving emittance of harmful radioactivity or electrical disturbance.
14. The hours of operation will be continuous and may require 24/7 access.
15. The project does not propose any activities that would seem to contribute to air or water pollution.

16. The public utility facility will be operated with water storage tanks that will have a footprint area of $\pm 2,000$ square feet.
17. All buildings in conjunction with the public utility will be required to meet the requirements for setbacks set forth in BCRC 12-4.1.

Conditions of Approval:

Standard continuing permit conditions. To be met for the life of the use:

- A-1** The use shall be developed and shall be operated in accordance with the approved site plan.
- A-2** The Conditional Use Permit shall not supersede deed restrictions.
- A-3** Per BCRC 12-226.C, the Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit, the applicant may make a written request to the Planning Director for an extension of the Conditional Use Permit for a period up to two (2) years. The Zoning Commission at any regular meeting, or board at any regular meeting, may consider the request for extension. The extension request must be approved or denied prior to the expiration date of the conditional use permit.
- A-4** Per BCRC 12-335, Note 11, the lot coverage of this property shall be limited to 35%.
- A-5** The hours of operation will be continuous and may be accessed at any time for maintenance as needed.
- A-6** Per BCRC 12-420, all structures located on site in conjunction with this Conditional Use Permit will meet the required street and property line setback standards of BCRC Title 12.
- A-7** Per BCRC 12-420, all architectural projections such as canopies, eaves, balconies, platforms, decks, carports, covered patios, and similar architectural projections shall be considered parts of the building to which attached and shall not project into any required setback.
- A-8** Per BCRC 12-420, temporary buildings, construction trailers, equipment and materials used in conjunction with construction work for the proposed project may be permitted during the period the construction work is in progress, but such temporary facilities shall be removed upon completion of the construction work.
- A-9** Per 12-432, Parking Standards, the project does not need to designate parking spaces; the parcel has adequate area for parking.

A-10 Per BCRC 12-452, any structures or development on site permitted through this Conditional Use Permit is required to obtain appropriate Building Location Permits or other approvals from the Bonner County Planning Department prior to the development on site.

A-11 Per BCRC 12-453.F, any lighting on site shall meet the standards of this section of the ordinance.

A-12 Per BCRC 12-453.G, any development on site permitted through this Conditional Use Permit shall meet the standards of this section of the ordinance.

A-13 Per BCRC 12-453.J, any outdoor storage of commercial and industrial materials on site is required to meet the standards of this section of the ordinance.

Conditions to be met prior to the issuance of this Conditional Use Permit:

B-1 A lighting plan shall be submitted to the Planning Department.

B-2 This project proposes new development that would result in the creation of impervious surface. The applicant shall be required to submit a storm water management, grading and/or erosion control plan in accordance with the provisions of BCRC 12-7.2 prior to any development on site in conjunction with this Conditional Use Permit.

The complete file is available for review in the Planning Department, 1500 Highway 2, Suite #208, Sandpoint, ID. Staff reports are available at www.bonnercountyid.gov prior to the scheduled hearing. Bonner County Revised Code (BCRC) is available at the Planning Department or online.

APPENDIX A - LIST OF AGENCIES ROUTED

RECORD OF MAILING

Page 1 of 1

File No.: CUP0008-24

Record of Mailing Approved By: Alex Feyen



I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **22nd** day of **August, 2024**.



Jessica Montgomery, Hearing Coordinator

Assessor - Email

Bay Drive Recreation District - Email

Bonner County Airport Manager - Email

Bonner County EMS - Email

Bonner County Road & Bridge - Email

Bottle Bay Water & Sewer District - Email

City of Dover - Email

City of Hope - Email

City of Oldtown - Email

City of Priest River - Email

City of Spirit Lake - Email

Coolin-Cavanaugh Bay Fire District - Email

East Bonner Library - Email

Ellisport Bay Sewer - Email

GEM STATE MINER - U.S. Mail

Idaho Department of Environmental Quality (DEQ) - Email

Idaho Department of Lands - CDA - U.S. Mail

Idaho Department of Lands - Navigable Waters & Mining - Email

Idaho Department of Water Resources - IDWR - Email

Idaho Transportation Department- District I - Email

Kalispel Bay Sewer & Water - U.S. Mail

KPBX-FM 91 SPOKANE PUBLIC RADIO - U.S. Mail

Laclede Water District - Email

Lake Pend Oreille School District, #84 (Transportation) - Email

Little Blacktail Ranch Water Association - U.S. Mail

Northern Lights, Inc. - Email

Northside Fire District - Email

Panhandle Health District - Email

Priest Lake Public Library District - Email

Sagle Valley Water & Sewer - Email

Schweitzer Fire District - Email

Selkirk Fire, Rescue & EMS - Email

Southside Water & Sewer District - Email

Spokesman-Review - U.S. Mail

Swan Shores Sewer District - U.S. Mail

Tamarack Village Water & Sewer - U.S. Mail

Trestle Creek Sewer District - Email

U.S. Fish & Wildlife Service - Email

Avista Utilities - Email

Bayview Water & Sewer - Email

BONNER COUNTY DAILY BEE - U.S. Mail

Bonner County Floodplain Review - Email

Bonner County Sheriff - Email

City of Clark Fork - Email

City of East Hope - Email

City of Kootenai - Email

City of Ponderay - Email

City of Sandpoint - Email

Coolin Sewer District - Email

Drainage District #7 - Email

East Priest Lake Fire District - Email

Garfield Bay Water & Sewer District - Email

Granite Reeder Water & Sewer District - Email

Idaho Department of Fish & Game - Email

Idaho Department of Lands - Coolin - Email

Idaho Department of Lands - Sandpoint - Email

Idaho Transportation Department (Aeronautics) - U.S. Mail

Independent Highway District - Email

Kootenai-Ponderay Sewer District - Email

KSPT-KPND-KIBR RADIO - U.S. Mail

Lake Pend Oreille School District, #84 (Admin Office) - Email

Lakeland Joint School District, #272 - Email

North of the Narrows Fire District - Email

Northland/Vyve Cable Television - Email

Outlet Bay Sewer District - Email

Pend Oreille Hospital District - Email

Priest Lake Translator District - Email

Sam Owen Fire District - Email

SELKIRK ASSOCIATION OF REALTORS - U.S. Mail

Selkirk Recreation District - Email

Spirit Lake Fire District - Email

State Historical Society - Email

Syringa Heights Water Association - Email

Timber Lake Fire District - Email

U.S. Army Corps of Engineers - Email

U.S. Forest Service - U.S. Mail

West Bonner County Cemetery District - Email
West Bonner Library - Email
West Pend Oreille Fire District - Email

West Bonner County School District, #83 - Email
West Bonner Water & Sewer District - Email
West Priest Lake Fire District - Email