

# Bonner County Planning Department

*"Protecting property rights and enhancing property value"*

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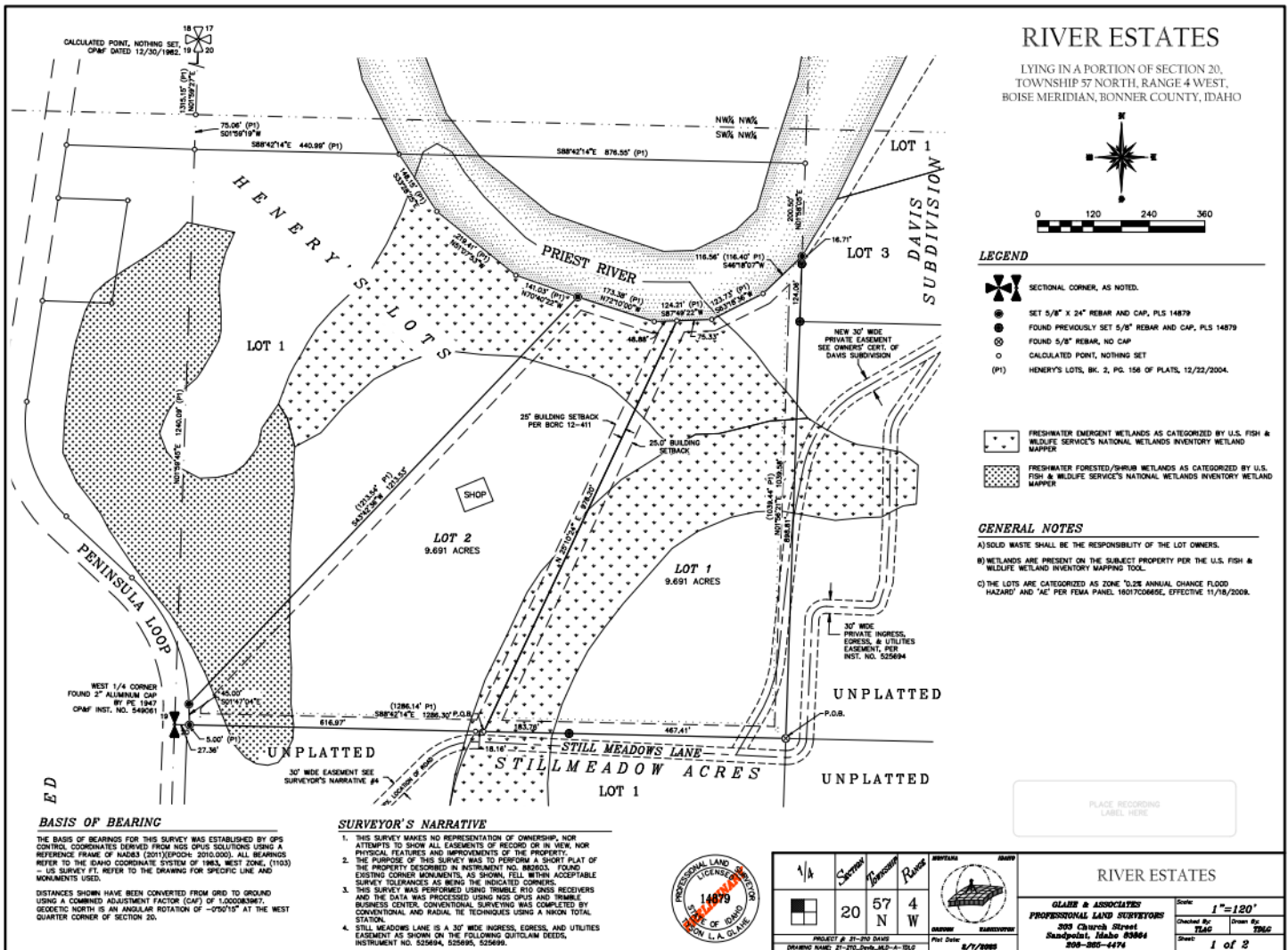


## Short Plat Administrative Staff Report

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<b>Project Name:</b>	<b>River Estates</b>
<b>File Number, Type:</b>	<b>SS0001-25 - Short Plat</b>
<b>Request:</b>	The applicant is requesting to subdivide one (1) 19.39-acre lot into two (2) 9.691-acre lots.
<b>Legal Description:</b>	19/20-57N-4W HENERY'S LOTS LOT 2 CPWRS
<b>Location:</b>	The property is zoned Rural-10. The project is located off Peninsula Loop and Still Meadows Lane in Section 20, Township 57 North, Range 04 West, Boise-Meridian.
<b>Parcel Number(s):</b>	RP042050000020A
<b>Parcel Size:</b>	19.390-Acres
<b>Applicant/ Landowner:</b>	Troy & Bonnie Davis 376 Still Meadows Lane Priest River, ID 83856
<b>Project Representative:</b>	Kristopher James, Glahe & Associates 303 Church Street Sandpoint, ID 83864
<b>Application filed:</b>	March 06, 2025
<b>Notice provided:</b>	Mail: May 1, 2025 Published in newspaper: May 1, 2025
<b>Appendices:</b>	Appendix A – Complete List of Agencies Noticed Appendix B – Agency Comments Appendix C – Hearing Examiner's Decision Letter for V0011-25 Appendix D – Road Waiver Request

# Site Plan



## Project Summary:

The applicant is requesting to subdivide one (1) 19.390-acre parcel into two (2) 9.691-acre lots. The property is zoned Rural 10. The project is located off Peninsula Loop and Still Meadows Lane in Section 20, Township 57 North, Range 04 West, Boise-Meridian.

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## **Applicable Laws:**

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BCRC 12-268	Application Process, General Provisions
BCRC 12-411	Density and Dimensional Standards: Rural 10 District
BCRC 12-610	Applicability/ Qualifications
BCRC 12-611	Definitions
BCRC 12-620	Design Standards: General
BCRC 12-621	Design Standards: Lot Design
BCRC 12-623	Design Standards: Services and Utilities
BCRC 12-624	Design Standards: Roads and Access
BCRC 12-626	Design Standards: Environmental Features
BCRC 12-640	Subdivisions, Processing of Subdivision Applications, General
BCRC 12-641	Subdivisions, Pre-application review
BCRC 12-642	Preliminary Plat, Contents of Application
BCRC 12-644	Improvement Plan Required, Contents
BCRC 12-645	Standards for review of Applications for Preliminary Plat of all Subdivisions
BCRC 12-646	Final Plat, Contents
BCRC 12-647	Endorsements to be shown on Final Plat
BCRC 12-648	Procedure for Final Plat Review and Approval
BCRC 12-649	Digital Submission of Final Plat
BCRC 12-650	Application/ Contents of Preliminary Plats for Short Plat Procedure
BCRC 12-651	Short Plat, Procedure for approval of Preliminary Plat
BCRC 12-652	Short Plat, Contents of Final Plat, Procedure for Approval of Final Plat
BCRC 12-7.2	Grading, Storm water Management and Erosion Control
BCRC 12-7.3	Wetlands
BCRC 12-7.4	Wildlife
BCRC 12-7.5	Flood Damage Prevention
BCRC 12-7.6	Hillsides

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## **Background:**

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### **A. Site data:**

1. Current Use: Residential
2. Status: Platted – Henery’s Lots, Lot 2
3. Size: 19.390-acres
4. Zone: Rural 10
5. Land Use: Rural Residential (5-10 AC)

### **B. Access:**

6. Access to the proposed Lot 1 is from Peninsula Loop, a Bonner County owned and maintained public right-of-way. Proposed Lot 2 is accessed via Still Meadows Lane, a privately owned and privately maintained easement.



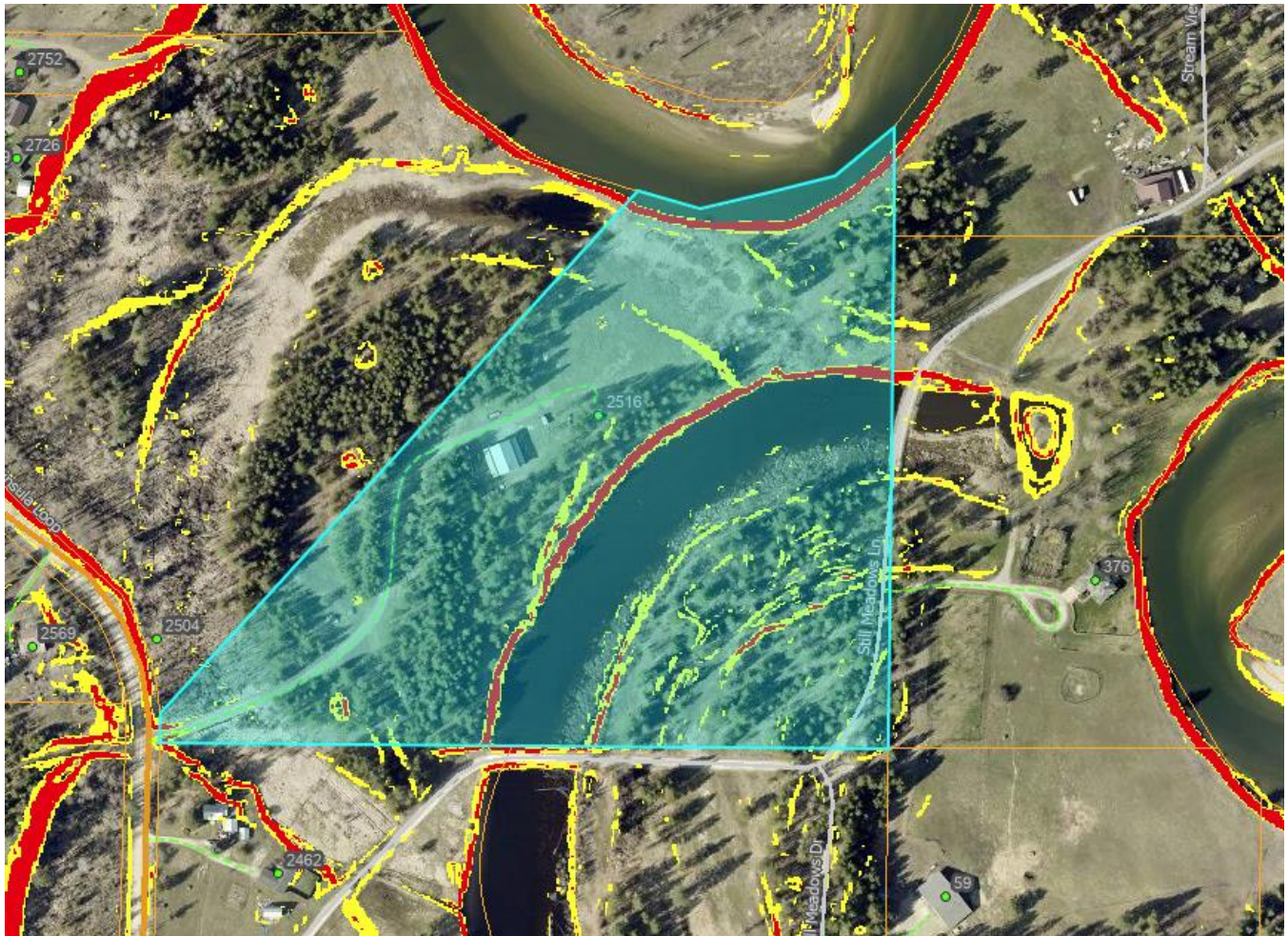
### C. Environmental Factors:

7. Site does contain mapped slopes from 0-30+%. (United States Geological Survey)
8. Site does contain mapped wetlands. (United States Fish and Wildlife Services)
9. Site does contain frontage on Priest River as well as a mapped "Lake or Pond" waterbody. (National Hydrography Dataset, United States Geological Survey)
10. Site contains the following types of soil. (Natural Resources Conservation Service, United States Department of Agriculture)
  - Mission silt loam, 2 to 12 percent slopes, consociation, Farmland of statewide importance, if drained.
  - Pywell-Hoodoo complex, 0 to 1 percent slopes, complex, Prime farmland if drained.
  - Capehorn silt loam, 0 to 2 percent slopes, consociation, Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season.
11. The site is within SFHA Zone AE, AE Floodway, and Shaded Zone X per FIRM Panel Number 16017C0665E, Effective Date 11/18/2009.
12. No critical wildlife habitat areas identified by any local, state or federal agencies on site.






## Slopes



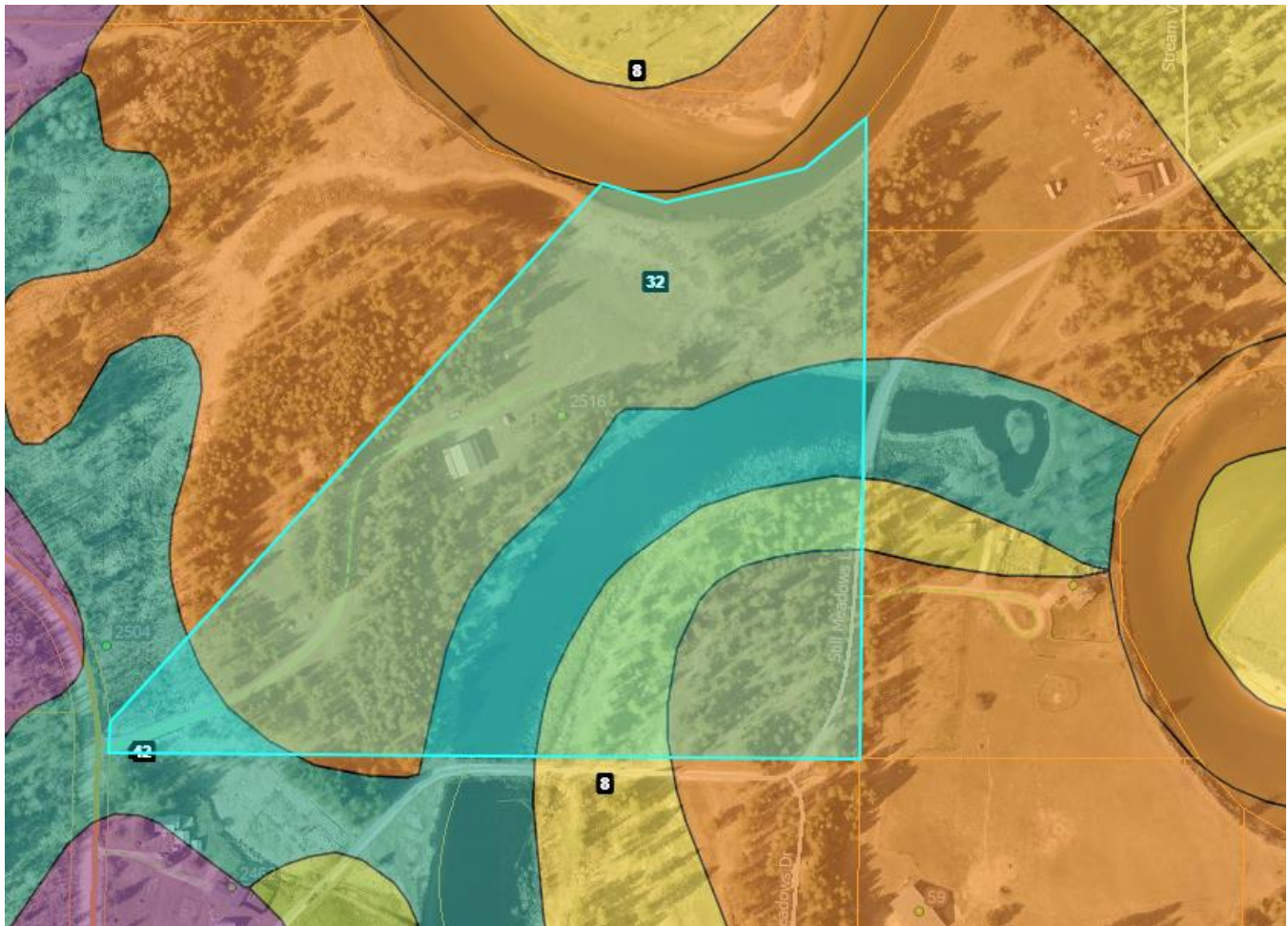
☒ LiDAR - Slope Percent

0 - 15%

 >15 - 30%

 >30%

## Soils



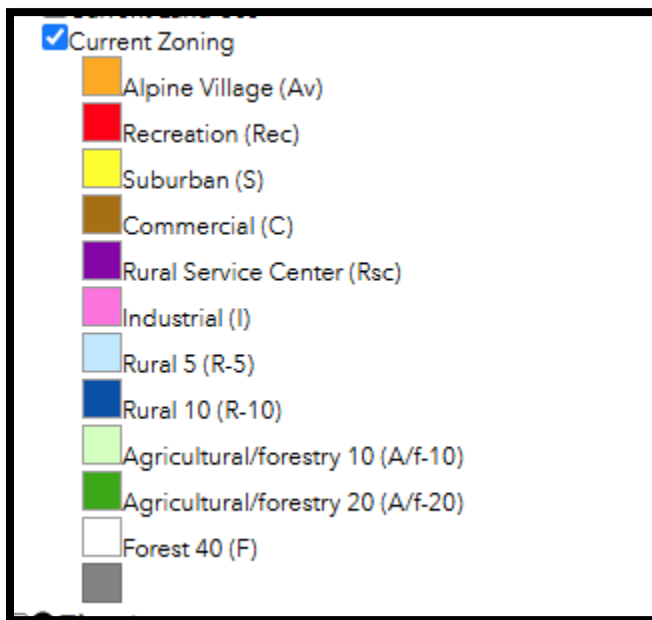
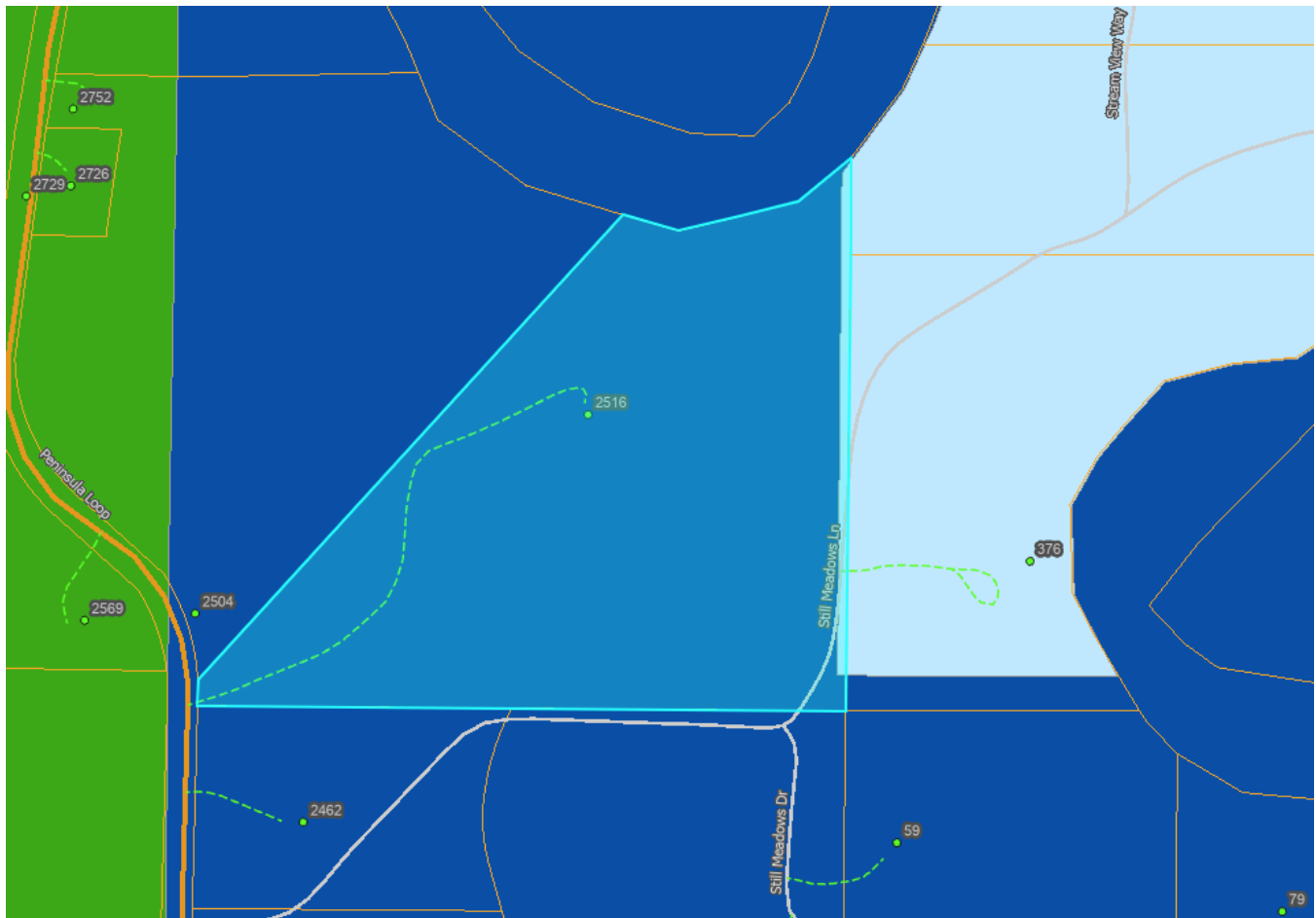
**32: Mission Silt Loam, 2 to 12 percent slopes**

**42: Pywell – Hoodoo complex, 0 to 1 percent slopes**

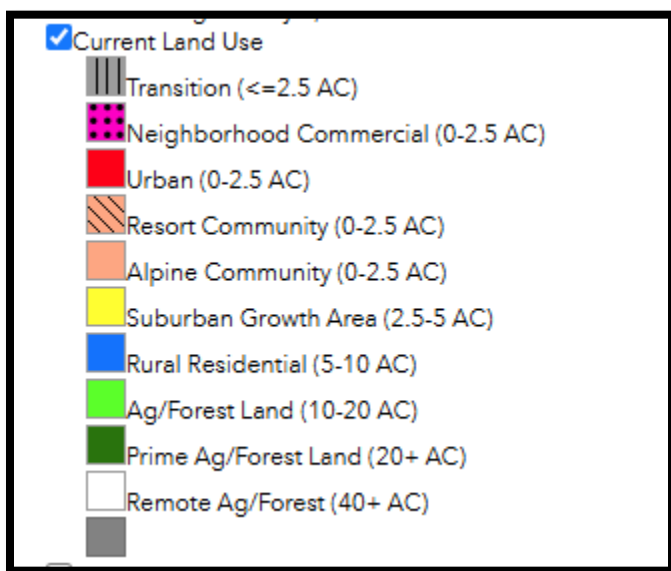
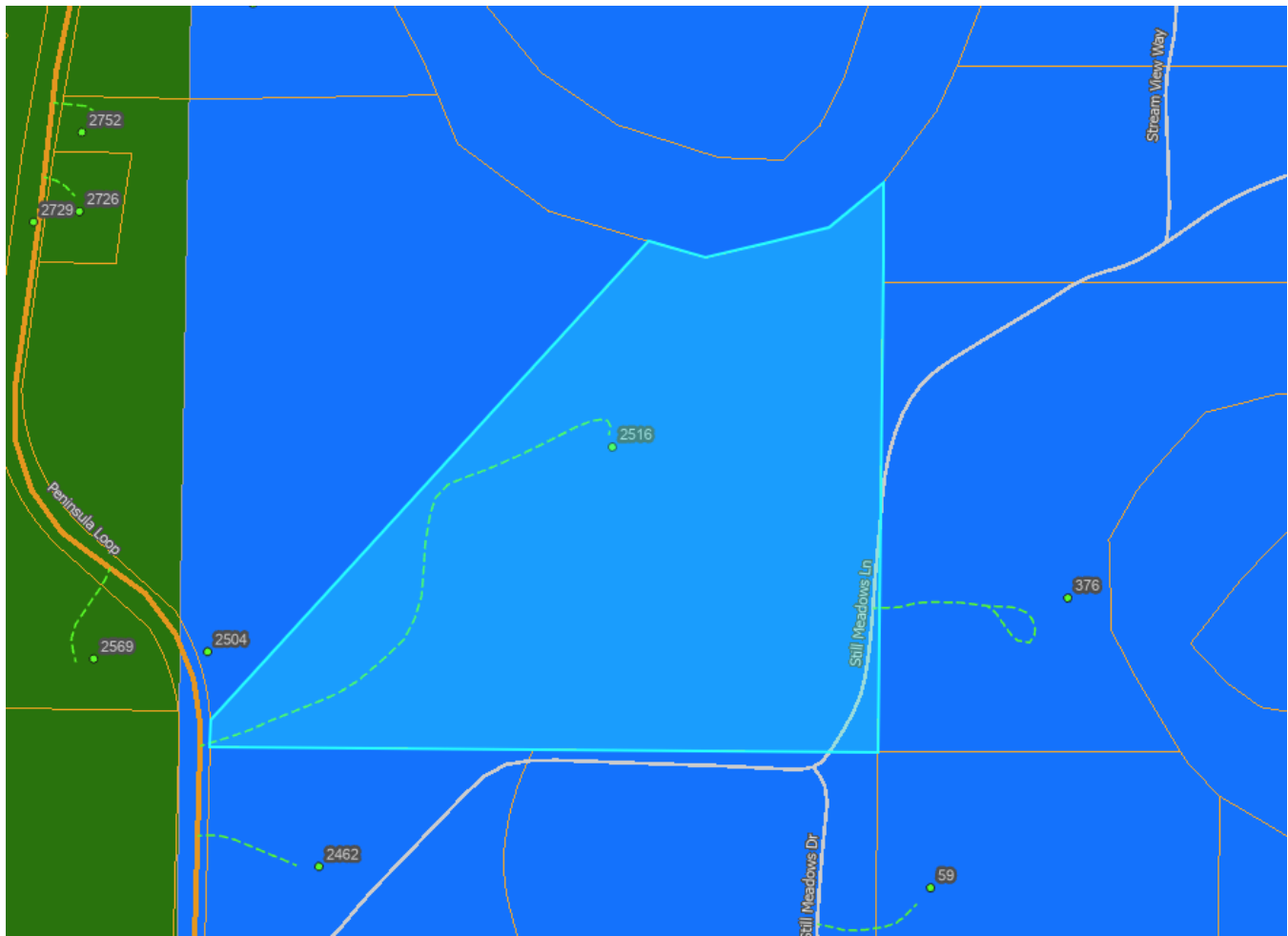
**8: Capehorn silt loam, 0 to 2 percent slopes**



## Zoning



## Land Use Designation





**Services:**

- Water: Individual Well
- Sewage: Individual System
- Fire: West Pend Oreille Fire
- Power: Avista Utilities
- School District: West Bonner School District #83
- Ambulance District: Bonner County Ambulance District

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**Staff Review and Analysis**


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BCRC Code	Standard for	Required	Provided	Complies? Yes/No
12-268	Application Process, General Provisions	Agency Routing	The application was routed to agencies for comment on May 1, 2025.	Yes
12-411	Density and Dimensional Standards: Rural Zone.	Minimum Lot Size required is ten (10) acres for the Rural 10 Zone.	Minimum lot size in the R-10 Zone is 10-acres. The lots are proposed at 9.273-acres (Net) and 6.329-acres (Net). A lot size minimum variance related to this file was denied, File V0011-25.	No
12-620	General	Easements, constraints, reserved land areas to be shown and marked on the plats.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho Surveyor.	Yes
12-621	Lot Design	<p>All proposed lots or parcels which are three hundred feet (300') or less in width shall maintain a depth to width ratio of not greater than three point two to one (3.2:1); and lots which are more than three hundred feet (300') in width shall maintain a depth to width ratio of not greater than four point two to one (4.2:1).</p> <p>All proposed lots or parcels one hundred feet (100') or less in width shall be designed so that the angle of intersection of the side lot lines with the fronting road is</p>	Proposal complies with this section.	Yes

		<p>between eighty-five (85) and ninety-five degrees (95°), for a distance of not less than fifty feet (50') from the point of intersection.</p> <p>Submerged lands are not to be included when determining the depth to width calculation.</p>		
12-622	Submerged Lands	Submerged lands not to be counted towards density calculations.	Submerged lands are not being counted towards minimum lot size requirements.	Yes
12-623.A	Urban services	Urban water is required for lots under 2.5 acres but equal to or greater than 1 acre.	This section is not applicable to this project as not lots under 1-acre are being proposed.	N/A
12-623.B	Water supply	Lots to be served by Individual Wells.	Well logs were not provided with the application contents.	No
12-623.C	Sewage disposal	Sanitary Restriction will be applied.	The sanitary restriction will remain in place and is shown on the preliminary plat.	Yes
12-623.D	Fire Plan/Fire risk assessment	Assessment of fire risk Fire protection plan Defensible space plan	A note will be placed on the final plat to address fire hazard and defensible space issues.	Yes
12-624.A	Road name	Unique road names for new roads.	No new roads are being proposed.	Yes
12-624.B	Road standards	Road to be designed to meet private road standards of BCRC Title 12, Appendix A.	On June 17, 2025, a request for a Waiver of Title 12 Appendix A, Private Road Standards, and BCRC 12-624 (B) was denied by the Bonner County Board of Commissioners. <b>See Appendix D.</b>	No
12-624.C	Legal access	Legal access to each proposed lot	Proposed Lot 2 is accessed from Peninsula Loop, a Bonner County owned and maintained public right-of-way. Proposed Lot 1 is accessed via Still Meadows Lane, a privately owned and privately maintained easement which has not been shown to meet the standards of subsection B.	No
12-624.D	Public road frontage	For lots less than 5 acres in size, direct frontage and direct access to public roads required.	All proposed lots are over 5-acres in size. Project complies.	Yes

12-625	Trails and Parks	Bonner County Trails Plan Public Access, Parks and Facilities	Not Applicable. An approved county trails plan does not exist.	N/A
12-626.A	Natural Hazards	Subdivision to be designed around identified natural hazards	Parcel is within SFHA Zone AE, AE Floodway, and Shaded Zone X per FIRM Panel Number 16017C0665E, Effective Date 11/18/2009. This proposal aims to double the density within the floodway and special flood hazard zones.	No
12-626.B	Conformance with BCRC 12-7	Conformance with environmental standards.	The project has been reviewed to meet the requirements of Title 12, Chapter 7. See below.	Yes
<b>12-6.4</b>	<b>Preliminary Plat Procedures</b>			
12-640	Processing Applications			Yes
12-641	Pre-application review			Yes
12-642.A	Application Content	Application form	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.	Yes
12-642.B	Application Content	Preliminary Plat, prepared by Idaho licensed surveyor, showing parcels to be created.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.	Yes
12-642.B.1	Plat Content	Subdivision name, geographic grid, north arrow, and vicinity map, vicinity road pattern.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.	Yes
12-642.B.2	Plat Content	Boundary line of tract to be subdivided, intersection property lines, abutting roads, names and addresses of adjoining owners shown in their respective places of ownership on the plat.	Not all adjoining owners are shown in their respective places of ownership on the plat.	No
12-642.B.3	Plat Content	Location, dimensions and area of proposed lots. Lot numbering.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.	Yes
12-642.B.4	Plat Content	Location, dimensions and tentative names of proposed streets and	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.	Yes



		roads.		
12-642. B.5	Plat Content	Sufficient contours to show the shape of the land and extending at least one hundred feet beyond the subdivision limits.	No land contours appear to be shown.	No
12-642. B.6	Plat Content	Location of water courses, floodplains per FIRMs with BFEs.	Floodplains per FIRMS with BFEs are not shown on the plat.	No
12-642. B.7	Plat Content	Existing wells, springs, wetland boundaries, wetland delineations, drainage channels, overhead and underground utility lines, structures, sanitary sewers and culverts within the tract.	Project complies. Plat was prepared and stamped by a professional surveyor.	Yes
12-642. B.8	Plat Content	Proposed method of water supply, sewage and solid waste disposal.	Project complies. Proposed method of water supply, sewage and solid waste disposal are all addressed on the face of the plat.	Yes
12-642. B.9	Plat Content	All easements of record, including sufficient data to identify conveyance.	A note is shown on the face of the plat stating, "This survey makes no representation of ownership, nor attempts to show all easements of record or in view, nor physical features and improvements on the property."	No
12-642. B.10	Plat Content	Purpose indication for parcels reserved for public dedication or common use of property owners.	No property is reserved for public dedication or common use of property owners.	Yes
12-642. B.11	Plat Content	Statement for intended use of lots.	Proposal does not comply. No purpose stated on the face of the plat.	No
12-641. C.1	Application Fee		Application fees were paid.	Yes
12-642. C.2	Road design and profile	Preliminary road design and profile prepared, stamped and signed by Idaho licensed engineer.	No preliminary road designs were submitted with the application. The applicant submitted a request to waive the Title 12 Appendix A Private Road Standards. This request was denied by the BOCC. <b>See Appendix D.</b>	No
12-644.A	Improvements Plan	Plan to be prepared by a registered civil engineer. Two copies to be	This is a requirement of the final plat and not the preliminary plat.	N/A

		provided.		
12-644.B	Improvements Plan	County Engineer Inspections	Not applicable at this stage.	N/A
12-644.C	Improvements Plan	In lieu of completing all improvements, the subdivider shall enter into a surety agreement with the Board.	Not applicable at this stage.	N/A
12-645.A	Prelim. Plat Review Standard	In accord with purposes of Title 12 and the applicable Zoning District.	Per BCRC 12-111, Bonner County zoning code is intended to protect life and property in areas subject to natural hazards and disasters. These natural hazards include floodplains. This proposal seeks to double the density within the AE Floodway and Special Flood Hazard zones.	No
12-645.B	Prelim. Plat Review Standard	The site is physically suitable for proposed development.	See conclusions of law.	
12-645.C	Prelim. Plat Review Standard	No adverse impact to natural resources. If any, to be mitigated as Conditions of Approval.	Impacts to natural resources were identified by Idaho Department of Fish and Game. See agency comment.	No
12-645.D	Prelim. Plat Review Standard	Adequate services to serve the proposed subdivision.	Individual well and individual septic tanks are proposed.	Yes
12-645.E	Prelim. Plat Review Standard	Proposed subdivision to not expose future residents or public at large to be exposed to health or safety.	This parcel is within Special Flood Hazard Area (SFHA) AE and SFHA AE Floodway per FIRM Panel Number 16017C0665E, Effective Date 11/18/2009. Per BCRC 14-102, the flood hazard areas of Bonner County are subject to periodic inundation that results in the loss of life and property, health and safety hazards, the disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.	No

12-645.F	Prelim. Plat Review Standard	Provision for coordinated access with the county system of roads. Proposed transportation to adequately and safely serve the future residents.	Still Meadows Lane has not been shown to meet Private Road Standards. A request for a Waiver of Title 12 Appendix A, Private Road Standards, and BCRC 12-624 (B) was denied by the Bonner County Board of Commissioners. <b>See Appendix D.</b>	No
12-645.G	Prelim. Plat Review Standard	Compliance with Title 12, Subchapter 6.2.	See applicable sections of review for Title 12, subchapter 6.2.	
<b>12-6.5 Short Plats, Procedures</b>				
12-650.A	Purpose			
12-650.B	Application	Short Plat application items		Yes
12-650.C	Permit Required	Eligibility for Short Plat	Proposal is for two lots and is eligible for the short plat land division procedure.	Yes
12-650.D	Plat Contents		See applicable review sections above.	
12-651	Procedure for Prelim. Short Plat Approval	Applications to be filed as per BCRC 12-268, Agency Routing, Public Noticing, ACI Noticing, Comment Period, Staff Report Issuance, Written Decision, Preliminary Plat Validity, Administrative Decision Appeal.	Proposal complies with this standard.	Yes
<b>12-7.2 Grading, Stormwater Management And Erosion Control</b>				
12-720.1	Purpose			
12-720.2	Applicability	Activities to which Subchapter 12-7.2 is applicable.	Proposal complies.	Yes
12-720.3. J	Non-applicability	Activities to which Subchapter 12-7.2 is not applicable.	All lots in the proposed short plat are over 5-acres and no additional impervious surface is being proposed with the proposed land division.	Yes
12-724.4	Optional Preliminary	For preliminary plats, an optional preliminary grading/storm water management and erosion control plan may		Yes



		be submitted at the time of the application.		
<b>12-7.3</b>	<b>Wetlands</b>			
12-731	Wetland Reconnaissance	All subdivisions containing mapped wetland as determined from the U.S. fish and wildlife service national wetland inventory maps.	A wetland reconnaissance has not been submitted.	No
12-732	Wetland Delineation	All subdivisions featuring lots containing a wetland based on a wetlands reconnaissance as required in section 12-731 of this subchapter. Exception: Subdivisions where all building sites are delineated on the plat are outside of a wetland based on the wetlands reconnaissance.	A wetland delineation has not been submitted.	No
12-733	Wetland Buffer and Setbacks		Not applicable at this stage.	N/A
<b>12-7.4</b>	<b>Wildlife</b>			
12-740	Purpose	The purpose of this subchapter is to provide measures to protect and maintain wildlife and fisheries habitat.	Based on a comment from Idaho Department of Fish and Game, critical wildlife habitats were identified. Floodplain development can increase potential impacts to resources.	No
12-741	Wildlife Protection standards for new development	Wildlife mitigation measures may be required in new subdivisions based on input from the Idaho Department of Fish and Game or U.S. Fish and Wildlife Service	No mitigation measures have been proposed at this stage.	Yes
<b>12-7.5</b>	<b>Flood Damage Prevention</b>			
	Compliance with Title 14		This parcel is within Special Flood Hazard Area (SFHA) AE and SFHA AE Floodway per FIRM Panel Number 16017C0665E, Effective Date 11/18/2009. Per BCRC 14-102, the flood hazard areas of Bonner County are subject to periodic inundation that	No

			results in the loss of life and property, health and safety hazards, the disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. This proposal seeks to double the density within the AE Floodway and Special Flood Hazard zones.	
<b>12-7.6</b>	<b>Hillsides</b>			
12-760	Purpose	The purpose of this subchapter is to protect the community from the loss of lives and property and to reduce public and private financial losses due to slope slippage	The site contains minimal slopes from 0-30%.	Yes
12-761	Conceptual engineering plan required.		No land disturbing activity is being proposed.	Yes
12-762	Geotechnical analysis required		Not applicable at this stage.	Yes

Staff concluded this project **is not** consistent with Bonner County Revised Code based upon the contents of this staff report, including the Standards Review, Findings of Facts, Conditions of Approval and Conclusions of Law herein.

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## Agency and Public Comments

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**Agencies and Taxing Districts were notified of this request on May 1, 2025. A full list of the agencies notified can be found in Appendix A. Agency Comments can be found in Appendix B.**

### The following agencies replied:

Bonner County Floodplain Manager  
Idaho Department of Fish and Game

### The following agencies replied (No Comment):

Kootenai-Ponderay Sewer District

**No other agencies replied.**

### Public Comments:

At the time this staff report was written, no public comments were received.

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**EXISTING COMPREHENSIVE PLAN DESIGNATION:**

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**Rural Residential (5-10 AC):** The Rural Residential area provides for residential development in areas where urban services are not available and slopes may vary up to 30%. These areas include hazard areas and critical wildlife habitats, where lower densities reduce potential impacts to resources and exposures to loss of property or lives. Small-scale agricultural uses and residential development are permitted.

**Comprehensive Plan Analysis:****Property Rights****Policies:**

1. Bonner County should follow the attorney general's checklist, proscribed at Idaho Code §67-8003 and provided in the "Property Rights" component of the county's comprehensive plan, for all land use decisions.
2. For all land use decisions, findings of fact and conclusions of law should be adopted that reflect the justifications for exactions, conditions and restrictions and should confirm that a taking of private property has not occurred.
3. The property rights of the applicant, adjoining and nearby landowners and future generations should be considered, as well as the short-term and long-term consequences of decisions.
4. Bonner County should review all rezoning requests (down-zoning and up-zoning) pursuant to the Idaho State Code, Title 67, Chapter 65 – Local Land Use Planning Act. The approval of conditional rezoning or denial of a request for rezoning may be subject to the regulatory taking analysis provided for by Idaho Code Section 67-8003.

**Staff:** The application was routed to neighbors 300' from the property line, informing neighbors of the proposed zone change. As of the date of this staff report, Bonner County has received no public comments. This proposal has been reviewed for compliance with Bonner County Revised Code and this proposal does not appear to be in conflict with the policies of this component.

**Population****Policies:**

1. Population projections should be analyzed regularly to determine if changes need to be made to the Comprehensive Plan goals, objectives and policies and/or the Zoning Ordinance to ensure that the public and community needs are being met through land use decisions.



2. Population forecasts and census data should be used to evaluate housing and school needs, and impacts to the transportation system and other county services.
3. Bonner County should cooperate with its incorporated cities and neighboring counties to address growth challenges within the ACI areas and coordinate planning efforts whenever possible.

**Staff:** Bonner County, according to 2023 population estimates census data, has seen an 11.55% increase in population since the 2020 census was performed; increasing from 47,103 to an estimated 52,547. With the increase in the population, there is upward pressure on housing needs in Bonner County, both in the unincorporated portion of the County, and in the incorporated cities. This proposal is within the Area of City Impact for the City of Clark Fork, and they did not provide a comment.

The proposal does not appear to be in conflict with the policies of this component.

## **School Facilities & Transportation**

### **Policies:**

1. Current data regarding school capacity and transportation issues as provided by the School Districts will be included in the assessment of all land use proposals.
2. Bonner County should examine the impacts of land use proposals to the school system and should seek mitigation from developers such as providing facilities, safety features, fees or other measures as permitted by Idaho Code, to address the impact of the proposals.

**Staff:** The West Bonner School District #83 and the West Bonner School Transportation that serves the property were notified of the proposal and did not provide comments. This project does not appear to conflict with this component.

## **Economic Development**

### **Policies:**

1. Small scale cottage businesses and home occupations should be allowed in all areas of the county. Reasonable conditions on such uses should be set to minimize adverse impacts to the neighborhood based on factors including, but not limited to, hours of operation and traffic volume generated by the business.
2. Develop land use regulations to allow Bonner County's agricultural heritage to be maintained by enabling local food production, distribution, congregation, and retail sales. Examples include community gardens, school gardens, farm related

education programs, farmers or public markets, and other small-scale, collaborative initiatives.

3. Develop standards for commercial and industrial development that are appropriate for the surrounding community, including: appropriate site sizes, use types, buffering and design standards that encourage both attractive and efficient function, while protecting the environment.
4. Review and update land use regulations for employee housing to support the goal of enabling this use in proximity to commercial, industrial and agricultural uses.

**Staff:** The proposed land division does not appear to conflict with the policies of this component.

## **Land Use**

### **Policies:**

1. Commercial and industrial uses, in areas identified in the Comprehensive plan suitable for such development, should be unconditionally permitted. Evaluation of suitability should be based on availability of urban services, adequate access to hard surfaced publicly maintained roads and other factors that may impact the surrounding community.
2. Commercial and industrial uses may be conditionally permitted in areas not identified for such uses in the Comprehensive Plan if a critical review of the proposed use determines that with appropriate conditions the use will not adversely impact the surrounding area.

**Staff:** The proposed land division does not appear to conflict with the policies of this component. The Rural zone does allow for some commercial and industrial uses, either unconditionally or conditionally permitted, per BCRC 12-3.3. Per the application, the intent of this land division is for residential purposes.

## **Natural Resources**

### **Policies:**

1. Watershed standards should be employed in land use codes to protect water quality.
2. Best management practices for waterway setbacks should be instituted to reduce erosion and sedimentation into waterways.
3. Development standards should be designed to encourage clustered development resulting in the preservation of open space and wildlife habitat.

4. Bonner County should recognize its critical wildlife habitat and create development standards to protect these areas and mitigate development impacts to these habitats.
5. Protect water quality by creating standards for development in close proximity to shorelines.
6. Productive farmland, timberland and mining lands should be identified and protected from adverse effects of adjoining developments.

**Staff:** Impacts to natural resources were identified by the Idaho Department of Fish and Game. The site contains areas along the Priest River, which is designated as critical habitat for Bull Trout by the United States Fish and Wildlife Service. The comment goes on to say, "The flood risk and floodplain development in this proposal both disproportionately increase potential impacts to resources of the high relative importance of floodplain and riparian habitats to wildlife". The proposed land division is in conflict with policy 4 of this component.

## **Hazardous Areas**

### **Policies:**

1. Flood mitigation standards should be adopted that meet or exceed the National Flood Insurance Program minimum requirements.
2. Residential, commercial or industrial development within the floodway should be discouraged.
3. Fill within the floodplain should be discouraged.
4. The county's wildland fire, urban/wildland interface policies and plans should be integrated into development standards.
5. Excessive slopes should be identified and development discouraged by providing lower densities within these areas.
6. Multiple points of ingress/egress should be considered for large developments
7. Development should be avoided in avalanche zones.

**Staff:** Based on the following comment from the Bonner County Floodplain Manager, "This parcel is within Special Flood Hazard Area (SFHA) AE and SFHA AE Floodway per FIRM Panel Number 16017C0665E, Effective Date 11/18/2009. Per BCRC 12-111, the purpose of zoning code in Bonner County is to promote the health, safety and general welfare of the people of Bonner County. Further, per BCRC 12-111, Bonner County zoning code is also intended to protect life and property in areas subject to natural hazards and disasters. These natural hazards include floodplains. Per BCRC 14-102, the flood hazard areas of Bonner County are

subject to periodic inundation that results in the loss of life and property, health and safety hazards, the disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. Further, per BCRC 14-102, local government units have the primary responsibility for planning, adopting, and enforcing land use regulations to accomplish proper floodplain management. Per BCRC 14-505, areas designated as floodways are located within the Special Flood Hazard Areas and are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. This request will result in a doubling of the flood risk exposure in an already hazardous area. It is strongly recommended that this application be denied, and it is my opinion that the County decision-making bodies in this matter are obligated to deny this application. Approval of this application would be contrary to the obligation of the County to promote the health, safety and general welfare of the people. Approval of this application would be contrary to the County's obligation to protect life and property in areas subject to natural hazards and disasters." This proposal is in conflict with policy two of this section.

## **Public Services, Facilities & Utilities**

### **Policies:**

- a. Encourage high-density development to take place within the boundaries of existing sewer and water areas.
- b. Bonner County should seek comment from existing service providers on their ability to serve future developments without adversely impacting the ability of the utility providers to serve current users.
- c. Bonner County should provide adequate facilities for responsible disposal of solid waste to protect the health and welfare of the public as well as the County's natural resources.

**Staff:** Any future development to this parcel should not affect service as currently there is a well and septic system. The parcel has services, including electricity provided by Avista Utilities, Bonner County EMS & Sheriff, and West Pend Oreille Fire Department; all of which were routed for comment and did not respond as to how this land division could affect their services. Any expansions to these services or others, the applicant will need to obtain proper permitting through the appropriate agencies that govern these services. This proposal does not appear to conflict with the policies of this component.

## **Transportation**

### **Policies:**



1. A long-term transportation system plan should be developed and regularly updated to ensure reasonable levels of service can be maintained in the future, and that needs for future road extensions or transportation corridors are identified as early as possible.
2. Development in areas that are not served by county standard roads or where transportation is inadequate should be discouraged.
3. Bike and pedestrian trails should be considered in development proposals to connect the communities with existing and planned bike and walking paths wherever possible.

**Staff:** Proposed Lot 2 has direct access on Peninsula Loop, a Bonner County owned and maintained public right-of-way. Proposed Lot 1 is accessed via Still Meadows Lane, a privately owned and privately maintained easement. The proposal does not appear to be in conflict with the policies of this component.

## **Recreation**

### **Policies:**

1. Bonner County is encouraged to develop a waterways and park access program to preserve and develop access to public recreational lands and waterways. The program should include retaining access parcels that may be acquired from tax sales or private donations.
2. A plan for a system of green belts and pathways (bike and pedestrian) should be considered as areas develop, so that a connected system can be developed and preserved.
3. Under no circumstances, will Bonner County require access easements on private property as a condition of development. This policy does not preclude providing voluntary incentives to developers in return for access easements.

**Staff:** Current recreational opportunities for the general public that are available in Bonner County are anticipated to remain the same with this land division. This proposal does not appear to be in conflict with the policies of this component.

## **Special Areas or Sites**

### **Policies:**

1. A generalized map of the known pre-historic and historic sites should be developed so that future developments are aware of special areas of concern and are connected with the historical society and Native American tribes for appropriate preservation and protection.

2. Bonner County should implement road side development standards for recognized scenic byways to protect the view sheds.
3. Special areas should be recognized and addressed when development is proposed in these areas.

**Staff:** The project does not appear to be in conflict with the policies of this component.

## **Housing**

### **Policies:**

1. Encourage development of a variety of housing options including mobile home parks, tiny home communities and recreational vehicle parks located in areas that are compatible with their density.
2. Work with municipalities and private parties to find solutions for all types of housing projects and developments.
3. Clustering of housing in developments to save on infrastructure and transportation costs should be encouraged through mechanisms such as density bonuses.
4. Bonner County recognizes opportunities should be made for assisted living and group shelters.
5. Enable workforce housing in direct proximity to agricultural, commercial and industrial uses.

**Staff:** The Rural zoning district allows for a variety of housing types including, but not limited to, single family dwellings, accessory dwelling units, duplexes, RV dwelling units, and workforce housing. Per the applicant's narrative, the purpose of this short plat is to divide the parcel to allow further residential development.

## **Community Design**

### **Policies:**

1. To promote and preserve the natural features and rural atmosphere of the community, the county should enact development standards that address development within scenic byways and design standards that account for waterfront setbacks, wildlife corridors, commercial and industrial landscaping, requirements for reduced lighting, cluster development, rural rather than urban setback standards and other design objectives aimed at preserving the rural, natural character of the community.

2. Allow unique and flexible design standards such that new development within older neighborhoods and historic settlements is compatible with those unique neighborhoods.
3. Allow particularized design standards to address waterfront and mountaintop developments which may differ from standard design objectives.

**Staff:** This proposal does not appear to conflict with the policies of this component.

## **Agriculture**

### **Policies:**

1. Residential uses should continue being permitted in Agricultural zoning districts.
2. Protect agricultural uses and activities from land use conflicts or interference created by residential, commercial or industrial development
3. Land use regulations should support home occupations, cottage industries and farm-based family businesses on agricultural parcels. Examples include farm stands and other agri-business pursuits.
4. Bonner County acknowledges the provisions of Idaho State's Right to Farm Act. Those shall be considered in the land use decisions.

**Staff:** This proposal does not appear to conflict with the policies of this component, as this is within the Rural Residential land use area.

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## **Conclusions of Law:**

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### **Based upon the findings of fact, the following conclusions of law are adopted:**

**Conclusion 1:** The proposed subdivision **is not** in accord with the purposes of this Title and of the zoning district in which it is located.

**Conclusion 2:** The site **is not** physically suitable for the proposed development.

**Conclusion 3:** The design of the proposed subdivision **will not** adversely impact Bonner County's natural resources, as identified in the comprehensive plan. Any adverse impacts or potential for impacts shall be mitigated as a condition of approval.

**Conclusion 4:** The public and private services, including but not limited to water, sewer services, solid waste, fire protection, emergency services, and school facilities and transportation, which will serve the proposed subdivision **are** adequate for the needs of future residents or users.

**Conclusion 5:** The proposed subdivision **will** cause circumstances to exist that will cause future residents or the public at large to be exposed to hazards to health or safety.

**Conclusion 6:** The design of the proposed subdivision or related improvements **will not** provide for coordinated access with the county system of roads and with adjacent properties and **will not** impede the use of public easements for access to, or through the proposed subdivision. The proposed transportation system **is not** designed to adequately and safely serve the future residents or users without adversely impacting the existing transportation system by reducing the quality or level of service or creating hazards or congestion.

**Conclusion 7:** The proposed subdivision **is not** designed to comply with the design criteria for subdivisions set forth in Subchapter 6.2 of this chapter.

**Conclusion 8:** The proposed subdivision **is** in conflict with the Bonner County Comprehensive Plan.

---

### **Staff Recommendation for Action: Deny**

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The applicant, or interested parties, have 10 days from the date of the issuance of this report to provide written comment in response to the staff report.

The Planning Director shall make an administrative decision to approve, approve with modifications, continue, deny or recommend a public hearing on the file following the closing of the ten-day response period on **August 24, 2025**.

<b>Planner's Initials: KS</b>	<b>Date: August 14, 2025</b>
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## **Appendix A – Record of Mailing**

## **RECORD OF MAILING**

**Page 1 of 1**

**File No.: SS0001-25**

**Record of Mailing Approved By:**



I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **1<sup>st</sup>** day of **May 2025**.



Janna Brown, Administrative Assistant III

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

West Bonner County Cemetery District - Email

West Bonner Library - Email

West Pend Oreille Fire District - 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 School District, #83 - Email

West Bonner Water & Sewer District - Email

West Priest Lake Fire District - Email



## **Appendix B - Agency Comments**



Janna Brown &lt;janna.brown@bonnercountyid.gov&gt;

**[EXT SENDER] RE: Bonner County Planning - S0001-25 Agency Review - Short Plat - River Estates**

1 message

**Horsmon, Merritt** <merritt.horsmon@idfg.idaho.gov>  
To: Bonner County Planning <planning@bonnercountyid.gov>

Fri, Jun 13, 2025 at 12:13 PM

Hi Janna,

Please find corresponding Idaho Department of Fish and Game comments attached.

Sorry for the delay on this one.

Have a nice weekend.

Thank you,

**Merritt Horsmon**

Regional Technical Assistance Manager

Panhandle Region

2885 W. Kathleen Ave.

Coeur d'Alene, ID 83815

208.769.1414 office

208.251.4509 mobile

[merritt.horsmon@idfg.idaho.gov](mailto:merritt.horsmon@idfg.idaho.gov)



---

**From:** Bonner County Planning <[planning@bonnercountyid.gov](mailto:planning@bonnercountyid.gov)>

**Sent:** Wednesday, April 30, 2025 11:13 AM

**To:** Alan Brinkmeier <[alan.brinkmeier@bonnercountyid.gov](mailto:alan.brinkmeier@bonnercountyid.gov)>; Amber Burgess <[clerk@ebsewerdistrict.com](mailto:clerk@ebsewerdistrict.com)>;  
Army Corps of Engineers <[CENWW-RD-CDA@usace.army.mil](mailto:CENWW-RD-CDA@usace.army.mil)>; Avista Copr - Jay West  
<[jay.west@avistacorp.com](mailto:jay.west@avistacorp.com)>; Avista Corp - Peggy George <[peggy.george@avistacorp.com](mailto:peggy.george@avistacorp.com)>; Becky Meyer

<[becky.meyer@lposd.org](mailto:becky.meyer@lposd.org)>; Bill Berg <[billb@bbsewer.org](mailto:billb@bbsewer.org)>; Bonner County Assessors <[assessorsgroup@bonnercountyid.gov](mailto:assessorsgroup@bonnercountyid.gov)>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <[DIRECTOR@bonnercountyhistory.org](mailto:DIRECTOR@bonnercountyhistory.org)>; Brenna Garro <[Brenna.Garro@oer.idaho.gov](mailto:Brenna.Garro@oer.idaho.gov)>; Bryan Quayle <[quaylelanduseconsulting@gmail.com](mailto:quaylelanduseconsulting@gmail.com)>; Bell, Chace <[Chace.Bell@idwr.idaho.gov](mailto:Chace.Bell@idwr.idaho.gov)>; Chief Debbie Carpenter <[chief@spirittlakefire.com](mailto:chief@spirittlakefire.com)>; City of Clark Fork <[city@clarkforkidaho.org](mailto:city@clarkforkidaho.org)>; City of Dover <[cityclerk@cityofdoverydaho.org](mailto:cityclerk@cityofdoverydaho.org)>; City of East Hope Franck <[easthope.city@gmail.com](mailto:easthope.city@gmail.com)>; City of Hope <[hopecityclerk@gmail.com](mailto:hopecityclerk@gmail.com)>; City of Oldtown <[cityofoldtown@hotmail.com](mailto:cityofoldtown@hotmail.com)>; City of Priest River <[layers@priestriver-id.gov](mailto:layers@priestriver-id.gov)>; City of Sandpoint Planning <[cityplanning@sandpointidaho.gov](mailto:cityplanning@sandpointidaho.gov)>; <[cityclerk@spirittlakeid.gov](mailto:cityclerk@spirittlakeid.gov)>; Colleen Johnson <[CJohnson@kootenaiponderaysewerdistrict.org](mailto:CJohnson@kootenaiponderaysewerdistrict.org)>; Connie Nelson <[connien@inlandpower.com](mailto:connien@inlandpower.com)>; Coolin-Cavanaugh Bay Fire Protection District <[coolinfirechief@gmail.com](mailto:coolinfirechief@gmail.com)>; Craig Hill <[craighill@hillsresort.com](mailto:craighill@hillsresort.com)>; D1Permits <[D1Permits@itd.idaho.gov](mailto:D1Permits@itd.idaho.gov)>; <[dbrown@idl.idaho.gov](mailto:dbrown@idl.idaho.gov)>; Dan McCracken <[Dan.McCracken@deq.idaho.gov](mailto:Dan.McCracken@deq.idaho.gov)>; Dan Scholz <[dan.scholz@nli.coop](mailto:dan.scholz@nli.coop)>; Dean Davis <[deandavis@sd83.org](mailto:deandavis@sd83.org)>; 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Independent Hwy Dist - Julie Bishop <[ihdclerk@gmail.com](mailto:ihdclerk@gmail.com)>; Robert Beachler <[robert.beachler@itd.idaho.gov](mailto:robert.beachler@itd.idaho.gov)>; ITD - Stacy Simkins <[stacy.simkins@itd.idaho.gov](mailto:stacy.simkins@itd.idaho.gov)>; Jack Schenck <[Jack.schenck@vyvebb.com](mailto:Jack.schenck@vyvebb.com)>; Janice Best <[janicesb@televar.com](mailto:janicesb@televar.com)>; Jason Johnson <[jason.johnson@bonnercountyid.gov](mailto:jason.johnson@bonnercountyid.gov)>; Jason Kimberling <[jason.kimberling@itd.idaho.gov](mailto:jason.kimberling@itd.idaho.gov)>; Jeff Lindsey <[jeff.lindsey@bonnercountyid.gov](mailto:jeff.lindsey@bonnercountyid.gov)>; Jessie Roe <[BWSD637@gmail.com](mailto:BWSD637@gmail.com)>; <[joekren@sd83.org](mailto:joekren@sd83.org)>; Jordan Brooks <[coolinsewer@gmail.com](mailto:coolinsewer@gmail.com)>; Kayleigh Miller <[klmiller@ponderay.org](mailto:klmiller@ponderay.org)>; kbsd sewer <[kbsdpl@hotmail.com](mailto:kbsdpl@hotmail.com)>; Kenny Huston <[kenny.huston@oer.idaho.gov](mailto:kenny.huston@oer.idaho.gov)>; Kim Hoodenpyle <[kjh5345@gmail.com](mailto:kjh5345@gmail.com)>; Kim Spacek <[kimspacek@sd83.org](mailto:kimspacek@sd83.org)>; Kimberly Hobson <[Kimberly.Hobson@itd.idaho.gov](mailto:Kimberly.Hobson@itd.idaho.gov)>; Laclede Water District <[info@lacledewaterdistrict.org](mailto:info@lacledewaterdistrict.org)>; Lakeland Joint School District #272 <[cpursley@lakeland272.org](mailto:cpursley@lakeland272.org)>; Lisa Rosa <[hr@ebonnerlibrary.org](mailto:hr@ebonnerlibrary.org)>; Matt Diel <[matt.diel@lposd.org](mailto:matt.diel@lposd.org)>; Midas Water <[midaswatercorp@gmail.com](mailto:midaswatercorp@gmail.com)>; Mike Ahmer <[mahmer@idl.idaho.gov](mailto:mahmer@idl.idaho.gov)>; Mike Schacht <[firedept@clarkforkidaho.org](mailto:firedept@clarkforkidaho.org)>; Natural Resource Conservation Service - Greg Becker <[greg.becker@id.usda.gov](mailto:greg.becker@id.usda.gov)>; Navy - Glynis Casey <[glynis.casey@navy.mil](mailto:glynis.casey@navy.mil)>; North of the Narrows Fire District <[Huckbay2501@gmail.com](mailto:Huckbay2501@gmail.com)>; Northern Lights <[kristin.mettke@nli.coop](mailto:kristin.mettke@nli.coop)>; Northern Lights - Clint Brewing <[clint.brewington@nli.coop](mailto:clint.brewington@nli.coop)>; Northside Water and Syringa Heights Water Association <[allwater49@outlook.com](mailto:allwater49@outlook.com)>; Oden Water Association - Carla Poelstra <[odenwater@gmail.com](mailto:odenwater@gmail.com)>; Pend Oreille Hospital District <[kim.kichenmaster@bonnergeneral.org](mailto:kim.kichenmaster@bonnergeneral.org)>; PHD <[EHapplications@phd1.idaho.gov](mailto:EHapplications@phd1.idaho.gov)>; Priest Lake Public Library District <[plplibrary@hotmail.com](mailto:plplibrary@hotmail.com)>; Richard Hash <[Rich.hash2022@gmail.com](mailto:Rich.hash2022@gmail.com)>; Road & Bridge - Matt Mulder <[matt.mulder@bonnercountyid.gov](mailto:matt.mulder@bonnercountyid.gov)>; Ryan Zandhuisen <[rzandhuisen@idl.idaho.gov](mailto:rzandhuisen@idl.idaho.gov)>; Sagle Valley Water and Sewer District <[saglewatersewer@gmail.com](mailto:saglewatersewer@gmail.com)>; 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Steve Elgar <[selgar@mac.com](mailto:selgar@mac.com)>; Superintendent School Dist 84 <[kelly.fisher@lposd.org](mailto:kelly.fisher@lposd.org)>; <[Symone.legg@itd.idaho.gov](mailto:Symone.legg@itd.idaho.gov)>; TC Energy / TransCanada <[US\\_crossings@tcenergy.com](mailto:US_crossings@tcenergy.com)>; Teresa Decker <[Huckleberryhoa@gmail.com](mailto:Huckleberryhoa@gmail.com)>; Teresa Decker <[huckbayutilities01@gmail.com](mailto:huckbayutilities01@gmail.com)>; Teresa Zamora <[utilities@stoneridgeidaho.com](mailto:utilities@stoneridgeidaho.com)>; Theresa Wheat <[theresa@kootenai.org](mailto:theresa@kootenai.org)>; Tim Ventress <[chventresswplvfd@hotmail.com](mailto:chventresswplvfd@hotmail.com)>; Timberlake Fire District <[Kwright@timberlakefire.com](mailto:Kwright@timberlakefire.com)>; Tom Renzi <[epfldchief@gmail.com](mailto:epfldchief@gmail.com)>; US Fish & Wildlife Services <[fw1idahoconsultationrequests@fws.gov](mailto:fw1idahoconsultationrequests@fws.gov)>; West Bonner Library <[meagan@westbonnerlibrary.org](mailto:meagan@westbonnerlibrary.org)>; West Pend Oreille Fire District <[wpofd1@gmail.com](mailto:wpofd1@gmail.com)>  
**Cc:** Kyle Snider <[kyle.snider@bonnercountyid.gov](mailto:kyle.snider@bonnercountyid.gov)>; Alexander Feyen <[alexander.feyen@bonnercountyid.gov](mailto:alexander.feyen@bonnercountyid.gov)>  
**Subject:** Bonner County Planning - S0001-25 Agency Review - Short Plat - River Estates

**CAUTION:** This email originated outside the State of Idaho network. Verify links and attachments **BEFORE** you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

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The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

**Janna Brown, Administrative Assistant III**

**Bonner County Planning Department**

**208-265-1458 ext - 1252**



**BC\_SS0001-25\_PriestR\_RiverEstates.pdf**  
215K



## IDAHO DEPARTMENT OF FISH AND GAME

### PANHANDLE REGION

2885 West Kathleen Avenue

Coeur d'Alene, Idaho 83815

Brad Little / Governor  
Jim Fredericks / Director

June 10, 2025

Bonner County Planning Department  
1500 Highway 2, Suite 208  
Sandpoint, ID 83864

REFERENCE: S0001-25 – River Estates

The Idaho Department of Fish and Game (IDFG) has reviewed the application to divide one (1) 19.39-acre lot into (2) 9.691-acre lots along the Priest River. The purpose of these comments is to assist the decision-making authority by providing technical information that can be used to minimize fish and wildlife impacts.

The parcel considered in this proposal are partially composed of Priest River floodplain and contain both freshwater emergent and freshwater forested/shrub wetlands. Priest River is hydrologically connected to Lake Pend Oreille with no barriers to fish movement and, like a number of other tributaries to the system, provides spawning and early rearing habitat for Lake Pend Oreille Bull Trout. Native Westslope Cutthroat Trout also inhabit Priest River. The entire 45-mile length is federally designated as critical habitat for Bull Trout by the United States Fish and Wildlife Service (USFWS). Bull Trout depend on cool, clean water and use Priest River as a migration route to their spawning areas. Flood risk is rising in the Pacific Northwest due to changes in climate patterns. Floods can cause extensive property damage, increased nutrient inputs, and possible sewage, and chemical pollutant release into Priest River. In turn, any one of these outcomes could result in degradation of water quality and negative effects on coldwater aquatic life.

Wetland areas characteristic to northern Idaho include marshes, swamps, floodplains, and peat bogs. They play a crucial role in water quality, water retention, erosion control, soil and nutrient trapping, and provide important habitat for a variety of wildlife species. Additionally, wetlands help extend stream flow during droughts and aid in preventing devastating floods. Development and human activity in and adjacent to wetlands adversely impact these values and functions. We recommend that all wetlands should be protected from pesticides, fertilizers, and septic systems by a minimum of a 40-foot buffer of native vegetation. Additionally, Bonner County Code section 12-733B states that all high-quality wetlands require a 40-foot building setback.

Section 4.2 of the natural resources section of the Bonner County Comprehensive Plan states that "Impacts to fisheries from development are typically associated with modifications to floodplains,

*Keeping Idaho's Wildlife Heritage*

riparian areas, and stream banks which in turn affect stream channel stability, shade cover and other features which create fish habitat (Thurrow 1988, Liknes and Graham 1987, Rieman and Apperson 1989).” Floodplains are valuable both physically and biologically for many reasons to include flood abatement, filtering nutrients and pollutants, moderation of water temperatures, reduction of sediment, promoting groundwater recharge, and enhancing biological diversity.

Streamflow in lower Priest River is regulated by the Priest Lake Outlet Dam. Dam operations target a discharge of at least 60 cfs to lower Priest River during the recreation season and majority of irrigation season. During low water years, it has been difficult for the 60 cfs minimum flow to be met, and occasionally the flows have been dropped to nearly half that amount. Furthermore, Priest River below the mouth of the East River (mile 21.7) has a minimum flow water right requirement of 300 cubic feet per second held by the Idaho Water Resources Board. During the last five irrigation seasons, the minimum flow requirement was not met for more than 100 days, with most of that occurring in August and September for this water right (97-7380). Flows did not return to at or above the minimum flow until recreational water was released from Priest Lake. August and September flows are critical for Bull Trout migrating to spawning tributaries, which is one of the primary reasons that a minimum stream flow water right was requested. Additionally, “As development of land and water resources intensifies, it is increasingly apparent that development of either ground water or surface water affects the other” (Winters and others, 1998, USGS Circular 1186, 1999). With increased development in the area this important migration corridor is likely to see additional negative effects. Climate models predict less snowpack, earlier spring runoff, and high summer temperatures will occur with increasing frequency into the future. “The results of ground-water pumping are likely to be of greatest concern during periods of low flow, particularly when the reliability of surface water supplies is threatened during droughts.” (USGS Circular 1186, 1999). Lower Priest River is classified as water quality limited under §303(d) of the Clean Water Act. It is TMDL listed for both temperature and sediment. Fish kills have been occurring on Priest River due to lethally high-water temperatures during the summer months. While these do not occur consistently or frequently, they are of great concern to IDFG. Further reduction of flows and floodplain development will only increase negative effects.

In the general habitat section of the Bonner County Comprehensive Plan, it states that while some species may benefit from rural residential disturbance, many highly valued fish and wildlife species are sensitive to disturbance and habitat alteration associated with rural development. Bull Trout are a species that is sensitive to water quality changes, especially temperature increases that often accompany floodplain and off-channel development in riverine systems. The Comprehensive Plan states “While any one development proposal will have limited impacts on wildlife, those impacts will add cumulatively to impacts associated with past and future developments to ultimately reduce the capacity of the County to support many wildlife species.” The reduction of wildlife and available habitat will affect Idahoans who enjoy wildlife and wildlife-based recreation.

While the habitat contained in the proposed parcels is not currently designated as “critical” by any state or federal agency, with increased development, all undeveloped wildlife habitat and open spaces within Bonner County are becoming increasingly important. The flood risk and floodplain development in this proposal both disproportionally increase potential impacts to resources because of the high relative importance of floodplain and riparian habitats to wildlife.



In summary, wildlife use will be negatively impacted within the immediate areas with further floodplain encroachment. Additionally, there may be effects to both wetland habitat and to the Priest River if necessary precautions to protect these sensitive areas are not taken. While the habitat, and many of the species, may seem common and similar resources are available nearby, continued development will change the abundance, diversity, and distribution of wildlife within Bonner County over time.

Thank you for the opportunity to comment.

Sincerely,

Carson Watkins  
Panhandle Regional Supervisor

CJW:MH:lat  
C: eFile M:\  
Literature Cited

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Bonner County Comprehensive Plan, Bonner County, Idaho



Janna Brown &lt;janna.brown@bonnercountyid.gov&gt;

---

**File SS0001-25 Short Plat**

1 message

---

**'Colleen Johnson' via Mail-Planning** <planning@bonnercountyid.gov>  
Reply-To: Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>  
To: Bonner County Planning Department <planning@bonnercountyid.gov>

Tue, May 6, 2025 at 4:16 PM

Good Afternoon:

Attached is the District's response to the above named file.

**NOTICE OF CHANGE IN HOURS: THE OFFICE WILL BE CLOSED ON FRIDAYS. WE WILL BE OPEN NORMAL HOURS MONDAY THRU THURSDAY.**

**Colleen Johnson**

**Business Office Manager**

**Kootenai-Ponderay Sewer District**

**208-263-0229 Fax – 208-265-5326 Mobile: 208-304-5820**

**511 Whiskey Jack Road Sandpoint, Idaho 83864**

**P.O. Box 562, Kootenai, ID 83840**

**“Dance with Life”**



---

 **25\_05\_BC\_FileSS0001\_25\_ShortPlat.pdf**  
71K

# NOTICE OF AGENCY REVIEW



I hereby certify that a true and correct copy of this "Notice of Agency Review" was digitally transmitted or mailed (postage prepaid) on this **1<sup>st</sup>** day of **May 2025**.

Jenna Brown  
Jenna Brown, Administrative Assistant III

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Thursday, May 1, 2025**.

---

## File SS0001-25 – Short Plat – River Estates

The above-named application has been submitted to the Bonner County Planning Department for processing and has been determined to be complete. The applicant is requesting to divide one (1) 19.39-acre lot into two (2) 9.691-acre lots. The property is zoned Rural 10 and is located off Peninsula Loop in Section 20, Township 57 North, Range 4 West, Boise-Meridian.

To review this application, go to the Planning Department web site at [bonnercountyid.gov/current-projects](http://bonnercountyid.gov/current-projects). If you experience difficulties visiting the project web page, try an alternative browser (Mozilla Firefox or Google Chrome) for access. If you prefer to receive hard copies of the application or have any difficulties reaching this web site, please contact the planning department as soon as possible.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections by **June 2, 2025**. If your agency requires any additional information from the applicant, please advise the planning department in writing allowing ample time for applicant response. All comments will be forwarded to the applicant and representatives. 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 Planning Department.**

NO COMMENT Kootenai-Idaho River District 5/6/25  
Name Date

Out of District Boundaries



Janna Brown &lt;janna.brown@bonnercountyid.gov&gt;

**Re: Bonner County Planning - S0001-25 Agency Review - Short Plat - River Estates**

1 message

**'Sam Ross' via Mail-Planning** <planning@bonnercountyid.gov>

Reply-To: Sam Ross &lt;sam.ross@nli.coop&gt;

To: Bonner County Planning &lt;planning@bonnercountyid.gov&gt;

Cc: Dan Scholz &lt;Dan.Scholz@nli.coop&gt;, Kristin Burge &lt;kristin.burge@nli.coop&gt;

Good morning, Janna.

NLI is not opposed to the proposed plat, S0001-25 - River Estates.

NLI owns and maintains a single-phase underground distribution powerline along the north edge of Stillmeadow Lane, through the south end of the two proposed lots.

NLI provides a metered electrical service to the proposed lot 2 and can provide a metered service to the owner of Lot 1.

The owner of Lot 1 will need to submit a new for a new service application, available at <https://www.nli.coop/programs-and-services/construction/>.

Thank you for the opportunity to review and comment--sincerely,

**Samuel Ross**

Engineering Assistant I

Northern Lights, INC.

Email: [Sam.ross@nli.coop](mailto:Sam.ross@nli.coop)

Office: 208.255.7183

Cell: 208.946.7787

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**CALL BEFORE YOU DIG****Know what's below.  
Call before you dig.**

---

**From:** Bonner County Planning <[planning@bonnercountyid.gov](mailto:planning@bonnercountyid.gov)>

**Sent:** Wednesday, April 30, 2025 11:12 AM

**To:** Alan Brinkmeier <[alan.brinkmeier@bonnercountyid.gov](mailto:alan.brinkmeier@bonnercountyid.gov)>; Amber Burgess <[clerk@ebsewerdistrict.com](mailto:clerk@ebsewerdistrict.com)>; Army Corps of Engineers <[CENWW-RD-CDA@usace.army.mil](mailto:CENWW-RD-CDA@usace.army.mil)>; Av Peggy George <[peggy.george@avistacorp.com](mailto:peggy.george@avistacorp.com)>; Becky Meyer <[becky.meyer@lposd.org](mailto:becky.meyer@lposd.org)>; Bill Berg <[billb@bbsewer.org](mailto:billb@bbsewer.org)>; Bonner County Assessors <[assessorsgroup@bonnercountymuseum.org](mailto:assessorsgroup@bonnercountymuseum.org)>; Brenna Garro <[Brenna.Garro@oer.idaho.gov](mailto:Brenna.Garro@oer.idaho.gov)>; Bryan Quayle <[quaylelanduseconsulting@gmail.com](mailto:quaylelanduseconsulting@gmail.com)>; Chace Bell <[chace.bell@spiritlakefire.com](mailto:chace.bell@spiritlakefire.com)>; City of Clark Fork <[city@clarkforkidaho.gov](mailto:city@clarkforkidaho.gov)>; City of Dover <[cityclerk@cityofdoveridaho.org](mailto:cityclerk@cityofdoveridaho.org)>; City of East Hope Franck <[easthope.city@gmail.com](mailto:easthope.city@gmail.com)>; City of Foldtown <[cityofoldtown@hotmail.com](mailto:cityofoldtown@hotmail.com)>; City of Priest River <[layers@priestriver-id.gov](mailto:layers@priestriver-id.gov)>; City of Sandpoint Planning <[cityplanning@sandpointidaho.gov](mailto:cityplanning@sandpointidaho.gov)>; cityclerk@spiritlakeid.gov <[cityclerk@spiritlakeid.gov](mailto:cityclerk@spiritlakeid.gov)>; Kootenai Ponderay Sewer District <[kootenaiponderaysewerdistrict.org](mailto:kootenaiponderaysewerdistrict.org)>; Connie Nelson <[connien@inlandpower.com](mailto:connien@inlandpower.com)>; Coolin-Cavanaugh Bay Fire Protection District <[coolinfirechief@gmail.com](mailto:coolinfirechief@gmail.com)>; Craig Hill <[craig.hill@dbrown.idl.idaho.gov](mailto:craig.hill@dbrown.idl.idaho.gov)>; Dan Brown <[dbrown@idl.idaho.gov](mailto:dbrown@idl.idaho.gov)>; Dan McCracken <[Dan.McCracken@deq.idaho.gov](mailto:Dan.McCracken@deq.idaho.gov)>; Dan Scholz <[Dan.Scholz@nli.coop](mailto:Dan.Scholz@nli.coop)>; Dean Davis <[deandavis@sd83.org](mailto:deandavis@sd83.org)>; DEQ - Kristi Amanda <[Amanda@ebonnerlibrary.org](mailto:Amanda@ebonnerlibrary.org)>; East Priest Lake Fire District <[eastpriestlakefd@gmail.com](mailto:eastpriestlakefd@gmail.com)>; Erik Sjoquist <[esjoquist@idl.idaho.gov](mailto:esjoquist@idl.idaho.gov)>; Federal Aviation Administration <[Heather.j.broschet@outletbaysewer@gmail.com](mailto:Heather.j.broschet@outletbaysewer@gmail.com)>; Garfield Bay Water and Sewer District Clerk <[garfieldbaywsd@hotmail.com](mailto:garfieldbaywsd@hotmail.com)>; Gavin Gilcrease <[ggilcrease@sandpointidaho.gov](mailto:ggilcrease@sandpointidaho.gov)>; Horseshoe Society - Dan Everhart <[dan.everhart@ishs.idaho.gov](mailto:dan.everhart@ishs.idaho.gov)>; Idaho Department of Environmental Quality <[deqcomments@deq.idaho.gov](mailto:deqcomments@deq.idaho.gov)>; Independent Hwy Dist - Julie Bishop <[ihdclerk@robert.beachler.itd.idaho.gov](mailto:ihdclerk@robert.beachler.itd.idaho.gov)>; ITD - Stacy Simkins <[stacy.simkins@itd.idaho.gov](mailto:stacy.simkins@itd.idaho.gov)>; Jack Schenck <[Jack.schenck@vyvebb.com](mailto:Jack.schenck@vyvebb.com)>; Janice Best <[janicesb@televar.com](mailto:janicesb@televar.com)>; Jason Kimberling <[jason.kimberling@itd.idaho.gov](mailto:jason.kimberling@itd.idaho.gov)>; Jeff Lindsey <[jeff.lindsey@bonnercountyid.gov](mailto:jeff.lindsey@bonnercountyid.gov)>; Jessie Roe <[BWSD637@gmail.com](mailto:BWSD637@gmail.com)>; Joe Kren <[joekren@sd83.org](mailto:joekren@sd83.org)>; Jordan Brooks <[coolinkbsdsewer@kbsdpl@hotmail.com](mailto:coolinkbsdsewer@kbsdpl@hotmail.com)>; Kenny Huston <[kenny.huston@oer.idaho.gov](mailto:kenny.huston@oer.idaho.gov)>; Kim Hoodenpyle <[kjh5345@gmail.com](mailto:kjh5345@gmail.com)>; Kim Spacek <[kimspacek@sd83.org](mailto:kimspacek@sd83.org)>; Kimberly Holm <[info@lakedewaterdistrict.org](mailto:info@lakedewaterdistrict.org)>; Lakeland Joint School District #272 <[cpursley@lakeland272.org](mailto:cpursley@lakeland272.org)>; Lisa Rosa <[hr@ebonnerlibrary.org](mailto:hr@ebonnerlibrary.org)>; Matt Diel <[matt.diel@lposd.org](mailto:matt.diel@lposd.org)>; Midas <[mahmer@idl.idaho.gov](mailto:mahmer@idl.idaho.gov)>; Mike Schacht <[firedept@clarkforkidaho.org](mailto:firedept@clarkforkidaho.org)>; Natural Resource Conservation Service - Greg Becker <[greg.becker@id.usda.gov](mailto:greg.becker@id.usda.gov)>; Navy - Glynis Casey <[Huckbay2501@gmail.com](mailto:Huckbay2501@gmail.com)>; Kristin Burge <[kristin.burge@nli.coop](mailto:kristin.burge@nli.coop)>; Clint Brewington <[Clint.Brewington@nli.coop](mailto:Clint.Brewington@nli.coop)>; Northside Water and Syringa Heights Water Association <[all@odenwater@gmail.com](mailto:all@odenwater@gmail.com)>; Pend Oreille Hospital District <[kim.kichenmaster@bonnergeneral.org](mailto:kim.kichenmaster@bonnergeneral.org)>; PHD <[EHAapplications@phd1.idaho.gov](mailto:EHAapplications@phd1.idaho.gov)>; Priest Lake Public Library District <[p.lake@rich.hash2022@gmail.com](mailto:p.lake@rich.hash2022@gmail.com)>; Road & Bridge - Matt Mulder <[matt.mulder@bonnercountyid.gov](mailto:matt.mulder@bonnercountyid.gov)>; Ryan Zandhuisen <[rzandhuisen@idl.idaho.gov](mailto:rzandhuisen@idl.idaho.gov)>; Sagley Valley Water and Sewer District <[markc@smartplugs.com](mailto:markc@smartplugs.com)>; Sam Owen Fire Rescue <[sofd@wow-tel.net](mailto:sofd@wow-tel.net)>; Sam Ross <[sam.ross@nli.coop](mailto:sam.ross@nli.coop)>; sandpointairport@gmail.com <[sandpointairport@gmail.com](mailto:sandpointairport@gmail.com)>; S&G Gilmore <[sgilmore@sandpointidaho.gov](mailto:sgilmore@sandpointidaho.gov)>; School District 84 Transportation - James Koehler <[james.koehler@lposd.org](mailto:james.koehler@lposd.org)>; SCHWEITZER FIRE DISTRICT <[SchweitzerFireDistrict@gmail.com](mailto:SchweitzerFireDistrict@gmail.com)>; Selkirk Recreation District <[elgar@whoi.edu](mailto:elgar@whoi.edu)>; Sheryl Austin <[granitereeder@gmail.com](mailto:granitereeder@gmail.com)>; SOURDOUGH POINT OWNERS ASSOCIATION <[sourdoughpoint@hotmail.com](mailto:sourdoughpoint@hotmail.com)>; Southside Steve Elgar <[selgar@mac.com](mailto:selgar@mac.com)>; Superintendent School Dist 84 <[kelly.fisher@lposd.org](mailto:kelly.fisher@lposd.org)>; Symone.legg@itd.idaho.gov <[Symone.legg@itd.idaho.gov](mailto:Symone.legg@itd.idaho.gov)>; TC Energy / TransCanada <[Huckleberryhoa@gmail.com](mailto:Huckleberryhoa@gmail.com)>; Teresa Decker <[huckbayutilities01@gmail.com](mailto:huckbayutilities01@gmail.com)>; Teresa Zamora <[utilities@stoneridgeidaho.com](mailto:utilities@stoneridgeidaho.com)>; Theresa Wheat <[theresa@kootenai.org](mailto:theresa@kootenai.org)>; Tii District <[Kwright@timberlakefire.com](mailto:Kwright@timberlakefire.com)>; Tom Renzi <[epf1dchief@gmail.com](mailto:epf1dchief@gmail.com)>; US Fish & Wildlife Services <[fw1idahoconsultationrequests@fws.gov](mailto:fw1idahoconsultationrequests@fws.gov)>; West Bonner Library <[meag@wpof1@gmail.com](mailto:meag@wpof1@gmail.com)>

**Cc:** Kyle Snider <[kyle.snider@bonnercountyid.gov](mailto:kyle.snider@bonnercountyid.gov)>; Alexander Feyen <[alexander.feyen@bonnercountyid.gov](mailto:alexander.feyen@bonnercountyid.gov)>

**Subject:** Bonner County Planning - S0001-25 Agency Review - Short Plat - River Estates

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,  
**Janna Brown, Administrative Assistant III**  
**Bonner County Planning Department**  
**208-265-1458 ext - 1252**

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## **Appendix C – Hearing Examiner’s Decision Letter for V0011-25**





## Bonner County Planning Department

*"Protecting property rights and enhancing property value"*

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (866) 537-4935

Email: [planning@bonnercountyid.gov](mailto:planning@bonnercountyid.gov) - Web site: [www.bonnercountyid.gov](http://www.bonnercountyid.gov)

June 26, 2025

Troy and Bonnie Davis  
376 Still Meadows Lane  
Priest River, ID 83856

Subj: File V0011-25 – Variance

Appendix A: Reasoned Statement for V0011-25

Dear Applicant,

The Bonner County Hearing Examiner denies the referenced application.

Hearing Examiner Rucker denies this project V0011-25, finding that it **is not** in accord with the Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1

Conditions apply to the property that **do not** apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography, or other circumstances over which the applicant has no control.

Conclusion 2

Special conditions and circumstances **do not** result from the actions of the applicant.

Conclusion 3

The granting of the variance **is** in conflict with the public interest in that it **will** be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity of the subject parcel or lot. (Ord. 559, 1-4-2017)

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at the Hearing. Hearing Examiner Rucker has provided a Reasoned Statement attached as Appendix A, adopts the analysis provided in the Staff Report (or as amended in the adopted reasoned statement), and directs Planning Staff to transmit this decision to all interested parties. This action does not result in the taking of private property.

Bonner County Revised Code, Section 12-262, provides an opportunity for affected persons to appeal Hearing Examiner decisions with the Planning Director within 28 days after the final written decision of the Hearing Examiner has been issued. Any such appeal must be submitted in accordance with the referenced code section no later than **5:00 p.m., July 24, 2025. AN APPEAL SHALL BE ACCOMPANIED BY A FILING FEE IN ACCORDANCE WITH THE APPROVED FEE SCHEDULE. THE FEES ARE PAYABLE TO THE BONNER COUNTY PLANNING DEPARTMENT.**

**NOTE:** Following any final decision concerning a site-specific land use request, the applicant has a right to request a regulatory taking analysis pursuant to Section 67-8003, Idaho Code (*Idaho Code §67-6535(3)*).

Please contact the Planning Department if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Jacqueline S Rucker".

---

Jacqueline S. Rucker  
Hearing Examiner

cc. Kristopher James  
Glahe & Associates

## Appendix A: Reasoned Statement for V0011-25

### Per Idaho Code §67-6516:

*“A Variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest.”*

The following is the supporting evidence that I, Jacqueline S Rucker, Bonner County Hearing Examiner used to determine my decision.

1. BRCR 12-232: General Provisions

a. Evidence:

This Variance application is seeking a 37% reduction of the 10 acre lot size requirement to a lot size of 6.329 acres.

2. BRCR 12-233: Application, contents

a. Evidence:

In accordance with BCRC 12-233, the applicant submitted all of the required documents and the application was deemed complete by the Bonner County Planning Department on April 14, 2025.

3. BCRC 12-234: Variance, standards for review of applications

A. Conclusion 1:

Conditions apply to the property that **do not** apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography, or other circumstances over which the applicant has no control.

1. Evidence:

Per the U.S. Fish and Wildlife Service’s National Wetlands Inventory, approximately 3.779 acres of the subject property are submerged land and also contain Freshwater Emergent Wetlands. Per FEMA the subject property is located within Special Flood Hazard Areas, including Zone AE, the AE Floodway and Shaded Zone X.

B. Conclusion 2:

Special conditions and circumstances **do not** result from the actions of the applicant.

1. Evidence:

The subject property was first platted as Henery’s Lot 2 via Instrument #836191 recorded December 3, 2012. The applicants acquired the subject property via Instrument #882603 Warranty Deed recorded November 24, 2015. There is no

evidence that the applicant has changed the lot size, shape, or topography of the subject property since acquiring it.

C. Conclusion 3:

The granting of the variance **is** in conflict with the public interest in that it **will be** detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity of the subject parcel or lot. (Ord. 559, 1 4 2017)

1. Evidence:

Per Bonner County Floodplain Review – “This parcel is within Special Flood Hazard Area (SFHA) AE and SFHA AE Floodway per FIRM Panel Number 16017C0665E, Effective Date 11/18/2009.” “... Further, per BCRC 12-111, Bonner County zoning code is also intended to protect life and property in areas subject to natural hazards and disasters. These natural hazards include floodplains. Per BCRC 14-102, the flood hazard areas of Bonner County are subject to periodic inundation that results in the loss of life and property, health and safety hazards, the disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.” “...Per BCRC 14-505, areas designated as floodways are located within the Special Flood Hazard Areas and are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. This variance request is a request to make special exception to established zoning rules that will result in a doubling of the flood risk exposure in an already hazardous area. This variance request is also a request to make special exception to established zoning rules that will result in a doubling of the flood risk exposure in a federally designated floodway area.”

4. BCRC 12-622: Submerged Lands-

a. Evidence:

The proposed short plat is on a lot containing approximately 3.779 acres of submerged land per the U.S. Fish and Wildlife Service’s National Wetlands Inventory. Per BCRC 12-622, submerged lands are not to be counted in the calculations for determining the maximum density for a subdivision. With this land not being able to be considered for maximum density, it leaves these proposed lots below zoning minimums.

5. BCRC 12-7.2 et seq.: Grading/Erosion/Stormwater Management

a. Evidence:

Per BCRC 12-720.3(k), the proposal does not result in the creation of an additional impervious surface, as defined. Therefore, a Stormwater Management Plan is not required.

## **Appendix D – Road Waiver Request**



# Bonner County

---

## Board of Commissioners

Brian Domke

Asia Williams

Ron Korn

June 10, 2025

## Memorandum

## Planning Item #1

To: Commissioners

From: Kyle Snider, Planning Department

Re: SS0001-25, Waiver of Title 12 Appendix A, Private Road Standards, and BCRC 12-624 (B)

The applicant for land use file number SS0001-25 is requesting a deviation from the private road standards required. The Short Plat is proposing to divide one (1) 19.390-acre lot into one (1) 9.691-acre (Gross) 9.273-acres (Net) lot, and one (1) 9.691-acre (Gross) 6.329-acre (Net) lot. The file is still in the preliminary plat stage of review, pending a decision of V0011-25, Lot Size Minimum variance.

Per BCRC 12-624 (B): "Road networks shall be designed and constructed to private road standards set forth in appendix A of this title, except as otherwise noted herein. Road networks shall be designed to provide for a continuous transportation system to adjacent properties, where topographical conditions warrant."

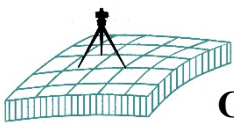
The current access to the property is by way of an existing private road; this requirement would require that Still Meadows Lane be brought up to current private road standards in accordance with Title 12 Appendix A requirements.

Enclosed: Applicant Request for Road Waiver

Distribution: \_\_\_\_\_ Jake Gabell  
Janna Brown  
Kyle Snider

A suggested motion would be: **Based on the information before us I move to (approve/deny) the granting of this waiver of Title 12 Appendix A, Private Road Standards, as found in Bonner County Revised Code, and BCRC 12-624 (B).**

Recommendation Acceptance: ☐ Yes ☐ No \_\_\_\_\_ Date: \_\_\_\_\_  
Asia Williams, Chairwoman



## GLAHE & ASSOCIATES, Professional Land Surveyors

P.O. Box 1863  
303 Church Street  
Sandpoint, ID 83864

Phone: (208) 265-4474

Website: glaheinc.com

**2/25/2025**

Board of County Commissioners  
Bonner County, Idaho  
1500 Highway 2  
Sandpoint, ID 83864

**Subject: Request for Waiver of Private Road Standards Requirements**

**Reference: Bonner County Revised Code Title 12 Appendix A**

Dear Commissioners,

I am writing on behalf of my client, **Troy & Bonnie Davis**, regarding their **Short Plat of River Estates**, to respectfully request a waiver from the Private Road Standards requirements for Still Meadows Lane under Appendix A of the Bonner County Revised Code. We ask that you consider this waiver request by addressing each of the waiver criteria as follows:

**1. No Detrimental Impact on Public Safety, Health, or Welfare**

Still Meadows Lane is an existing road that has safely served our community for many decades. The proposed **Short Plat of River Estates** does not increase traffic or otherwise negatively affect safety, health, or neighboring properties. Maintaining the current configuration will continue to protect public safety and welfare.

**2. Substantial Fulfillment of the Objectives and Standards**

The primary purpose of the Private Road Standards is to ensure safe, efficient, and proper road construction and maintenance. In this instance, the existing road already meets these goals. Waiving full compliance with Private Road Standards still achieves the intent of the regulations, as the road continues to function safely and effectively for current and future access to **the proposed Short Plat of River Estates**.

**3. Practical Hardship and Unreasonable Expense**

Enforcing strict compliance with the Private Road Standards on Still Meadows Lane would impose significant and unnecessary financial and logistical burdens on my client. The cost and disruption required to widen a long-established, low-volume road are disproportionate to any potential benefits, making strict adherence an unreasonable hardship.

**4. Alternative Proposal Effectively Serving the Purpose**

Rather than require full compliance with new construction standards, allowing the continued use of Still Meadows Lane, better serves the purpose of the standards. The alternative approach, waiving the standards, is both practical and efficient, ensuring safe access for residents of **the Short Plat of River Estates** without the redundant expense of upgrading a road that has reliably served its purpose over time.

For these reasons, we respectfully request that the Board grant a waiver of the full Private Road Standards for Still Meadows Lane as it pertains to **Troy and Bonnie Davis' Short Plat of River Estates**. We trust that the common-sense nature of this request, aligned with the waiver criteria outlined in Appendix A, will be favorably considered. While no outcome can be guaranteed, this straightforward request focuses on preserving safety, achieving the regulatory intent, and avoiding undue hardship. Thank you for your time and consideration.

Sincerely,

**Kristopher James**

Land Surveyor In-Training