



# Bonner County Planning Department

*"Protecting property rights and enhancing property value"*

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March 12, 2024

Clagstone Land, LLC  
Nathan Hester  
1826 Vay Road  
Priest River, ID 83856

Subj: File S0003-23 – Subdivision – River Ranch Subdivision

Encl: (1) File S0003-23 Hearing Examiner Approved Preliminary Plat

Dear Applicant,

The Bonner County Hearing Examiner at the March 6, 2024, hearing approved the referenced application with conditions.

Hearing Examiner Rucker approved project FILE S0003-23, River Ranch Subdivision, requesting the creation of 19 residential lots on an approximately 51.87-acre property zoned Suburban and located in Section 26, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law:

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## Conclusions of law:

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**Conclusion 1:** The proposed subdivision **is** in accord with the purposes of this Title and of the zoning district in which it is located.

**Conclusion 2:** The site **is** 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 not** 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** 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** 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** 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 accord with the Bonner County Comprehensive Plan.

The decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Examiner Rucker further adopted the findings of fact as set forth in the Staff Report and direct the 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 to obtain the approval of preliminary plat is to complete the Conditions of Approval as amended.

Amending Condition 6 to read "Per BCRC 12-624.D, all proposed lots less than five (5) gross acres shall have direct frontage on, and direct access to, a public right of way. Right of way offered for dedication in any zoning district shall be developed with a road constructed to the standards set forth in Title 2 of this code.

Amending Condition 15: Geotechnical Analysis shall be required if the proposed building sites roads, driveways or other development meet BCRC 12-7.6.

Adding Condition 16: The applicant shall obtain ITD approval for approaches to US-2 prior to final plat recording.

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### **Findings of Facts:**

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1. The subject site exists as a vacant unplatted parcel of land.
2. The area of the site is approximately 51.870 acres.
3. The site is zoned Suburban and has a land use designation of Transition.
4. The site fronts on and has a direct access to U.S. Highway 2, an Idaho Transportation Department owned and maintained road.

5. Majority of the site contains no slopes or slopes of less than 15% grade. Site contains some slopes of over 30% grade along the southern boundary. (US Geological Survey)
6. Site does not contain mapped wetlands. (National Wetland Inventory, US Fish and Wildlife Service)
7. Site does not contain any mapped waterbodies, streams, lakes or rivers. (National Hydrography Dataset, US Geological Survey)
8. Site contains the following types of soils: (US Department of Agriculture)
  - a. Bonner gravelly silt loam, 30 to 65 percent slopes – classified as “not prime farmland” with a drainage classification of “well drained”.
  - b. Bonner gravelly ashy silt loam, 0 to 4 percent slopes – classified as “all areas are prime farmland” with a drainage classification of “well drained”.
  - c. Hoodoo Silt Loam, 0 to 1 percent slopes makes up a very small percentage of the subject site. It has a farmland classification of “prime farmland if drained” and a drainage classification of “poorly drained”.
9. Parcel is within SFHA Zone X per FIRM Panel Number 16017C0866E, Effective Date 11/18/2009.
10. No local, state or federal agencies have identified any critical wildlife habitats on or within the vicinity of the subject property.
11. The project is proposed to be served by individual septic systems for sewer services.
12. The project is proposed to be served by Northern Lights Inc.
13. The site is located within the area of service of West Pend Oreille Fire District.
14. The site is located within Bonner School District #83.
15. Per BCRC 12-412, the minimum required lot size required is 2.5-acres, within Suburban District where no urban services are available.

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**Conditions of Approval:**

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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., April 9, 2024. 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,

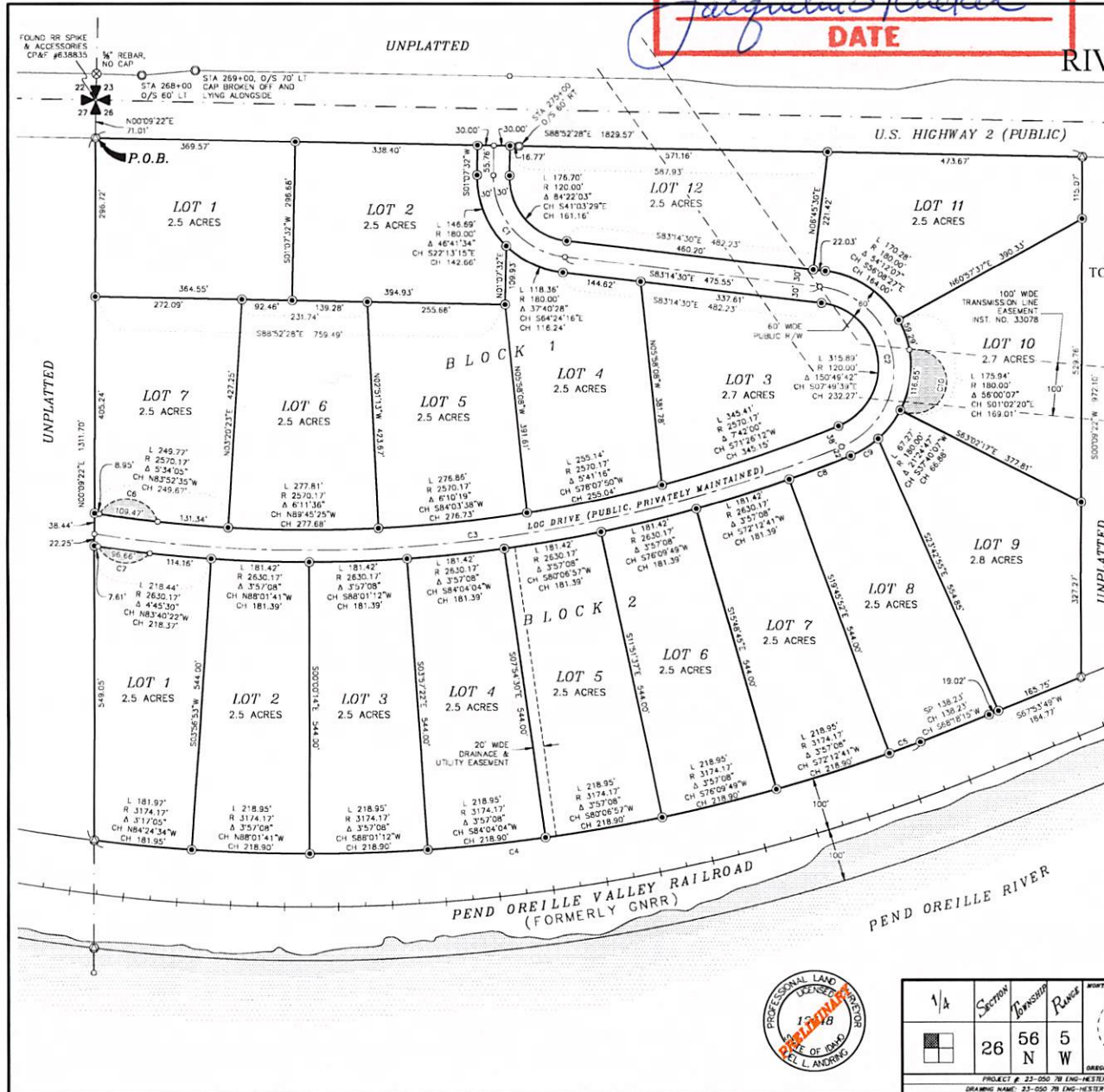
  
Jacqueline Rucker  
Hearing Examiner

c: Dan Larson – 7B Engineering, Project Representative  
Joel Andring – Glahe & Associates, Project Representative

**BONNER COUNTY  
APPROVED SITE PLAN**

*Jacqueline S. Rucker*  
**DATE**

**PRELIMINARY PLAT  
RIVER RANCH SUBDIVISION**



CURVE	ARC	RADIUS	DETA	CHORD	CHORD BEARING
C1	223.87'	150.00'	84°22'03"	201.45'	S41°32'21"E
C2	411.22'	156.00'	151°01'58"	302.08'	S07°43'31"E
C3	1410.61'	2608.17'	103°59'12"	1393.48'	N83°17'07"W
C4	1558.99'	3174.17'	28°58'17"	1541.43'	N83°10'50"E
C5	61.34'	3174.17'	138.78°	61.34'	N69°40'55"E
C6	137.84'	60.00'	131°37'34"	109.47'	N82°30'44"W
C7	112.38'	60.00'	107°19'00"	96.66'	S82°30'44"W
C8	121.60'	2830.17'	238.56°	121.59'	N69°34'40"E
C9	40.35'	180.00'	197°24'11"	40.07'	N57°58'17"E
C10	224.57'	60.00'	214°28'49"	114.62'	S08°23'48"W

**DOCUMENTS AND EASEMENTS OF RECORD**

- THIS PLAT IS SUBJECT TO THE FOLLOWING DOCUMENTS OF RECORD PER COMMITMENT FOR TITLE INSURANCE BY TITLE RESOURCES GUARANTY COMPANY, COMMITMENT NO. 1085022, DATED AUGUST 10, 2022.
- RESERVATIONS AND EXCEPTIONS IN A U.S. PATENT, BK. 3 DEEDS, PG. 376, INST. NO. 292, 6/29/1899.
  - PUBLIC RIGHT OF WAY, AND ALL MATTERS CONTAINED IN RIGHT OF WAY DEED, INST. NO. 73400, 4/15/1929, 25 FT. WIDE STRIP FALLS WITHIN EXISTING HWY. RIGHT OF WAY.
  - A TRANSMISSION LINE RIGHT OF WAY GRANTED THE U.S.A., INST. NO. 33078, 11/22/1949, AS SHOWN HEREON.
  - PUBLIC RIGHT OF WAY AND ALL MATTERS CONTAINED IN WARRANTY DEED, INST. NO. 52620, 4/28/1955, STRIP OF LAND FALLS WITHIN EXISTING HWY. RIGHT OF WAY.
  - A PUBLIC UTILITIES EASEMENT GRANTED TO PACIFIC POWER & LIGHT CO., INST. NO. 81048, 7/5/1961, EXACT LOCATION NOT SPECIFIED - NOT SHOWN HEREON.

**LEGEND**

- ⊕ SECTION CORNER, AS NOTED
- ⊙ SET 5/8" X 24" REBAR AND CAP, PLS 13548
- ⊙ SET PREVIOUSLY, 5/8" X 24" REBAR AND CAP, PLS 13548
- ⊙ FOUND CONCRETE POST WITH 3-1/4" BRASS CAP MARKED "STATE OF IDAHO DEPT OF PUBLIC WORKS BOUNDARY STATE RIGHT-OF-WAY" AND STA/OS AS NOTED
- ⊙ FOUND 5/8" REBAR & CAP, PLS 12110
- ⊙ FOUND MONUMENTATION, AS NOTED.
- ⊙ CALCULATED POINT, NOTHING FOUND OR SET
- ⊙ CUL-DE-SAC EASEMENT (TYPICAL) OVER LOTS 1 & 10, BLOCK 2; AND LOT 7, BLOCK 1 IS HEREBY GRANTED FOR PUBLIC INGRESS, EGRESS, & UTILITIES



1/4	Section	Township	Range	Meridian	Idaho
26	56	N	5	W	
PROJECT # 23-050 78 ENG-NESTER PLAT DRAWING NAME: 23-050 78 ENG-NESTER PLAT					

**RIVER RANCH SUBDIVISION**

GLAHE & ASSOCIATES  
PROFESSIONAL LAND SURVEYORS  
303 Church Street  
Sandpoint, Idaho 83864  
208-265-4474

Scale: 1" = 120'  
Checked By: JLA  
Drawn By: SFO  
Plot Date: 11/4/2023  
Sheet: 2 of 4