



Bonner County

Board of Commissioners

Asia Williams

Ron Korn

Brian Domke

January 27, 2025

Snowmass Enterprises LLC
270 Rapid Lightning Rd
Sandpoint, ID, 83864

Subj: **File AM0004-24 – Comprehensive Plan Map Amendment – Rural Residential to Resort Community**

Dear Applicant,

The Bonner County Commissioners at the January 22, 2025, public hearing denied the referenced application.

MOTION TO DENY: Commissioner Domke moved to deny this project, FILE AM0004-24, requesting a comprehensive plan amendment from Rural Residential to Resort Community, on approximately 1.81 acres generally located in Sections 21, Township 57 North, Range 1 East, Boise Meridian, Bonner County, Idaho, based upon the following conclusions:

Conclusion 1

The proposal **is not** in accord with the elements of the Bonner County Comprehensive Plan.

Conclusion 2

This proposal was reviewed for compliance with Title 12, Bonner County Revised Code, and **is not** found to be in compliance.

Conclusion 3

The proposal **is not** in accord with the purpose of the Resort Community comprehensive land use designation.

The decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. Commissioner Domke further moved to adopt the findings of fact and conclusions of law as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft written findings and conclusions to reflect this motion, have the Chairwoman sign, and transmit to all interested parties. This action does not result in a taking of private property. The actions that could be taken are:

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

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

Commissioner Korn seconded the motion.

ROLL CALL VOTE

Commissioner Domke	AYE
Commissioner Williams	AYE
Commissioner Korn	NAY

The motion passed with 2 voting in favor, 1 voting against.

Findings of Fact:

1. The parcel will be served by an individual well and septic system.
2. The parcel is located within the Trestle Creek Sewer District but has not shown proof of service or a will-serve letter.
3. The parcel is below the lot size minimum for the higher-density zones, at 1.81-acres with no urban services.
4. The parcel is located near existing public and private recreational areas such as resorts, boat launches, marinas, and restaurants.
5. Access to the parcel is currently part of a network of developed public right-of-way and a privately owned and maintained road. The parcel is accessed from Highway 200, a State of Idaho owned and maintained paved public right-of-way and Creekside Lane, a privately owned and maintained gravel road; Creekside Drive does not have a permitted encroachment permit from the Idaho Transportation Department.
6. The proposal does not contain mapped streams or wetlands.
7. The proposal is not within a mapped critical wildlife habitat.
8. The proposal is located within FEMA SFHA Zone A, AE, & X, per Bonner County Floodplain Manager.
9. Electricity is provided by Avista Utilities.
10. The property is within the Sam Owen Fire District.
11. Law enforcement and emergency services are provided by Bonner County Sheriff's Department and Bonner County EMS.
12. On August 6, 2024, the Bonner County Planning Commission

recommended approval of this file, with a 4-1 vote.

13. The Board did not agree with the Planning Commission's recommendation of approval and determined that the current land use designation of Rural Residential was more appropriate for the subject parcel than the request of Resort Community based on the services provided to the property and the size of the property.

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

Please contact the Bonner County Planning Department if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Asia Williams". The signature is written in black ink and is positioned above a horizontal line.

Asia Williams, Chairwoman
Board of County Commission

C: Joshua & Dan Provolt, Project Representative