



Bonner County Planning Department

"Protecting property rights and enhancing property value"

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September 24, 2025

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614 Creekside Ln
Sandpoint, ID 83864

Subj: File MOD0003-24 – Trestle Creek Modification; modification of PUD governed by FILES CUP0006-20, SS0006-20 & MOD0001-22.

Encl: (1) Reasoned Statement
(2) File MOD0003-24 Staff Report

Dear Applicant,

The Bonner County Zoning Commission at the September 18, 2025 hearing recommended approval of the above-referenced application.

Commissioner Poulsen at the September 18, 2025 hearing moved to recommend approval of FILE MOD0003-24 for a modification of an existing Planned Unit Development, FILES CUP0006-20, SS0006-20 & MOD0001-22, to include the changes shown on the new site plan and proposed in the application and as outlined in the staff report. The subject property is located north of the City of Hope on North Park Road off Highway 200 in Section 16, Township 57 North, Range 1 East, Boise Meridian, Bonner County Idaho. The project site is within the service areas of Trestle Creek Sewer and Sam Owen Fire District.

The Bonner County Zoning Commission found that this proposal was in accord with Bonner County Revised Code and the Comprehensive Plan as enumerated in the following conclusions of law:

Conclusions of law:

Conclusion 1: The proposed conditional use permit **is not** in conflict with the policies of the Bonner County Comprehensive Plan as reviewed in accord with BCRC Title 12, Chapter 2 Subchapter 2.66.

Conclusion 2: This proposal was reviewed for compliance with the criteria and standards set forth at BCRC Title 12, Chapter 2 Subchapter 2.66. The proposal **is** in accord with the Bonner County Revised Code.

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

This recommendation from the Zoning Commission is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Commissioner Poulson further moved to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report and directed planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property.

Commissioner Blaser seconded the motion.

Roll Call Vote

Commissioner Blaser	AYE
Commissioner Poulson	AYE
Commissioner Marble	AYE

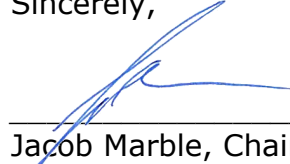
VOTED upon and the Chair declared the motion carried, unanimously.

Proposed Conditions of Approval:

- A-1** The modifications shall be developed and shall be operated in accordance with the approved site plan.
- A-2** The modifications shall be developed and shall be operated in accordance with the previous decisions in Conditional Use Permit CUP006-20, Short Subdivision File SS0006-20 & Modification MOD0001-22, except as modified by this decision.

Please contact the Planning Department if you have any questions.

Sincerely,



Jacob Marble, Chair
Bonner County Zoning Commission

Reasoned Statement:

BCRC 12-266: Modification of Terms and Conditions of Permit Approval

CODE SECTION	REQUIREMENT	FINDING
BCRC 12-266.A	The terms and conditions of the approval of any permit authorized or required in this title may be modified only by the Planning Director, Zoning Commission and/or Board as established in this section:	Per this subsection, the BOCC is tasked with modifying this decision and retains final decision making responsibility as they were the previous hearing body to make a final decision.
BCRC 12-266.B	Application for a modification of terms and conditions of approval shall be made to the Planning Department, on forms provided by the department, and accompanied by the fee specified in section 12-265 of this subchapter:	The application was submitted or the correct Bonner County Planning Department form, and the appropriate fee paid.
BCRC 12-266.C	A public hearing shall be scheduled and notice provided in accordance with the requirements for the original permit issuance:	A public hearing has been scheduled and notices have been provided in accordance with the same standard of the original application.
BCRC 12-266.D	The Planning Director, Zoning Commission and/or Board shall consider the proposed modification in accordance with the requirements for the original permit application and shall confine the review to the proposed modification:	This standards review is required to be consistent with the original standards in the original decisions and this process may only review the modified portions of the proposal. <u>This is not a re-review of the previously approved application.</u>
BCRC 12-266.E	The Planning Director, Zoning Commission and/or Board shall render a decision in writing on the proposed modification within five (5) working days after consideration of the proposal, and the decision shall conform to the procedures, standards and requirements pertaining to the original permit:	A decision shall be rendered consistent with these requirements.

Short Subdivision:

Per BCRC 12-266.D, the standards in this review are required to be consistent with the original standards in the original short subdivision decision and may only review the modified portions of the proposal. This is not a re-review of the entire previous application. The following review is consistent with these requirements.

The following standards come from the original plat decision SS0006-20, per BCRC 12-266.D:

ORIGINAL REQUIREMENT	FINDING	ORIGINAL REQUIREMENT	FINDING
BCRC12-652 (B) Zone change was not required to accommodate lot size:	No part of the proposal modifies the findings in the original decision in relation to this requirement.	BCRC12-652 (C) Original Lots not created by a short plat in the last two years:	No part of the proposal modifies the findings in the original decision in relation to this requirement.
BCRC 12-621 Depth to width/Angle of intersection:	Not all ratios strictly comply with the required ratios; however, the general depth-to-width ratios in this modification request are dictated by the shapes and sizes of the lots already approved. Lots 2-5 were already approved are not a part of this modification proposal. The dimensions of these approved lots dictate the ratios of the modified lots.	12-622 Submerged Lands:	Submerged lands are not being counted towards lot sizes.
BCRC 12-623 (A) Services and Utilities: Lots smaller than 1 acre.	Water and sewer systems are already approved under the previous decision. Updated versions of the water and sewer plan must be approved by the Bonner County engineer prior to permit issuance.	BCRC 12-623 (B) Services and Utilities: Water	A water system was approved under the previous decision. An updated water system plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval.
BCRC 12-623 (C) Services and Utilities: Sewage Disposal	A sewage disposal system was approved under the previous decision. An updated sewer system plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval.	BCRC 12-623 (D) Services and Utilities: Fire Assessment and Plan	Fire protection was addressed under the previous approval. The new fire turnaround has been approved by Sam Owen Fire District.
BCRC 12-624 (A) Roads and Access: New Road Naming	No part of the proposal modifies the findings in the original decision in relation to this requirement.	BCRC 12-624 (B) Roads and Access: New Road Standards (Appendix A)	A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan

			must be approved by the Bonner County engineer prior to permit modification issuance.
BCRC 12-624 (C) Roads and Access: Legal Access	A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.	BCRC 12-624 (D) Roads and Access: Lots less than 5 acres – require direct frontage on public R-O-W.	A private road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.
BCRC 12-625 (A): Trails and Parks: Bonner County Trails Plan	No part of the proposal modifies the findings in the original decision in relation to this requirement.	BCRC 12-625 (B): Trails and Parks: Public Access, Parks & Facilities	No part of the proposal modifies the findings in the original decision in relation to this requirement.
BCRC 12-626 (A) Environmental Features: Natural Hazards	The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips).	BCRC 12-626 (B) Environmental Features: Shorelines, BCRC 12- 710 et. seq.	The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). Any additional development within the site will be required comply with Bonner County shoreline rules.
BCRC 12-626 (B) Environmental Features: Grading, Stormwater, Erosion Control Plans, BCRC 12- 720 et. seq.	An updated stormwater plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval.	BCRC 12-626 (B) Environmental Features: Wetlands, BCRC 12- 730 et. seq.	The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). Any additional development within the site will be required to comply with Bonner County wetland rules.

BCRC 12-626 (B) Environmental Features: Wildlife, BCRC 12-740 et. seq.	The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). Any additional development within the site will be required comply with Bonner County wildlife rules.	BCRC 12-626 (B) Environmental Features: Hillsides, BCRC 12-760 et. seq.	The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). Any additional development within the site will be required to comply with Bonner County rules regarding development on slopes.
BCRC 12-626 (C) Environmental Features: Waterfront Property	The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). Any additional development within the site will be required comply with Bonner County shoreline, wetland, wildlife, and floodplain rules.	BCRC 12-627 Commercial and Rural Service Center Districts:	No part of the proposal modifies the findings in the original decision in relation to this requirement.

Standards Review, Conditional Use Permit:

Per BCRC 12-266.D, the standards in this review are required to be consistent with the original standards in the original CUP decision and may only review the modified portions of the proposal. This is not a re-review of the entire previous application. The following review is consistent with these requirements.

The following standards come from the original CUP decision CUP0006-20, per BCRC 12-266.D:

- BCRC 12-2.2, et seq.: Conditional Use Permits;

- A conditional use permit is required for a planned unit development and preliminary plat.
- Modifications of approved PUDs are allowed per BCRC 12-266.
- BCRC 12-251(C): Planned Unit Development Classification and Minimums;
A "large scale mixed use" PUD consisting of commercial, industrial, residential or recreational uses and having a minimum gross land area of twenty (20) acres.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-252(B): Uses Permitted within Planned Unit Developments;
Limited commercial and related recreational activities and facilities which are designed primarily to accommodate the needs of residents within a "mixed use" PUD described in section 12-251 of this subchapter may be permitted in any district, except for Industrial. Commercial recreation areas, such as ski resorts, golf courses or marinas, where permitted or conditionally permitted in applicable districts, may include related commercial uses to accommodate the general public as well as residents within the PUD when included and approved as part of the PUD development plan.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-256(A-E): Design Standards for Planned Unit Developments;
 - *A. Common Open Space – 10% of total gross acreage required*
 - Open space and common areas have been enlarged by 0.51 acres.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
 - *B. Owner's Association – A homeowner's association and/or corporation ownership required*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
 - *C. Covenants, Article of Incorporation – Recorded with the final plat of any PUD subdivision or final development plans required.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
 - *D. Development Density – The unit density of a PUD containing residential uses shall not exceed the density of the zone district in which it is located, except for density bonuses.*
 - Open space and common areas have been enlarged by 0.51 acres.
 - The proposed density is less than the allowed density of one (1) unit per one (1) acre allowed per BCRC 12-412.
 - *E. Public amenities that can be provided to obtain a density bonus.*

- Open space and common areas have been enlarged by 0.51 acres.
 - The proposed density is less than the allowed density of one (1) unit per one (1) acre allowed per BCRC 12-412.
- BCRC 12-332: Residential Use Table (single family dwellings);
 - Single family dwellings are a permitted use within the Recreation district.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-333, note 17; Sufficient land area is required to accommodate the proposed use, and the use and any appurtenant structures shall be so arranged on the land as to minimize any adverse effects on surrounding properties. The use shall not create particular hazards to adjacent properties.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-335, note 5; Sufficient land area is required to accommodate the proposed use, and the use and any appurtenant structures shall be so arranged on the land as to minimize any adverse effects on surrounding properties. The use shall not create particular hazards to adjacent properties.
 - The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips).
 - Open space and common areas have been enlarged by 0.51 acres.
 - The proposed density is less than the allowed density in the Rec Zone of one (1) unit per one (1) acre allowed per BCRC12-412.
- BCRC 12-335, note 6; Specified conditions with respect to emissions of noise, light glare, smoke, odor, dust, particulate matter, vibrations or hours of operation may be prescribed differently from those required in a given district, as to be compatible with other applicable State and Federal standards.
 - The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. No new uses are proposed. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips).

- BCRC 12-335, note 7; *A traffic plan is required describing, at minimum, the method of ingress and egress to the site, traffic circulation within the site, and on premises parking and loading/launching areas.*
 - A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.
 - The new fire turnaround has been approved by Sam Owen Fire District.
- BCRC 12-412; *Maximum residential density shall be 1 dwelling unit per minimum lot size.*
 - Open space and common areas have been enlarged by 0.51 acres.
 - The proposed density is less than the allowed density of one (1) unit per one (1) acre allowed per BCRC12-412.
- BCRC 12-412; *Setback Requirements* – see variation to rear setback previously stated.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-421: Performance Standards for All Uses; *Effects from noise, light glare, odors, fumes or vibrations.*
 - The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips).
- BCRC 12-432: Minimum Off Street Parking Requirements;
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-621: Lot Design; *All proposed lots which are three hundred feet (300') or less in width shall maintain a depth to width ratio of not greater than three to one (3:1); and lots which are more than three hundred feet (300') in width shall maintain a depth to width ratio of not greater than four to one (4:1). All proposed lots 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 between eighty five (85) and ninety five degrees (95°), for a distance of not less than fifty feet (50') from the point of intersection. Submerged lands are exempt from the requirements herein.*
 - Not all ratios strictly comply with the required ratios; however, the general depth-to-width ratios in this modification request are

dictated by the shapes and sizes of the lots already approved. Lots 2-5 were already approved are not subject re-review. The dimensions of these approved lots dictate the ratios of the modified lots.

- BCRC 12-622: Submerged Lands; *Lands below the applicable natural or ordinary water mark, or the applicable artificial high water mark, of any lake, river, stream, channel or other body of public water shall not be counted in the calculations for determining the maximum density for a subdivision.*
 - The submerged lands have not been included in the calculations for determining the maximum density for the proposed subdivision.
- BCRC 12-623(C): Services and Utilities; *Sewage disposal method for all building sites, as approved by the Panhandle health district and/or the state of Idaho, may be provided.*
 - Water and sewer systems are already approved under the previous decision. Updated versions of the water and sewer plan must be approved by the Bonner County engineer prior to permit issuance.
- BCRC 12-623(D): Services and Utilities; *All proposed lots shall be designed by the applicant to provide a fire protection plan for the proposed lots to provide, at a minimum, an assessment of fire risk and plans to reduce the risk, and provisions for defensible space, where material capable of allowing a fire to spread unchecked will be treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur, and for at least one of the following from this section.*
 - Fire protection was addressed under the previous approval. The new fire turnaround has been approved by Sam Owen Fire District.
- BCRC12-624(C): Roads and Access; *Legal access shall be provided to each proposed lot, which shall be developed for ingress and egress, providing for ready access meeting the standards in subsection B of this section.*
 - A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.
 - The new fire turnaround has been approved by Sam Owen Fire District.
- BCRC 12-626(A): Environmental Features; *The subdivision shall be designed around identified natural hazards (highly erosive soils on steep slopes, landslide areas, rock falls, areas of subsidence, floodplains) to protect building sites and roads from damage from such hazards.*

- No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-626(B): Environmental Features; *The subdivision shall meet the requirements of chapter 7, "Environmental Standards", of this title.*
 - The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). Any additional development within the site will be required comply with Bonner County environmental rules.
- BCRC 12-626(C)(1): Environmental Features; *New lots or parcels on sites in the forestry, agricultural/forestry, rural and other zoning districts where all urban services are not available, shall maintain an average width (as measured parallel to the shoreline) of at least two hundred feet (200') for all portions of the lot or parcel within one hundred feet (100') of the shoreline. The total depth of the lot (as measured from the shoreline to the opposite end of the lot or parcel) must be deep enough to allow development to meet applicable vegetation conservation and building setback requirements per subchapter 7.1 in this title.*
 - Lots 2-5 were already approved are not subject re-review. The dimensions of these approved lots dictate the ratios of the modified lots.
- BCRC 12-633(A): Standards and Guidelines for All Conservation Subdivisions; *Uses: all principal and accessory uses authorized in the applicable zoning districts shall be allowed in the conservation subdivision. Uses not authorized by chapter 3 of this title will not be permitted in conservation subdivisions.*
 - No new uses are proposed under this application. No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-633(B): Standards and Guidelines for All Conservation Subdivisions; *Development Standards: Development standards in chapter 4 of this title for the applicable zoning district shall apply to all lots in a conservation subdivision, except where otherwise noted in this chapter.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-633(C): Standards and Guidelines for All Conservation Subdivisions; *Design Standards: Conservation subdivisions are subject to subchapter 6.2 of this title, design standards, except where otherwise noted.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.

- BCRC 12-633(D)(3): Standards and Guidelines for All Conservation Subdivisions; *Lots may be smaller than the minimum sizes in subsections D1 [2.5 acres] and D2 [1 acre] of this section, provided water and sewage disposal provisions are provided within common areas via utility easements.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-633(E): Standards and Guidelines for All Conservation Subdivisions; *Suitable Land: Cluster lots are encouraged to be located on land most suitable for residential development.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-633(F): Standards and Guidelines for All Conservation Subdivisions; *Further Subdivision of Cluster Lots: Cluster lots in a conservation subdivision may not be further subdivided except where in compliance with this title. However, notes on the final plat approved by the board may include other restrictions on future subdivision of the lots.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-633(G): Standards and Guidelines for All Conservation Subdivisions; *Wells. Sewage Disposal Facilities Within Common Open Space: Individual and/or common wells and sewage disposal facilities may be provided within designated common open space areas to allow for maximum efficiency of cluster lot design and minimize potential negative impacts to the environment. Applicable easements for the facilities shall be shown on the final plat.*
 - Water and sewer systems are already approved under the previous decision. Updated versions of the water and sewer plan must be approved by the Bonner County engineer prior to permit issuance.
- BCRC 12-633(H): Standards and Guidelines for All Conservation Subdivisions; *Preservation of Common Open Space: Common open space shall be preserved as permanent open space, except where otherwise noted in this title, and subject to standards BCRC 12-633(H)(1-3).*
 - Open space and common areas have been enlarged by 0.51 acres.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-633(K)(1): Standards and Guidelines for All Conservation Subdivisions; *Buffering, Clustering: Clustered lots shall be accessed by interior road systems. To the maximum extent possible, cluster lots shall be located so that common open space provides a buffer between the cluster lots and adjacent properties and/or right of way. When this is not*

possible, the development shall be designed to provide at a minimum one of the following:

(1) Cluster lots that abut surrounding properties or right of way shall be at least seventy five percent (75%) of the minimum lot size standard for the subject parcel.

- A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.
 - The proposed road plan is substantially similar to the plan originally proposed.
- BCRC 12-636(A): Standards for Conservation Subdivisions in Suburban, Recreation and Alpine Village Districts; Minimum Lot Size: *There is no minimum lot size for cluster lots, provided the subdivision meets the density requirements specified in this title. However, cluster lots shall be sized sufficiently to meet applicable setbacks and other requirements in this title, unless otherwise noted herein.*
 - Lots 2-5 were already approved are not subject re-review. The dimensions of these approved lots dictate the ratios of the modified lots.
- BCRC 12-636(C): Standards for Conservation Subdivisions in Suburban, Recreation and Alpine Village Districts; Reduction in Setbacks: *Front, side and/or rear yard setbacks may be reduced to accomplish design objectives for the development, provided other applicable standards in this title are met.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-636(D): Standards for Conservation Subdivisions in Suburban, Recreation and Alpine Village Districts; Multiple Dwelling Units: *Multiple dwelling units may be included on individual lots, provided the subdivision meets applicable density requirements and other requirements in this title.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-636(E): Standards for Conservation Subdivisions in Suburban, Recreation and Alpine Village Districts; Common Open Space: *Applicants are encouraged to set aside at least twenty percent (20%) of the land as common open space, or recreational facilities for the residents and other requirements in this title.*
 - Open space and common areas have been enlarged by 0.51 acres.
 - The open space requirement was set by the previous decision and is not subject to re-review.

- BCRC 12-256(G): Design Standards for Planned Unit Developments; Design Standards – The PUD will include the following variations from design standards of Title 12.
 - BCRC 12-333, note 33: - *Maximum square footage for ministorage, boat storage, and rental warehouse facilities on a single lot or parcel shall be 10,000 square feet for the rural service center and recreation district required.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-412: 2 acre lot size minimum when served by "urban water."
 - Open space and common areas have been enlarged by 0.51 acres.
 - The proposed density is less than the allowed density of one (1) unit per one (1) acre allowed per BCRC12-412.
- BCRC 12-412, note 4: *Minimum lot size where "urban water" is available shall be 2 acres but, clustering lots via a conservation subdivision is encouraged to allow for the opportunity to develop at greater density if and when urban services become available.*
 - Open space and common areas have been enlarged by 0.51 acres.
 - The proposed density is less than the allowed density of one (1) unit per one (1) acre allowed per BCRC 12-412.
 - Lots 2-5 were already approved are not subject re-review. The dimensions of these approved lots dictate the ratios of the modified lots.
- BCRC 12-412: Lot coverage requiring 35%
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-412: Minimum rear yard setback required is 5'.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-432, note 5: *Minimum off-street parking requirements for community docks and marinas is 0.5 space/boat slip of which 25 percent of parking spaces arranged as tandem spaces not less than 10' by 40' is required.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-432, note 3: *Minimum off-street parking requirements for assembly buildings is 1 space per 100 gross square feet of floor area within 500' of principal use required.*

- No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-621: *All lots that are 100' or less in width shall be designed so that the angle of intersection of the side lot lines with the fronting road is between 85 degrees and 95 degrees for a distance of not less than 50' from the point of intersection.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- 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.*
 - A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.
 - The proposed road plan is substantially similar to the plan originally proposed.
- BCRC 12-624(D): *All proposed lots less than five (5) acres gross shall have direct frontage on, and direct access to, a public right of way. Cluster lots less than five (5) acres gross in a conservation subdivision within the rural, agricultural/forestry and forestry districts are exempt from this requirement. 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. Such road may be maintained privately or by a public highway agency. Exceptions to the direct frontage and access requirements to allow for private frontage or interior roads may be granted in the commercial, industrial, or rural service center districts provided such access meets the applicable private road standards of this title.*
 - A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.
 - The proposed road plan is substantially similar to the plan originally proposed.
- BCRC 12-713: *Maximum "impervious surface" allowed within the "shore land" areas shall be 35%.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.

- BCRC 12-733(B): 40' setback to wetlands required.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-4.5, et seq.: Design Standards;
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-4.6, et seq.: Landscaping and Screening Standards;
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-486(B-I): Standards for Rental Warehouses, Ministorage, Boat Storage;
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-623(B): Services and Utilities; Lots to be served by a new public drinking water system: Division of environmental quality written approval of an engineering report prepared by an Idaho licensed professional engineer demonstrating that an adequate water supply is available to meet the estimated demand for water from the lots in the proposed subdivision.
 - Water and sewer systems are already approved under the previous decision. Updated versions of the water and sewer plan must be approved by the Bonner County engineer prior to permit issuance.
- BCRC 12-624(A): Roads and Access; All new roads created for subdivisions shall be designated by unique road names, unless such roads are determined to be and are designed to be extensions of existing roads.
 - A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.

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 - Web site: www.bonnercountyid.gov



Bonner County Zoning Commission Staff Report for September 18, 2025

Project Name: MOD0003-24 Trestle Creek Modification

**File Number,
Type:** MOD0003-24, Modification

Request: The applicant is requesting to modify approvals of Conditional Use Permit CUP006-20, Short Subdivision File SS0006-20, which have already been modified by Modification MOD0001-22. The proposed modifications include:

(1) enlargement of the upland open space and common area by 0.51 acres through the retention of the manmade islands, (2) replacement of the 0.43 acre common recreational lot with a 0.46 acre single-family residential lot, (3) reduction of the number of boat slips in the proposed marina to 88 from 105, (4) provision of public lease slips in the proposed marina, (5) a timeline extension request to summer of 2028 for final plat and CUP issuance, (6) acknowledgement in the application of the transfer of +/-5.79 acres of abutting land including the mouth of Trestle Creek to the Kalispel Tribe, (7) restoration of the North Branch of Trestle Creek to restore its natural outflow to the lake.

The subject property is located north of the City of Hope on North Park Road off Highway 200 in Section 16, Township 57 North, Range 1 East, Boise Meridian, Bonner County Idaho. The project site is within the service areas of Trestle Creek Sewer and Sam Owen Fire District.

Legal Description: Lots 1 and 2, The Idaho Club North Lake (Book 13, Plats, Page 42) See Warranty Deed IN#958077 for description of RP57N01E166160A.

Location: The subject property is located on north of the City of Hope on North Park Road off Highway 200 in Section 16, Township 57 North, Range 1 East, Boise Meridian, Bonner County Idaho.

Parcel Number: RP031740000020A, RP031740000010A & RP57N01E166160A

Parcel Size: Approximately 24.4 acres

**Applicant/
Landowner:** Valiant Idaho II, LLC Managing Member, William Haberman
151 Clubhouse Way

Sandpoint, ID 83864

Project Representative: Jeremy Grimm, Whiskey Rock Planning + Consulting
614 Creekside Lane
Sandpoint, ID 83864

Scott Brown, James A Sewell & Associates
1319 North Division Ave
Sandpoint, ID 83864

Application filed: July 23, 2024

Notice provided: Mail: August 28, 2025
Site Posting: September 4, 2025
Published in newspaper: August 28, 2025

Appendices: **Appendix A: Notice of Public Hearing Record of Mailing**
Appendix B: Agency Comments
Appendix C: Depth-to-Width Spreadsheet

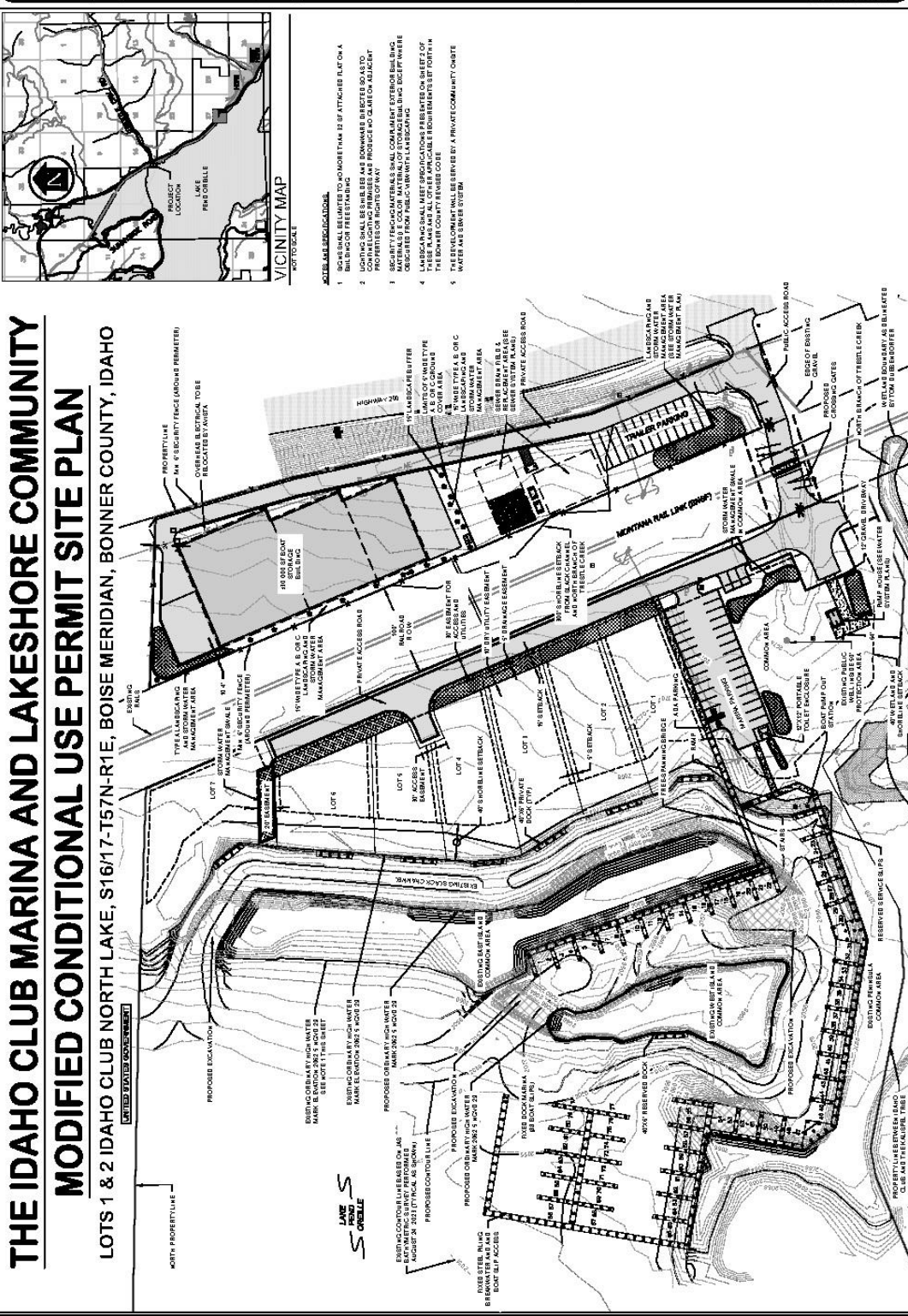


THOMAS & SMITH AND ASSOCIATES, LLC
1319 NORTH DIVISION AVENUE
SANDPOINT, IDAHO 83864
(208) 263-4160



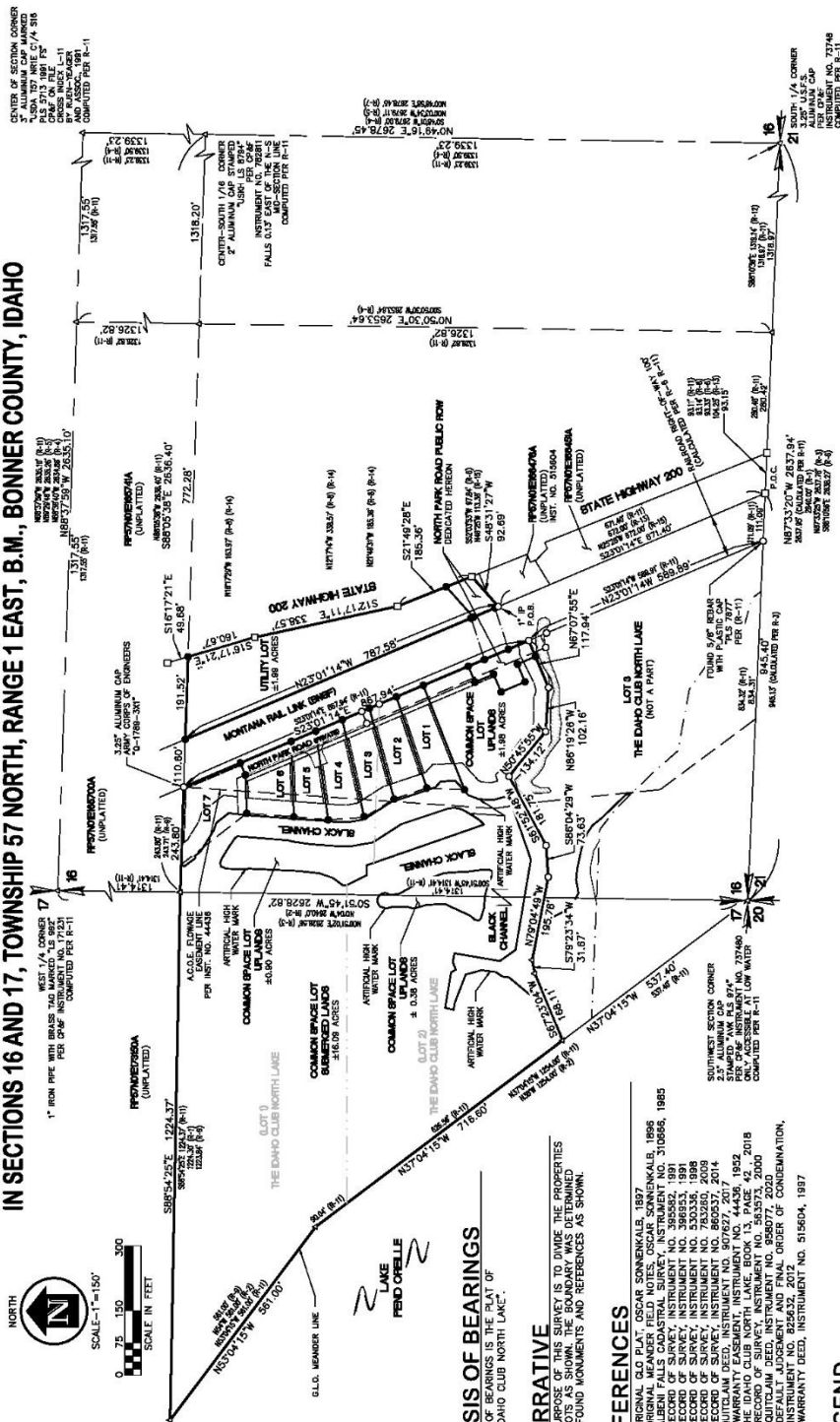
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CHECKED BY: _____
DATE: _____

STATION
CONDITIONAL USE PERMIT
IDAHO CLUB MARINA &
LAKESHORE COMMUNITY
NOTION
SITE PLAN
BONNER COUNTY, IDAHO
DATE: 02-14-2025
BY: AS/SM/AM
PROJECT: 2024122-001
SHEET: 1 of 11



REPLAT OF LOTS 1 & 2 OF THE IDAHO CLUB NORTH LAKE AND UNPLATTED PARCEL

IN SECTIONS 16 AND 17, TOWNSHIP 57 NORTH, RANGE 1 EAST, B.M., BONNER COUNTY, IDAHO



BASIS OF BEARINGS
BASIS OF BEARINGS IS THE PLAT OF "THE IDAHO CLUB NORTH LAKE".

NARRATIVE
THE PURPOSE OF THIS SURVEY IS TO DIVIDE THE PROPERTIES INTO LOTS AS SHOWN. THE BOUNDARY WAS DETERMINED FROM FOUND MONUMENTS AND REFERENCES AS SHOWN.

- REFERENCES**
- R-1 ORIGINAL DEED, OSCAR SONNENKALE, 1897
 - R-2 ORIGINAL MEASUREMENT NOTES, OSCAR SONNENKALE, 1896
 - R-3 ALBERT FALLS CADASTRAL SURVEY, INSTRUMENT NO. 310866, 1885
 - R-4 RECORD OF SURVEY, INSTRUMENT NO. 388933, 1981
 - R-5 RECORD OF SURVEY, INSTRUMENT NO. 388933, 1981
 - R-6 RECORD OF SURVEY, INSTRUMENT NO. 530338, 1988
 - R-7 RECORD OF SURVEY, INSTRUMENT NO. 530338, 1988
 - R-8 RECORD OF SURVEY, INSTRUMENT NO. 530338, 1988
 - R-9 QUITCLAIM DEED, INSTRUMENT NO. 807697, 2017
 - R-10 QUITCLAIM DEED, INSTRUMENT NO. 807697, 2017
 - R-11 QUITCLAIM DEED, INSTRUMENT NO. 807697, 2017
 - R-12 QUITCLAIM DEED, INSTRUMENT NO. 807697, 2017
 - R-13 QUITCLAIM DEED, INSTRUMENT NO. 807697, 2017
 - R-14 QUITCLAIM DEED, INSTRUMENT NO. 807697, 2017
 - R-15 WARRANTY DEED, INSTRUMENT NO. 515604, 1987

- LEGEND**
- 5/8" REBAR WITH PLASTIC CAP
 - FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED
 - FOUND 3-1/4" ALLOY CAP, IDAHO TRANSPORTATION DEPARTMENT RIGHT-OF-WAY MONUMENT
 - △ CALCULATION POINT (NOTHING FOUND OR SET)



RECORDER'S
CERTIFICATE

James A. Sewell and Associates, LLC
ENGINEERS - SURVEYORS - PLANNERS
SANDPOINT, ID. 83864, (208)263-4180

SHEET TITLE: REPLAT OF LOTS 1 & 2 OF THE IDAHO CLUB NORTH LAKE AND UNPLATTED PARCEL

DATE: 10-18-24

BY: JAS

CHECKED BY: JAS

APPROVED BY: JAS

SCALE: 1" = 150'

SHEET NO.: 1 OF 1

Project Summary:

The applicant is requesting to modify approvals of Conditional Use Permit CUP006-20 & Short Subdivision File SS0006-20, which have already been modified by Modification MOD0001-22. The proposed modifications include:

(1) enlargement of the upland open space and common area by 0.51 acres through the retention of the manmade islands, (2) replacement of the 0.43 acre common recreational lot with a 0.46 acre single-family residential lot, (3) reduction of the number of boat slips in the proposed marina to 88 from 105, (4) provision of public lease slips in the proposed marina, (5) a timeline extension request to summer of 2028 for final plat and CUP issuance, (6) acknowledgement in the application of the transfer of +/-5.79 acres of abutting land including the mouth of Trestle Creek to the Kalispel Tribe, (7) restoration of the North Branch of Trestle Creek to restore its natural outflow to the lake.

The subject property is located north of the City of Hope on North Park Road off Highway 200 in Section 16, Township 57 North, Range 1 East, Boise Meridian, Bonner County Idaho. The project site is within the service areas of Trestle Creek Sewer and Sam Owen Fire District.

Applicable Laws:

BCRC 12-266.A-E Modification of Terms and Conditions of Permit Approval

12-266: MODIFICATION OF TERMS AND CONDITIONS OF PERMIT APPROVAL:

A. The terms and conditions of the approval of any permit authorized or required in this title may be modified only by the Planning Director, Zoning Commission and/or Board as established in this section. This section applies to modifications of approved permits, including, but not limited to, conditional use permits, special use permits, variances, preliminary plats, final plats, lot line adjustments and planned unit developments.

B. Application for a modification of terms and conditions of approval shall be made to the Planning Department, on forms provided by the department, and accompanied by the fee specified in section 12-265 of this subchapter.

C. A public hearing shall be scheduled and notice provided in accordance with the requirements for the original permit issuance.

D. The Planning Director, Zoning Commission and/or Board shall consider the proposed modification in accordance with the requirements for the original permit application and shall confine the review to the proposed modification.

E. The Planning Director, Zoning Commission and/or Board shall render a decision in writing on the proposed modification within five (5) working days after consideration of the proposal, and the decision shall conform to the procedures, standards and requirements pertaining to the original permit.

Background:

A. Site Data:

- Current use: Vacant.
- Platted/ Unplatted: The site has both platted and unplatted portions.
- Size: approximately 24.4 acres
- Zone: Recreation (per CUP0006-20)
- Land Use: Resort Community and Rural Residential (per CUP0006-20)

B. Access:

- The site has frontage on and is accessed via North Park Road, a private road, and State Highway 200, owned by the Idaho Transportation Department (ITD). Portions of North Park Road will be dedicated to the public. North Park Road will be privately maintained.

C. Environmental Factors:

- Site does contain mapped slopes. (USGS)
- Site does contain mapped wetlands. (USFWS)
- Site does contain a river/stream/frontage on Lake Pend Oreille
- The site is within Special Flood Hazard Area (SFHA) Zone X and Zone AE, per FIRM panel 16017C0775E, effective date 11/18/2009.
- Trestle Creek borders the southern portion of the site.
- The mapped soil type for the site is Bonner silt loam and is classified as prime farmland.
- No critical wildlife habitat has been mapped on or within the vicinity of the subject property
- Portions of the site are mapped as critical habitat for Bull Trout.

D. Services:

- Water: Proposed public water system.
- Sewer: Site is mapped as within Trestle Creek Sewer District; however, a community leach field is proposed for the site.
- Power: Avista (per application).
- Fire: Sam Owen Fire District
- School District: Lake Pend Oreille School District #84
- Ambulance District: Bonner County Ambulance District
- Hospital District: Pend Oreille Hospital District

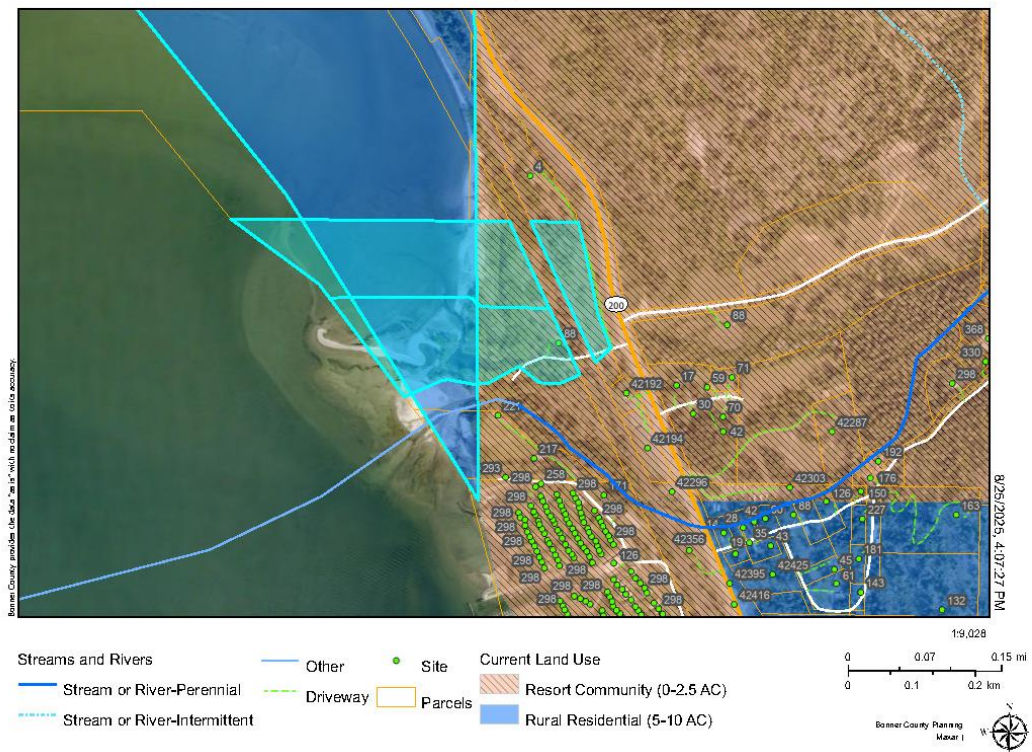
E. Comprehensive Plan, Zoning and Current Land Use

Compass	Land Use	Zoning	Current Use & Density
Site	Resort Community & Rural Residential	Recreation (Rec)	Vacant
North	Resort Community	Rural-5, & Rural 10	US Army Corps of Engineers land and rural residence (RP57N01E165741A)
East	Resort Community & Rural Residential Area	Rural-5	Vacant
South	Resort Community & Rural Residential	Rural-5, Recreation & Rural Service Center	Railroad and Highway 200 rights-of-way, vacant land

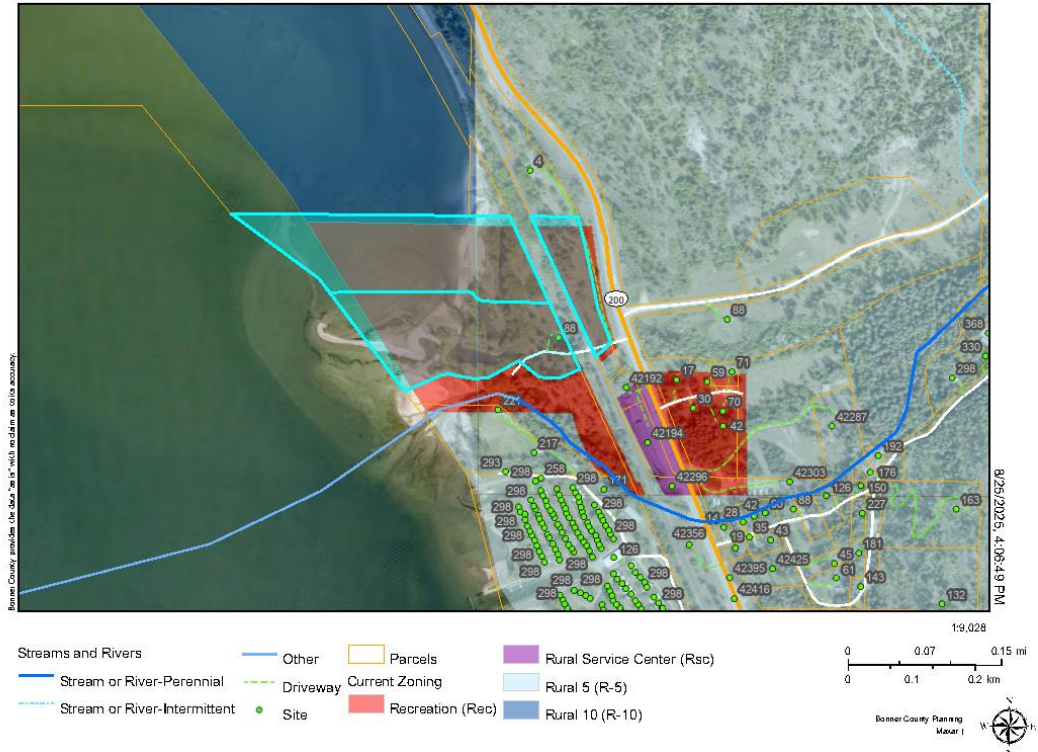
MOD0003-24 - Aerial



MOD0003-24 - Resort Community & Rural Residential Land Use



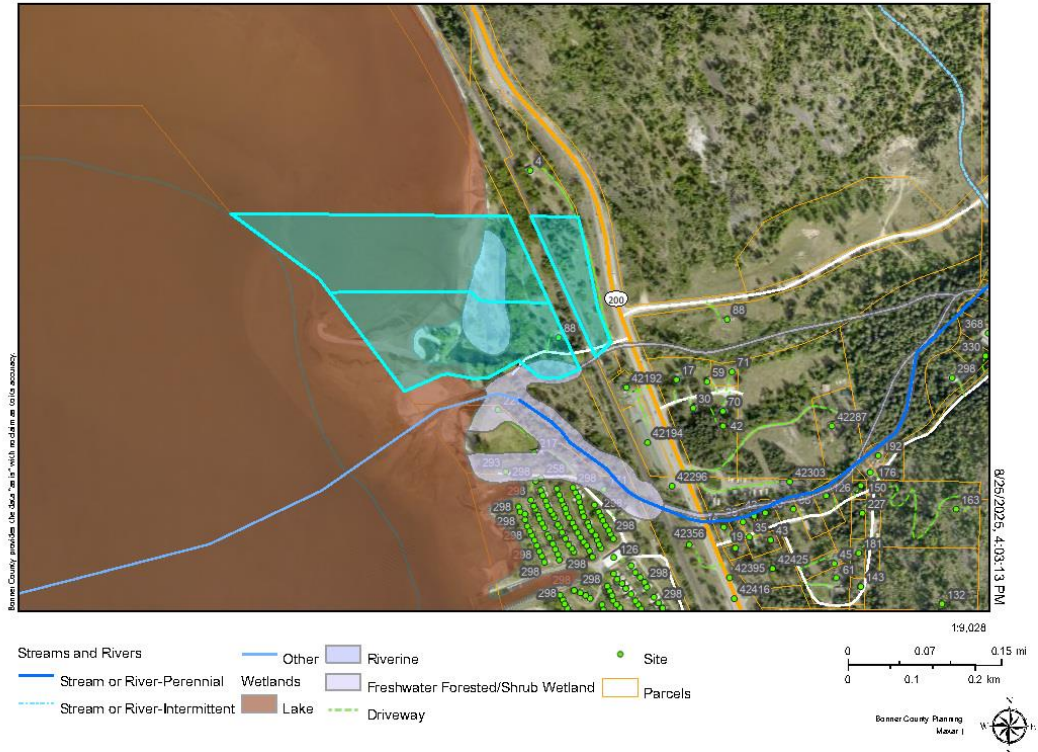
MOD0003-24 - Rec Zoning



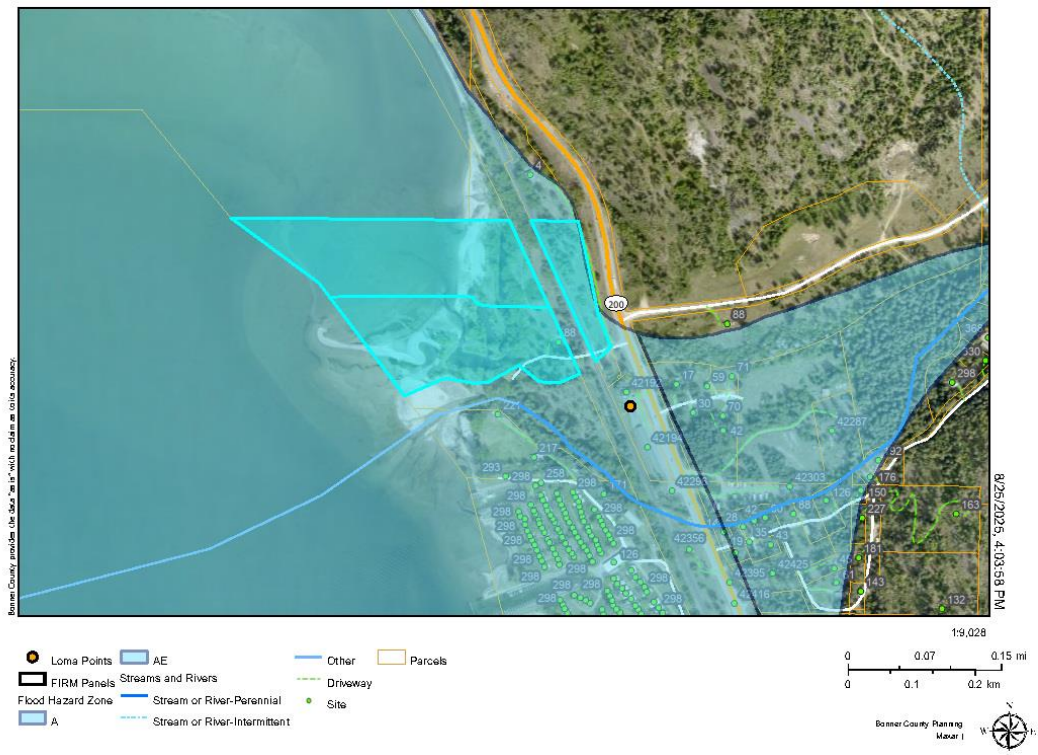
MOD0003-24 - Slopes

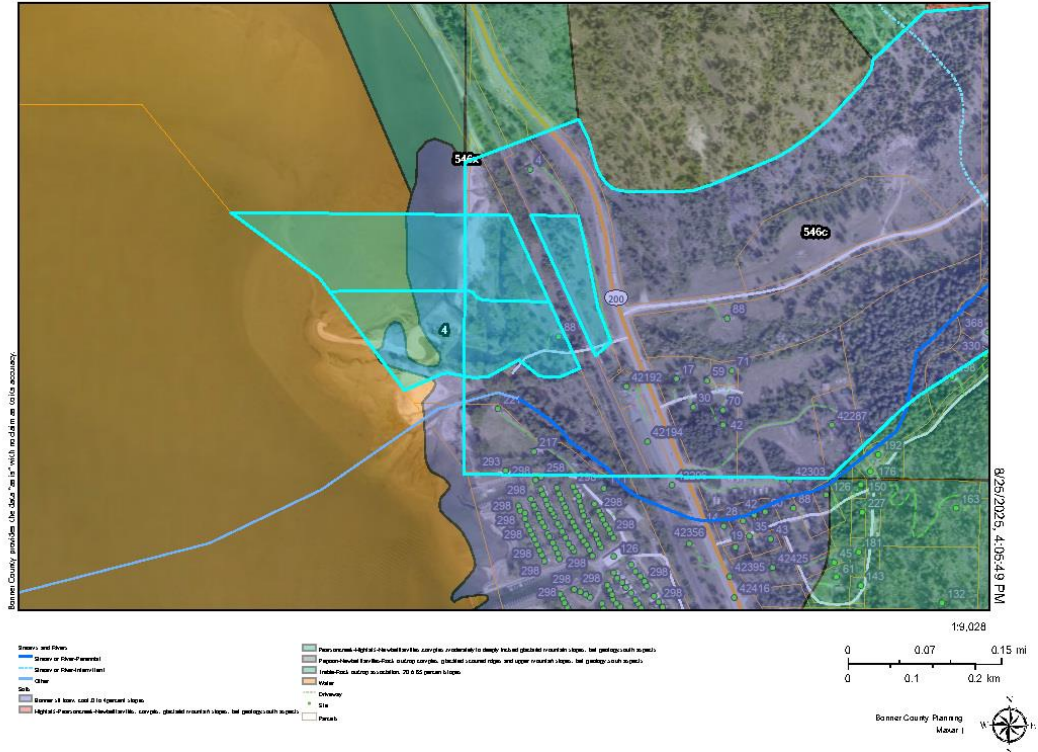


MOD0003-24 - Hydrology & Wetlands



MOD0003-24 - Floodplains





Agency and Public Comments:

The application was routed to agencies for comment on August 28, 2025. The following were received as of the date of publication of the staff report:

The following agencies replied with comments:

Sam Owen Fire – 4/24/2025 (replied before notice, notice was sent via applicant)

The following agencies provided “no comment” replies:

None.

No other agencies responded as of the date this report was published.

Public comments have been received on this application. These have been added to the record and forwarded to the decision-making body for review.

Standards Review, BCRC 12-266: Modification of Terms and Conditions of Permit Approval

CODE SECTION	REQUIREMENT	FINDING
BCRC 12-266.A	The terms and conditions of the approval of any permit authorized or required in this title may be modified only by the Planning Director, Zoning Commission and/or Board as established in this section:	Per this subsection, the BOCC is tasked with modifying this decision and retains final decision making responsibility as they were the previous hearing body to make a final decision.
BCRC 12-266.B	Application for a modification of terms and conditions of approval shall be made to the Planning Department, on forms provided by the department, and accompanied by the fee specified in section 12-265 of this subchapter:	The application was submitted or the correct Bonner County Planning Department form, and the appropriate fee paid.
BCRC 12-266.C	A public hearing shall be scheduled and notice provided in accordance with the requirements for the original permit issuance:	A public hearing has been scheduled and notices have been provided in accordance with the same standard of the original application..
BCRC 12-266.D	The Planning Director, Zoning Commission and/or Board shall consider the proposed modification in accordance with the requirements for the original permit application and shall confine the review to the proposed modification:	This standards review is required to be consistent with the original standards in the original decisions and this process may only review the modified portions of the proposal. <u>This is not a re-review of the previously approved application.</u>
BCRC 12-266.E	The Planning Director, Zoning Commission and/or Board shall render a decision in writing on the proposed modification within five (5) working days after consideration of the proposal, and the decision shall conform to the procedures, standards and requirements pertaining to the original permit:	A decision shall be rendered consistent with these requirements.

Standards Review, Short Subdivision:

Per BCRC 12-266.D, the standards in this review are required to be consistent with the original standards in the original short subdivision decision and may only review the modified portions of the proposal. This is not a re-review of the entire previous application. The following review is consistent with these requirements.

The following standards come from the original plat decision SS0006-20, per BCRC 12-266.D:

ORIGINAL REQUIREMENT	FINDING	ORIGINAL REQUIREMENT	FINDING
BCRC12-652 (B) Zone change was not required to accommodate lot size:	No part of the proposal modifies the findings in the original decision in relation to this requirement.	BCRC12-652 (C) Original Lots not created by a short plat in the last two years:	No part of the proposal modifies the findings in the original decision in relation to this requirement.
BCRC 12-621 Depth to width/Angle of intersection:	Not all ratios strictly comply with the required ratios; however, the general depth-to-width ratios in this modification request are dictated by the shapes and sizes of the lots already approved. Lots 2-5 were already approved are not a part of this modification proposal. The dimensions of these approved lots dictate the ratios of the modified lots.	12-622 Submerged Lands:	Submerged lands are not being counted towards lot sizes.
BCRC 12-623 (A) Services and Utilities: Lots smaller than 1 acre.	Water and sewer systems are already approved under the previous decision. Updated versions of the water and sewer plan must be approved by the Bonner County engineer prior to permit issuance.	BCRC 12-623 (B) Services and Utilities: Water	A water system was approved under the previous decision. An updated water system plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval.
BCRC 12-623 (C) Services and Utilities: Sewage Disposal	A sewage disposal system was approved under the previous decision. An updated sewer system plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval.	BCRC 12-623 (D) Services and Utilities: Fire Assessment and Plan	Fire protection was addressed under the previous approval. The new fire turnaround has been approved by Sam Owen Fire District.

BCRC 12-624 (A) Roads and Access: New Road Naming	No part of the proposal modifies the findings in the original decision in relation to this requirement.	BCRC 12-624 (B) Roads and Access: New Road Standards (Appendix A)	A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit modification issuance.
BCRC 12-624 (C) Roads and Access: Legal Access	A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.	BCRC 12-624 (D) Roads and Access: Lots less than 5 acres – require direct frontage on public R-O-W.	A private road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.
BCRC 12-625 (A): Trails and Parks: Bonner County Trails Plan	No part of the proposal modifies the findings in the original decision in relation to this requirement.	BCRC 12-625 (B): Trails and Parks: Public Access, Parks & Facilities	No part of the proposal modifies the findings in the original decision in relation to this requirement.
BCRC 12-626 (A) Environmental Features: Natural Hazards	The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips).	BCRC 12-626 (B) Environmental Features: Shorelines, BCRC 12- 710 et. seq.	The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). Any additional development within the site will be required comply with Bonner County shoreline rules.
BCRC 12-626 (B) Environmental Features: Grading, Stormwater, Erosion Control Plans, BCRC 12- 720 et. seq.	An updated stormwater plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval.	BCRC 12-626 (B) Environmental Features: Wetlands, BCRC 12- 730 et. seq.	The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). Any additional development within the site will

			be required to comply with Bonner County wetland rules.
BCRC 12-626 (B) Environmental Features: Wildlife, BCRC 12-740 et. seq.	The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). Any additional development within the site will be required comply with Bonner County wildlife rules.	BCRC 12-626 (B) Environmental Features: Hillsides, BCRC 12-760 et. seq.	The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). Any additional development within the site will be required to comply with Bonner County rules regarding development on slopes.
BCRC 12-626 (C) Environmental Features: Waterfront Property	The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). Any additional development within the site will be required comply with Bonner County shoreline, wetland, wildlife, and floodplain rules.	BCRC 12-627 Commercial and Rural Service Center Districts:	No part of the proposal modifies the findings in the original decision in relation to this requirement.

Standards Review, Conditional Use Permit:

Per BCRC 12-266.D, the standards in this review are required to be consistent with the original standards in the original CUP decision and may only review the modified portions of the proposal. This is not a re-review of the entire previous application. The following review is consistent with these requirements.

The following standards come from the original CUP decision CUP0006-20, per BCRC 12-266.D:

- BCRC 12-2.2, et seq.: Conditional Use Permits;
 - A conditional use permit is required for a planned until development and preliminary plat.
 - Modifications of approved PUDs are allowed per BCRC 12-266.
- BCRC 12-251(C): Planned Unit Development Classification and Minimums; A "large scale mixed use" PUD consisting of commercial, industrial, residential or recreational uses and having a minimum gross land area of twenty (20) acres.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-252(B): Uses Permitted within Planned Unit Developments; Limited commercial and related recreational activities and facilities which are designed primarily to accommodate the needs of residents within a "mixed use" PUD described in section 12-251 of this subchapter may be permitted in any district, except for Industrial. Commercial recreation areas, such as ski resorts, golf courses or marinas, where permitted or conditionally permitted in applicable districts, may include related commercial uses to accommodate the general public as well as residents within the PUD when included and approved as part of the PUD development plan.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-256(A-E): Design Standards for Planned Unit Developments;
 - *A. Common Open Space – 10% of total gross acreage required*
 - Open space and common areas have been enlarged by 0.51 acres.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
 - *B. Owner's Association – A homeowner's association and/or corporation ownership required*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
 - *C. Covenants, Article of Incorporation – Recorded with the final plat of any PUD subdivision or final development plans required.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
 - *D. Development Density – The unit density of a PUD containing residential uses shall not exceed the density of the zone district in which it is located, except for density bonuses.*
 - Open space and common areas have been enlarged by 0.51 acres.
 - The proposed density is less than the allowed density of one (1) unit per one (1) acre allowed per BCRC 12-412.
 - *E. Public amenities that can be provided to obtain a density bonus.*
 - Open space and common areas have been enlarged by 0.51 acres.

- The proposed density is less than the allowed density of one (1) unit per one (1) acre allowed per BCRC 12-412.
- BCRC 12-332: Residential Use Table (single family dwellings);
 - Single family dwellings are a permitted use within the Recreation district.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-333, note 17; Sufficient land area is required to accommodate the proposed use, and the use and any appurtenant structures shall be so arranged on the land as to minimize any adverse effects on surrounding properties. The use shall not create particular hazards to adjacent properties.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-335, note 5: Sufficient land area is required to accommodate the proposed use, and the use and any appurtenant structures shall be so arranged on the land as to minimize any adverse effects on surrounding properties. The use shall not create particular hazards to adjacent properties.
 - The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips).
 - Open space and common areas have been enlarged by 0.51 acres.
 - The proposed density is less than the allowed density in the Rec Zone of one (1) unit per one (1) acre allowed per BCRC12-412.
- BCRC 12-335, note 6; Specified conditions with respect to emissions of noise, light glare, smoke, odor, dust, particulate matter, vibrations or hours of operation may be prescribed differently from those required in a given district, as to be compatible with other applicable State and Federal standards.
 - The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. No new uses are proposed. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips).
- BCRC 12-335, note 7; A traffic plan is required describing, at minimum, the method of ingress and egress to the site, traffic circulation within the site, and on premises parking and loading/launching areas.
 - A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.
 - The new fire turnaround has been approved by Sam Owen Fire District.
- BCRC 12-412; Maximum residential density shall be 1 dwelling unit per minimum lot size.

- Open space and common areas have been enlarged by 0.51 acres.
 - The proposed density is less than the allowed density of one (1) unit per one (1) acre allowed per BCRC12-412.
- BCRC 12-412; Setback Requirements – see variation to rear setback previously stated.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-421: Performance Standards for All Uses; Effects from noise, light glare, odors, fumes or vibrations.
 - The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips).
- BCRC 12-432: Minimum Off Street Parking Requirements;
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-621: Lot Design; All proposed lots which are three hundred feet (300') or less in width shall maintain a depth to width ratio of not greater than three to one (3:1); and lots which are more than three hundred feet (300') in width shall maintain a depth to width ratio of not greater than four to one (4:1). All proposed lots 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 between eighty five (85) and ninety five degrees (95°), for a distance of not less than fifty feet (50') from the point of intersection. Submerged lands are exempt from the requirements herein.
 - Not all ratios strictly comply with the required ratios; however, the general depth-to-width ratios in this modification request are dictated by the shapes and sizes of the lots already approved. Lots 2-5 were already approved are not subject re-review. The dimensions of these approved lots dictate the ratios of the modified lots.
- BCRC 12-622: Submerged Lands; Lands below the applicable natural or ordinary water mark, or the applicable artificial high water mark, of any lake, river, stream, channel or other body of public water shall not be counted in the calculations for determining the maximum density for a subdivision.
 - The submerged lands have not been included in the calculations for determining the maximum density for the proposed subdivision.
- BCRC 12-623(C): Services and Utilities; Sewage disposal method for all building sites, as approved by the Panhandle health district and/or the state of Idaho, may be provided.
 - Water and sewer systems are already approved under the previous decision. Updated versions of the water and sewer plan must be approved by the Bonner County engineer prior to permit issuance.

- BCRC 12-623(D): Services and Utilities; *All proposed lots shall be designed by the applicant to provide a fire protection plan for the proposed lots to provide, at a minimum, an assessment of fire risk and plans to reduce the risk, and provisions for defensible space, where material capable of allowing a fire to spread unchecked will be treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur, and for at least one of the following from this section.*
 - Fire protection was addressed under the previous approval. The new fire turnaround has been approved by Sam Owen Fire District.
- BCRC12-624(C): Roads and Access; *Legal access shall be provided to each proposed lot, which shall be developed for ingress and egress, providing for ready access meeting the standards in subsection B of this section.*
 - A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.
 - The new fire turnaround has been approved by Sam Owen Fire District.
- BCRC 12-626(A): Environmental Features; *The subdivision shall be designed around identified natural hazards (highly erosive soils on steep slopes, landslide areas, rock falls, areas of subsidence, floodplains) to protect building sites and roads from damage from such hazards.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-626(B): Environmental Features; *The subdivision shall meet the requirements of chapter 7, "Environmental Standards", of this title.*
 - The application proposal is substantially similar to the original approved proposal. This is not a re-review of the entire previous application. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). Any additional development within the site will be required comply with Bonner County environmental rules.
- BCRC 12-626(C)(1): Environmental Features; *New lots or parcels on sites in the forestry, agricultural/forestry, rural and other zoning districts where all urban services are not available, shall maintain an average width (as measured parallel to the shoreline) of at least two hundred feet (200') for all portions of the lot or parcel within one hundred feet (100') of the shoreline. The total depth of the lot (as measured from the shoreline to the opposite end of the lot or parcel) must be deep enough to allow development to meet applicable vegetation conservation and building setback requirements per subchapter 7.1 in this title.*
 - Lots 2-5 were already approved are not subject re-review. The dimensions of these approved lots dictate the ratios of the modified lots.
- BCRC 12-633(A): Standards and Guidelines for All Conservation Subdivisions; *Uses: all principal and accessory uses authorized in the applicable zoning districts shall be allowed in the conservation subdivision. Uses not authorized by chapter 3 of this title will not be permitted in conservation subdivisions.*

- No new uses are proposed under this application. No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-633(B): Standards and Guidelines for All Conservation Subdivisions; Development Standards: Development standards in chapter 4 of this title for the applicable zoning district shall apply to all lots in a conservation subdivision, except where otherwise noted in this chapter.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-633(C): Standards and Guidelines for All Conservation Subdivisions; Design Standards: Conservation subdivisions are subject to subchapter 6.2 of this title, design standards, except where otherwise noted.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-633(D)(3): Standards and Guidelines for All Conservation Subdivisions; Lots may be smaller than the minimum sizes in subsections D1 [2.5 acres] and D2 [1 acre] of this section, provided water and sewage disposal provisions are provided within common areas via utility easements.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-633(E): Standards and Guidelines for All Conservation Subdivisions; Suitable Land: Cluster lots are encouraged to be located on land most suitable for residential development.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-633(F): Standards and Guidelines for All Conservation Subdivisions; Further Subdivision of Cluster Lots: Cluster lots in a conservation subdivision may not be further subdivided except where in compliance with this title. However, notes on the final plat approved by the board may include other restrictions on future subdivision of the lots.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-633(G): Standards and Guidelines for All Conservation Subdivisions; Wells. Sewage Disposal Facilities Within Common Open Space: Individual and/or common wells and sewage disposal facilities may be provided within designated common open space areas to allow for maximum efficiency of cluster lot design and minimize potential negative impacts to the environment. Applicable easements for the facilities shall be shown on the final plat.
 - Water and sewer systems are already approved under the previous decision. Updated versions of the water and sewer plan must be approved by the Bonner County engineer prior to permit issuance.
- BCRC 12-633(H): Standards and Guidelines for All Conservation Subdivisions; Preservation of Common Open Space: Common open space shall be preserved as permanent open space, except where otherwise noted in this title, and subject to standards BCRC 12-633(H)(1-3).

- Open space and common areas have been enlarged by 0.51 acres.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-633(K)(1): Standards and Guidelines for All Conservation Subdivisions; Buffering, Clustering: Clustered lots shall be accessed by interior road systems. To the maximum extent possible, cluster lots shall be located so that common open space provides a buffer between the cluster lots and adjacent properties and/or right of way. When this is not possible, the development shall be designed to provide at a minimum one of the following:
(1) Cluster lots that abut surrounding properties or right of way shall be at least seventy five percent (75%) of the minimum lot size standard for the subject parcel.
 - A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.
 - The proposed road plan is substantially similar to the plan originally proposed.
- BCRC 12-636(A): Standards for Conservation Subdivisions in Suburban, Recreation and Alpine Village Districts; Minimum Lot Size: There is no minimum lot size for cluster lots, provided the subdivision meets the density requirements specified in this title. However, cluster lots shall be sized sufficiently to meet applicable setbacks and other requirements in this title, unless otherwise noted herein.
 - Lots 2-5 were already approved are not subject re-review. The dimensions of these approved lots dictate the ratios of the modified lots.
- BCRC 12-636(C): Standards for Conservation Subdivisions in Suburban, Recreation and Alpine Village Districts; Reduction in Setbacks: Front, side and/or rear yard setbacks may be reduced to accomplish design objectives for the development, provided other applicable standards in this title are met.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-636(D): Standards for Conservation Subdivisions in Suburban, Recreation and Alpine Village Districts; Multiple Dwelling Units: Multiple dwelling units may be included on individual lots, provided the subdivision meets applicable density requirements and other requirements in this title.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-636(E): Standards for Conservation Subdivisions in Suburban, Recreation and Alpine Village Districts; Common Open Space: Applicants are encouraged to set aside at least twenty percent (20%) of the land as common open space, or recreational facilities for the residents and other requirements in this title.
 - Open space and common areas have been enlarged by 0.51 acres.
 - The open space requirement was set by the previous decision and is not subject to re-review.

- BCRC 12-256(G): Design Standards for Planned Unit Developments; Design Standards – The PUD will include the following variations from design standards of Title 12.
 - BCRC 12-333, note 33: - *Maximum square footage for ministorage, boat storage, and rental warehouse facilities on a single lot or parcel shall be 10,000 square feet for the rural service center and recreation district required.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-412: 2 acre lot size minimum when served by "urban water."
 - Open space and common areas have been enlarged by 0.51 acres.
 - The proposed density is less than the allowed density of one (1) unit per one (1) acre allowed per BCRC12-412.
- BCRC 12-412, note 4: Minimum lot size where "urban water" is available shall be 2 acres but, clustering lots via a conservation subdivision is encouraged to allow for the opportunity to develop at greater density if and when urban services become available.
 - Open space and common areas have been enlarged by 0.51 acres.
 - The proposed density is less than the allowed density of one (1) unit per one (1) acre allowed per BCRC 12-412.
 - Lots 2-5 were already approved are not subject re-review. The dimensions of these approved lots dictate the ratios of the modified lots.
- BCRC 12-412: Lot coverage requiring 35%
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-412: Minimum rear yard setback required is 5'.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-432, note 5: Minimum off-street parking requirements for community docks and marinas is 0.5 space/boat slip of which 25 percent of parking spaces arranged as tandem spaces not less than 10' by 40' is required.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-432, note 3: Minimum off-street parking requirements for assembly buildings is 1 space per 100 gross square feet of floor area within 500' of principal use required.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-621: All lots that are 100' or less in width shall be designed so that the angle of intersection of the side lot lines with the fronting road is between 85 degrees and 95 degrees for a distance of not less than 50' from the point of intersection.
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.

- 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.*
 - A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.
 - The proposed road plan is substantially similar to the plan originally proposed.
- BCRC 12-624(D): *All proposed lots less than five (5) acres gross shall have direct frontage on, and direct access to, a public right of way. Cluster lots less than five (5) acres gross in a conservation subdivision within the rural, agricultural/forestry and forestry districts are exempt from this requirement. 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. Such road may be maintained privately or by a public highway agency. Exceptions to the direct frontage and access requirements to allow for private frontage or interior roads may be granted in the commercial, industrial, or rural service center districts provided such access meets the applicable private road standards of this title.*
 - A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.
 - The proposed road plan is substantially similar to the plan originally proposed.
- BCRC 12-713: *Maximum "impervious surface" allowed within the "shore land" areas shall be 35%.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-733(B): *40' setback to wetlands required.*
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-4.5, et seq.: Design Standards;
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-4.6, et seq.: Landscaping and Screening Standards;
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.
- BCRC 12-486(B-I): Standards for Rental Warehouses, Ministorage, Boat Storage;
 - No part of the proposal modifies the findings in the original decision in relation to this requirement.

- BCRC 12-623(B): Services and Utilities; *Lots to be served by a new public drinking water system: Division of environmental quality written approval of an engineering report prepared by an Idaho licensed professional engineer demonstrating that an adequate water supply is available to meet the estimated demand for water from the lots in the proposed subdivision.*
 - Water and sewer systems are already approved under the previous decision. Updated versions of the water and sewer plan must be approved by the Bonner County engineer prior to permit issuance.
- BCRC 12-624(A): Roads and Access; *All new roads created for subdivisions shall be designated by unique road names, unless such roads are determined to be and are designed to be extensions of existing roads.*
 - A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.

The following sections of BCRC were found to be not applicable or the proposal was exempt in the previous decisions:

- BCRC 12-256(F): Requirements for Public Amenities
- BCRC 12-486(A): Standards for Rental Warehouses, Ministorage, Boat Storage
- BCRC 12-623(A): Services and Utilities
- BCRC 12-625(A-B): Trails and Parks
- BCRC 12-633(I) Standards and Guidelines for All Conservation Subdivisions
- BCRC 12-633(J): Standards and Guidelines for All Conservation Subdivisions
- BCRC 12-636(B): Standards for Conservation Subdivisions in Suburban Recreation and Alpine Village Districts

Comprehensive Plan Analysis:

Per BCRC 12-266.D, the standards in this review are required to be consistent with the original standards in the original CUP decision and may only review the modified portions of the proposal. This is not a re-review of the entire previous application. The following review is consistent with these requirements:

- Property Rights: *The issue of property rights is a "two-way street" and the property rights of the applicant, adjoining landowners and future generations shall be considered, as well as the short-term consequences of decisions.*
 - **Staff:** No part of the proposal modifies the findings in the original decision in relation to this requirement.
 - **Applicant:** The project has been designed consistent with PUD and conservation subdivision standards. As such the project protects applicant rights and those of the public.

- Population: *Multi-generational, multi-economic diversity shall be encouraged within Bonner County.*
 - **Staff**: The modification will result in one new lot and two new home sites relative to the original decision. Accordingly, the proposed modification could add to the county's population.
 - **Applicant**: The project will result in the addition of 7 SF dwelling units that will add to the availability of housing stock within Bonner County.
- School Facilities & Transportation: *Full consideration shall be given to the county's ability to provide quality education to the current and future students of Bonner County.*
 - **Staff**: There is no evidence in the record to indicate how this proposal modifies the findings in the original decision in relation to this requirement.
 - **Applicant**: If demanded by residents, the Hope school is nearby.
- Economic Development: *Bonner County shall encourage economic diversity for the financial health of the community and maintenance of its rural atmosphere.*
 - **Staff**: There is no evidence in the record to indicate how this proposal modifies the findings in the original decision in relation to this requirement.
 - **Applicant**: The project will support jobs and related economic benefit to Bonner County.
- Land Use: *Bonner County intends to balance and integrate its land use policies and proposed land use map with components of the comprehensive plan to encourage the community to grow while retaining its rural character and protecting its unique natural resources.*
 - **Staff**: Lots remain clustered in accord with the previous decision. The proposed project design is substantially similar to the previous approval. The applicant has presented a proposal that meets the current required density for the zoning of the site. The vast majority of the approved site plan is not subject to reconsideration under this modification proposal. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). The modification will result in one new lot and two new home sites relative to the original decision.
 - **Applicant**: The requested modifications are less intense than the originally approved project. As proposed the project meets the objectives of the Comprehensive Plan and related land use code.
- Natural Resources: *Bonner County places a high value on its natural resources and amenities and desires to protect these features that make the county a unique place to live, work and play. The county recognizes that natural resources, such as pure water, clean air and diverse wildlife, are important to preserve and once lost, they may not be recovered. Bonner County will strive to manage its natural resources to attain the greatest long term public benefit.*
 - **Staff**: Lots remain clustered in accord with the previous decision. The proposed project design is substantially similar to the previous approval. The applicant has presented a proposal that meets the current required density for the zoning of the site. The vast majority of the approved site plan is not subject to reconsideration under this modification proposal. This modification

appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). The modification will result in one new lot and two new home sites relative to the original decision

- **Applicant:** The project has been modified to maintain the man made islands and support preservation of habitat. The stream restoration of the North Branch of Trestle Creek will potentially benefit fish populations by avoiding predation into the existing backwater area.
- Hazardous Areas: *Bonner County desires to protect its community from the loss of lives and property and to reduce public and private financial losses due to flood, fire, mass wasting, avalanches and excessive slopes by setting standards for development within hazard areas and discouraging development in high hazard areas.*
 - **Staff:** All development of this that falls within the Special Flood Hazard Area (SFHA) will be required to comply with Bonner County flood code and applicable portions of CFR Title 44.
 - **Applicant:** All development will meet the standards of Bonner County Flood Damage prevention ordinance.
- Public Services, Facilities & Utilities: *Future development shall provide adequate services and should not adversely impact the services or utilities of present-day users.*
 - **Staff:** Water and sewer systems have already been approved under the previous decision. Updated versions of the water and sewer plan must be approved by the Bonner County engineer prior to permit issuance.
 - **Applicant:** All public services are in place.
- Transportation: *Bonner County intends to provide a transportation system that is safe, uncongested, and well maintained.*
 - **Staff:** A road system was approved under the previous decision. An updated roads plan has been submitted and must be approved by the Bonner County engineer prior to issuance of an approval. Updated version of the road plan must be approved by the Bonner County engineer prior to permit issuance.
 - **Applicant:** The proposed access within the subdivision will be built to Bonner County "Low Volume Private Road " standards with paved surfaces. See previous application details.
- Recreation: *Public and private recreational opportunities are recognized as a major county asset to be protected and encouraged.*
 - **Staff:** There is no evidence in the record to indicate how this proposal modifies the findings in the original decision in relation to this requirement.
 - **Applicant:** The proposed development will increase access to the lake and provide public moorage opportunity.
- Special Areas/Sites: *Bonner County will attempt to protect special archeological and historical sites and unique visual and ecological features of the region.*
 - **Staff:** This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips).

- **Applicant:** The site was formerly developed as a high intensity RV park (Idaho Country Resort). The development attempts to retain wildlife habitat through the proposed modification and preservation of the man made islands.
- Housing: *Bonner County recognizes diverse housing needs are to be addressed to provide adequate shelter for all, regardless of age, income or physical abilities.*
 - **Staff:** The modification will result in one new lot and two new home sites relative to the original decision. Accordingly, the proposed modification could add to the county's housing stock.
 - **Applicant:** The project will provide 7 additional housing units in Bonner County.
- Community Design: *Bonner County's goal is to maintain a variety of lifestyles and a rural character in the future development of Bonner County.*
 - **Staff:** Lots remain clustered in accord with the previous decision. The proposed project design is substantially similar to the previous approval. The applicant has presented a proposal that meets the current required density for the zoning of the site. The vast majority of the approved site plan is not subject to reconsideration under this modification proposal. This modification appears to reduce and mitigate impacts relative to the original proposal (e.g. restoring of stream outflow, retention of islands, reduction of boat slips). The modification will result in one new lot and two new home sites relative to the original decision.
 - **Applicant:** The site design has been approved. Please see previous application materials.

Staff Analysis:

Planner's Initials: JRJ **Date:** 9/11 /25

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

Decision by the Governing Body:

Zoning Commission

RECOMMENDATION TO APPROVE: I move to recommend approval of this project FILE MOD0003-24 for a modification of an existing Planned Unit Development, FILES CUP0006-20, SS0006-20 & MOD0001-22, to include the changes shown on the new site plan and proposed in application and as outlined in the staff report, finding that it is not in conflict with the policies of the Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1

The proposed conditional use permit **is not** in conflict with the policies of the Bonner County Comprehensive Plan as reviewed in accord with BCRC Title 12, Chapter 2 Subchapter 2.66.

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth at BCRC Title 12, Chapter 2 Subchapter 2.66. The proposal **is** in accord with the Bonner County Revised Code.

Conclusion 3

The proposed modification **will not** create a hazard or will not be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, 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 the Modification to the Conditional Use Permit is to complete the Conditions of Approval as adopted.

RECOMMENDATION TO DENY: I move to recommend denial of this project FILE MOD0003-24 for a modification of an existing Planned Unit Development, FILES CUP0006-20, SS0006-20 & MOD0001-22, to include the changes shown on the new site plan and proposed in application and as outlined in the staff report, finding that it is in conflict with the policies of the Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1

The proposed conditional use permit **is / is not** in conflict with the policies of the Bonner County Comprehensive Plan as reviewed in accord with BCRC Title 12, Chapter 2 Subchapter 2.66.

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth at Title 12, BCRC Chapter 2 Subchapter 2.66. The proposal **is / is not** in accord with the Bonner County Revised Code.

Conclusion 3

The proposed modification **will / will not** create a hazard or will not be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the Modification to the Conditional Use Permit is to:

- 1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
- 2) Appeal the Planning and Zoning Commission's decision to the County Commissioners.

Proposed Conditions of Approval:

1. The modifications shall be developed and shall be operated in accordance with the approved site plan.
2. The modifications shall be developed and shall be operated in accordance with the previous decisions in Conditional Use Permit CUP006-20, Short Subdivision File SS0006-20 & Modification MOD0001-22, except as modified by this decision.

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

Appendix A: Notice of Public Hearing Record of Mailing

RECORD OF MAILING

Page 1 of 1

File No.: **MOD0003-24**

Hearing Date: **09/18/25**

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 **27th** day of **August, 2025**.



Dylan Young, Hearing Coordinator

Assessor - Email	Avista Utilities - Email
Bay Drive Recreation District - Email	Bayview Water & Sewer - Email
Bonner County Airport Manager - Email	BONNER COUNTY DAILY BEE - U.S. Mail
Bonner County EMS - Email	Bonner County Floodplain Review - Email
Bonner County Road & Bridge - Email	Bonner County Sheriff - Email
Bottle Bay Water & Sewer District - Email	City of Clark Fork - Email
City of Dover - Email	City of East Hope - Email
City of Hope - Email	City of Kootenai - Email
City of Oldtown - Email	City of Ponderay - Email
City of Priest River - Email	City of Sandpoint - Email
City of Spirit Lake - Email	Coolin Sewer District - Email
Coolin-Cavanaugh Bay Fire District - Email	Drainage District #7 - Email
East Bonner Library - Email	East Priest Lake Fire District - Email
Elisport Bay Sewer - Email	Garfield Bay Water & Sewer District - Email
GEM STATE MINER - U.S. Mail	Granite Reeder Water & Sewer District - Email
Idaho Department of Environmental Quality (DEQ) - Email	Idaho Department of Fish & Game - Email
Idaho Department of Lands - CDA - U.S. Mail	Idaho Department of Lands - Coolin - Email
Idaho Department of Lands - Navigable Waters & Mining - Email	Idaho Department of Lands - Sandpoint - Email
Idaho Department of Water Resources - IDWR - Email	Idaho Transportation Department (Aeronautics) - U.S. Mail
Idaho Transportation Department - District I - Email	Independent Highway District - Email
Kalispel Bay Sewer & Water - U.S. Mail	Kootenai-Ponderay Sewer District - Email
KPBX-FM 91 SPOKANE PUBLIC RADIO - U.S. Mail	KSPT-KPND-KIBR RADIO - U.S. Mail
Laclede Water District - Email	Lake Pend Oreille School District, #84 (Admin Office) - Email
Lake Pend Oreille School District, #84 (Transportation) - Email	Lakeland Joint School District, #272 - Email
Little Blacktail Ranch Water Association - U.S. Mail	North of the Narrows Fire District - Email
Northern Lights, Inc. - Email	Northland/Vyve Cable Television - Email
Northside Fire District - Email	Outlet Bay Sewer District - Email
Panhandle Health District - Email	Pend Oreille Hospital District - Email
Priest Lake Public Library District - Email	Priest Lake Translator District - Email
Sagle Valley Water & Sewer - Email	Sam Owen Fire District - Email
Schweitzer Fire District - Email	SELKIRK ASSOCIATION OF REALTORS - U.S. Mail
Selkirk Fire, Rescue & EMS - Email	Selkirk Recreation District - Email
Southside Water & Sewer District - Email	Spirit Lake Fire District - Email
Spokesman-Review - U.S. Mail	State Historical Society - Email
Swan Shores Sewer District - U.S. Mail	Syringa Heights Water Association - Email
Tamarack Village Water & Sewer - U.S. Mail	Timber Lake Fire District - Email
Trestle Creek Sewer District - Email	U.S. Army Corps of Engineers - Email
U.S. Fish & Wildlife Service - Email	U.S. Forest Service - U.S. Mail
West Bonner County Cemetery District - Email	West Bonner County School District, #83 - Email
West Bonner Library - Email	West Bonner Water & Sewer District - Email
West Pend Oreille Fire District - Email	West Priest Lake Fire District - Email

Record of Mailing
Property Owners within 300 Feet

Page 1 of 1

File Number: MOD0003-24

Record of Mailing Approved By: _____

I hereby certify that a true and correct copy of the "Notice of Agency Review" was digitally transmitted or mailed (postage prepaid) on this 27th day of August, 2025.



Dylan Young, Hearing Coordinator

PIN	Name	Address	City	State	Zip
RP57N01E166400A	Best, Janice S	298 Trailer Haven Rd	Hope	ID	83836
RP57N01E166160A	Valiant Idaho II, LLC	151 Clubhouse Way	Sandpoint	ID	83864
RP57N01E166461A	Bonner County Homeless Task Force	Po Box 1696	Sandpoint	ID	83864-0871
RP57N01E173150A	USACE - Walla Walla District; Coeur d'Alene Regulatory Office	1910 Northwest Blvd., Suite 210	Coeur d'Alene	ID	83814
RP57N01E165741A	Mc Dowell Trust; Mc Dowell, Ronald L & Nancy, Trustees	21089 Rollins Lakeshore Dr	Rollins	MT	59931
RP57N01E165700A	USACE - Walla Walla District; Coeur d'Alene Regulatory Office	1910 Northwest Blvd., Suite 210	Coeur d'Alene	ID	83814
RP031740000010A	Valiant Idaho, LLC	151 Clubhouse Way	Sandpoint	ID	83864
RP57N01E166476A	Bnsf Railway Company; Attn: Corporate Real Estate	2650 Lou Menk Dr., MOB-2	Fort Worth	TX	76131
RP57N01E164951A	Dreisbach Trust; Mc Dowell, Ronald L & Nancy, Trustees	127 E Main St	Hope	ID	83836
RP031740000020A	Valiant Idaho II, LLC	151 Clubhouse Way	Sandpoint	ID	83864
RP57N01E166451A	Butler & Butler LLC	225 Whispering Pines Dr	Hope	ID	83836
RP57N01E166500A	Butler & Butler LLC	225 Whispering Pines Dr	Hope	ID	83836
RP031740000030A	Kalispel Indian Community Of The Kalispel Reservation	Po Box 39	Usk	WA	99180
	Haberman, William; Valiant Idaho, LLC	310 Charleston	Celebration	FL	34747
	Haberman, William; Valiant Idaho, LLC	151 Clubhouse Way	Sandpoint	ID	83864
	Haberman, William; Valiant Idaho, LLC	216 Clubhouse Way	Sandpoint	ID	83864
	Jeremy Grimm, Whiskey Rock Planning + Consulting	614 Creekside Ln	Sandpoint	ID	83864
	Scott Brown - James A. Sewell & Associates LLC	1319 N Division Ave	Sandpoint	ID	83864

Appendix B: Agency Comments

Scott Brown

From: Sam Owen Fire Rescue Sam Owen Fire Rescue <samowenfire@gmail.com>
Sent: Thursday, April 24, 2025 11:11 AM
To: Scott Brown
Subject: Re: Idaho Club Marina and Lakeshore Community

Hi Scott: In review of the drawings you have sent Sam Owen Fire District would be able to use the turn around area as drawn.

Please let me know if you have any questions or concerns.

Thank You
Tim Scofield
Sam Owen Fire District Chief
208-304-7822

On Tue, Apr 15, 2025 at 1:35 PM Scott Brown <sbrown@jasewell.com> wrote:

Tim,

I am creating road plans for the referenced development and would appreciate feedback from Sam Owen Fire regarding the proposed access to a future 30,000 sf building as shown on the attached plan. Three sides of the building can be accessed with fire apparatus within 150', which I think is ok (correct me if I am wrong). Is there enough room for your fire apparatus to turn around and the end of the road? The paved apron at the north end of the building is big enough to include a 50' diameter turnaround. If not, any suggestions?

Thank you, I appreciate your time.

B. Scott Brown, P.E.



1319 North Division Avenue

Sandpoint, Idaho 83864

Office: (208) 263-4160

Appendix C: Depth-to-Width Spreadsheet

MOD0003-24 D-W calculations							
	Length	Area in acres	Acre in Sq Ft	Width	Required D/W Ratio	Actual D/W Ratio	Comments
Lot 1	267	0.39	16988.4	63.63	3.20	4.20	Lot is substantially similar to what was approved under CUP0006-20. The shape of this lot is dictated by the previously approved adjacent lots.
Lot 2	241.5	0.38	16552.8	68.54	3.20	3.52	Lot was approved under CUP0006-20. It cannot be subjected to a re-review.
Lot 3	256.75	0.38	16552.8	64.47	3.20	3.98	Lot was approved under CUP0006-20. It cannot be subjected to a re-review.
Lot 4	233.25	0.39	16988.4	72.83	3.20	3.20	Lot was approved under CUP0006-20. It cannot be subjected to a re-review.
Lot 5	204	0.31	13503.6	66.19	3.20	3.08	Lot was approved under CUP0006-20. It cannot be subjected to a re-review.
Lot 6	179	0.39	16988.4	94.91	3.20	1.89	Lot is substantially similar to what was approved under CUP0006-20. The shape of this lot is dictated by the previously approved adjacent lots.
Lot 7	272.5	0.46	20037.6	73.53	3.20	3.71	The shape of this lot is dictated by the previously approved adjacent lots.
Common Space Lot	842	1.98	86248.8	102.43	4.20	8.22	Lot is substantially similar to what was approved under CUP0006-20. The portions of the lot that cause it not meet the required D/W ratio were approved under CUP0006-20.