



## Bonner County Planning Department

*"Protecting property rights and enhancing property value"*

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

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

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

July 2, 2025

McGee I, LLC c/o Jeremy Grimm, Whiskey Rock Planning + Consulting  
614 Creekside Ln  
Sandpoint, ID 83864

Subj: File S0003-24 – Subdivision – Sawbuck Estates Second Addition

Encl: (1) File S0003-24 Zoning Commission Preliminary Plat Approval  
Recommendation

Dear Applicant,

The Bonner County Zoning Commission at the June 26, 2025 hearing  
Recommended approval of the above-referenced application with conditions.

The Bonner County Zoning Commission recommended approval to the Board of County Commissioners of project FILE S0003-24, Sawbuck Estates Second Addition, requesting to subdivide and plat two parcels totaling approximately 45-acres into nine (9) residential lots of approximately five (5) acres each. The property is zoned Rural 5. The proposed subdivision is adjacent to the platted Minor Land Divisions of Sawbuck Estates, Sawbuck Estates First Addition & Sawbuck Forest and is on Sawbuck Rd, off of Kelso Lake Rd, in Section 16, Township 57 North, Range 2 West, Boise Meridian, Bonner County Idaho. The Bonner County Zoning Commission found that this proposal is in accord with Bonner County Revised Code and the Comprehensive Plan as enumerated in the following conclusions of law:

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### Conclusions of law:

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**Conclusion 1:** The proposed subdivision is in accord with the purposes of Title 12 and of the Rural 5 zoning district.

**Conclusion 2:** The site **is** physically suitable for the proposed development.

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

**Conclusion 4:** The public and private services, including but not limited to water, sewer services, solid waste, fire protection, emergency services, and school

facilities and transportation, which will serve the proposed subdivision **are** adequate for the needs of future residents or users.

**Conclusion 5:** The proposed subdivision **will not** cause circumstances to exist that will cause future residents or the public at large to be exposed to hazards to health or safety.

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

**Conclusion 7:** The proposed subdivision **is** designed to comply with the design criteria for subdivisions set forth in Subchapter 6.2 of this chapter.

**Conclusion 8:** The proposed subdivision **is not** in conflict with the policies of the Bonner County Comprehensive Plan.

The recommendation 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.

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### Findings of Facts:

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BCRC Code	Standard for	Required	Provided
12-268	Application Process, General Provisions	Agency Routing	Application routed to Public Agencies on May 27, 2025.
12-411	Density and Dimensional Standards: Rural 5	Minimum Lot Size required is five (5) acres for the Rural (R) District.	Lots are proposed to be five (5) acres or greater. Per BOCC determination on 6/25/2024 the site in question is zoned as Rural 5 (see appendices).
12-610.B	Conformance with BCRC Title 12	Minimum Lot Size required is five (5) acres for the Rural (R) District.	The lots in this subdivision are proposed to be served by individual septic systems and individual wells. Per BCRC 12-412, all proposed

			<p>lots shall include A sanitary restriction required by Idaho Code, Title 50, Chapter 13 will be in force on the subdivision. This sanitary restriction must include a space for the signature of an appropriate representative of the Panhandle Health District.</p> <p>Per BOCC determination on 6/25/2024 the site in question is zoned as Rural 5 (see appendices).</p> <p>The site is proposed to be served by Northern Lights (per application), Spirit Lake Fire District, West Bonner School District #83, Bonner County Ambulance District &amp; Pend Oreille Hospital District.</p>
12-620	General	Easements, constraints, reserved land areas to be shown and marked on the plats.	<p>Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.</p> <p><b>See Conditions of Approval.</b></p>
12-621	Lot Design	<p>All proposed lots or parcels which are three hundred feet (300') or less in width shall maintain a depth to width ratio of not greater than three point two to one (3.2:1); and lots which are more than three hundred feet (300') in width shall maintain a depth to width ratio of not greater than four point two to one (4.2:1).</p> <p>All proposed lots or parcels one hundred feet (100') or less in width shall be designed so that the angle of intersection of the side lot lines with the fronting road is between eighty-five (85) and ninety-five degrees (95°), for a distance of not less than fifty feet</p>	<p>The depth to width ratio of the lots in the proposed subdivision are all under the required ratios.</p> <p><b>See attached appendices.</b></p>

		(50') from the point of intersection. Submerged lands are not to be included when determining the depth to width calculation.	
12-623	Services and Utilities	Water supply, sewage disposal, fire protection	<p>Individual wells and septic systems are planned. Power provided by Northern Lights (per application). Solid Waste disposal via country transfer station or private contractor. Site is within Spirit Lake Fire District, West Bonner School District #83, Bonner County Ambulance District &amp; Pend Oreille Hospital District.</p> <p>The fire protection plan submitted with the application states "The proposed subdivision is located in an area of "moderate" risk, according to the Preliminary Plat Fire Hazard Rating Form submitted with this application. A note will be placed on the final plat to address fire hazard and defensible space issues. The submitted fire protection plan includes a defensible space plan.</p> <p><b>See Conditions of Approval.</b></p>
12-624.A	Road name	Unique road names for new roads.	<p>The road serving this proposed subdivision will be an extension of the existing road named Sawbuck Road.</p> <p><b>See Conditions of Approval.</b></p>
12-624.B	Road standards	Road to be designed to meet private road standards of BCRC Title 12, Appendix A.	<p>The site has frontage on and is accessed via Sawbuck Road, a private road accessed off of Kelso Lake Road. Kelso Lake Road is a county-maintained gravel road. Sawbuck Road is a private local access road.</p> <p>Per the applicant, Sawbuck Road was reconstructed in summer 2021 to have a 22+ foot travelway with fresh base</p>

			<p>rock and surfacing.</p> <p>The 60-foot wide ingress, egress, and utilities easement is provided for by instruments 954353, 969662, 989950, 1001675, per the submitted preliminary plat.</p> <p>The required improvement plan will show the road construction plan.</p>
12-624.C	Legal access	Legal access to each proposed lot	All lots are proposed to have direct frontage and access via Sawbuck Road. Project complies.
12-624.D	Public road frontage	For lots less than 5 acres in size, direct frontage and direct access to public roads required.	<p>The site has frontage on and is accessed via Sawbuck Road, a private road accessed off of Kelso Lake Road. No lots less than 5 acres are proposed. Per BOCC determination on 6/25/2024 the site in question is zoned as Rural 5 (see appendices).</p> <p>Project complies.</p> <p><b>See Conditions of Approval.</b></p>
12-625	Trails and Parks	Bonner County Trails Plan Public Access, Parks and Facilities	Not Applicable. An approved county trails plan does not exist.
12-626.A	Natural Hazards	Subdivision to be designed around identified natural hazards	<p>The site is mostly flat. The majority of the site contains no slopes or slopes of less than 15% grade. Site contains limited areas with slopes of over 30% grade.</p> <p>The site is not located within designated floodplain or floodway. It is located within Flood Zone X (Unshaded) per FIRM Panel Number 16017C1125E, Effective Date 11/18/2009. The project would not require any further floodplain review. The project has been reviewed to meet the requirements of Title 12, Chapter 7.</p>
12-626.B	Conformance with BCRC 12-7	Conformance with environmental standards.	The project has been reviewed to meet the requirements of

			Title 12, Chapter 7.
12-642.A	Application Content	Application form	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.
12-642.B	Application Content	Preliminary Plat, prepared by Idaho licensed surveyor, showing parcels to be created.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.
12-642.B.1	Plat Content	Subdivision name, geographic grid, north arrow, and vicinity map, vicinity road pattern.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.
12-642.B.2	Plat Content	Boundary line of tract to be subdivided, intersection property lines, abutting roads, names and addresses of adjoining owners shown in their respective places of ownership on the plat.	Not all adjoining owners are shown in their respective places of ownership on the plat. <b>See Conditions of Approval.</b>
12-642.B.3	Plat Content	Location, dimensions and area of proposed lots. Lot numbering.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.
12-642.B.4	Plat Content	Location, dimensions and tentative names of proposed streets and roads.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.
12-642.B.5	Plat Content	Sufficient contours to show the shape of the land and extending at least one hundred feet beyond the subdivision limits.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.
12-642.B.6	Plat Content	Location of water courses, floodplains per FIRMs with BFEs.	The site is not located within designated floodway. It is located within Flood Zone X (Unshaded) per FIRM Panel Number 16017C1125E, Effective Date 11/18/2009. The project would not require any further floodplain review. There are no mapped watercourses on the site.
12-642.B.7	Plat Content	Existing wells, springs, wetland boundaries,	Proposal complies. Application deemed complete by staff.

		wetland delineations, drainage channels, overhead and underground utility lines, structures, sanitary sewers and culverts within the tract.	Plat is stamped by a licensed Idaho surveyor.
12-642.B.8	Plat Content	Proposed method of water supply, sewage and solid waste disposal.	Individual wells and septic systems are planned. Power provided by Northern Lights (per application). Solid Waste disposal via country transfer station or private contractor. Site is within Spirit Lake Fire District, West Bonner School District #83, Bonner County Ambulance District & Pend Oreille Hospital District.
12-642.B.9	Plat Content	All easements of record, including sufficient data to identify conveyance.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.
12-642.B.10	Plat Content	Purpose indication for lots reserved for public dedication or common use of property owners.	No lots are proposed to be reserved for public dedication or common use of property owners.
12-642.B.11	Plat Content	Statement for intended use of parcels.	Plat states the proposed use is residential. Proposal complies.
12-642.C.2	Road design and profile	Preliminary road design and profile prepared, stamped and signed by Idaho licensed engineer.	<p>The site has frontage on and is accessed via Sawbuck Road, a private road accessed off of Kelso Lake Road. Kelso Lake Road is a county-maintained gravel road. Sawbuck Road is a private local access road.</p> <p>Per the applicant, Sawbuck Road was reconstructed in summer 2021 to have a 22+ foot travelway with fresh base rock and surfacing.</p> <p>The 60-foot wide ingress, egress, and utilities easement is provided for by instruments 954353, 969662, 989950, 1001675, per the submitted preliminary plat.</p> <p><b>See Conditions of Approval.</b></p>

12-643.A	Application filed	In accord with 12-268	Proposal complies. Application deemed complete.
12-643.B	Public hearing	In accord with Subchapter 2.6	Proposal complies. Public hearings will be held.
12-643.I	Validity of Preliminary Plat		Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor. <b>See Conditions of Approval.</b>
12-644	Improvements Plan	Plan to be prepared by a registered civil engineer. Two copies to be provided.	This is requirement of final and not the preliminary plat. <b>See Conditions of Approval.</b>
12-645	Standards for Review		<b>See Conclusions of Law.</b>
12-646	Final Plat, Contents		Not applicable at this stage of the project. <b>See Conditions of Approval.</b>
12-647	Endorsements on Final Plat		Not applicable at this stage of the project. <b>See Conditions of Approval.</b>
12-7.2	Grading, Stormwater Management and Erosion Control	Applicability: All new subdivisions subject to the provisions of chapter 6 of this title, as amended, and all new planned unit developments subject to the provisions of chapter 2, subchapter 2.5 of this title, as amended, except as provided for in subsection 12-720.3.J of this subchapter.	The applicant submitted a stormwater management and erosion control plan, prepared by Foresite Engineering in May 2023, November 2024 & February 2025. The plans have been reviewed by Bonner County Road and Bridge Department per the department's letter dated March 13, 2025. The applicant shall meet all conditions listed in this letter in addition to any further modifications of these conditions by the Bonner County Road and Bridge Department upon further review of the project or based on the site conditions. <b>See Conditions of Approval.</b>
12-7.4	Wildlife	Not applicable.	No local, state or federal agency has identified presence of any critical wildlife habitats on the site.



12-7.6	Hillsides	Geotechnical Survey Requirement	<p>The site is mostly flat. Most of the site contains no slopes or slopes of less than 15% grade. Site contains limited areas with slopes of over 30% grade, along the northeastern boundary.</p> <p><b>See Conditions of Approval.</b></p>
Title 14	Flood Damage Prevention	Development to occur as per BCRC, Title 14.	<p>The site is not located within designated floodplain or floodway. It is located within Flood Zone X (Unshaded) per FIRM Panel Number 16017C1125E, Effective Date 11/18/2009. The project would not require any further floodplain review.</p>

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**Proposed Conditions of Approval:**

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1. A sanitary restriction required by Idaho Code, Title 50, Chapter 13 will be in force on the subdivision and must be included on the face of both preliminary and the final plat for this subdivision. This sanitary restriction must include a space for the signature of an appropriate representative of the Panhandle Health District.
2. Per BCRC 12-620, any easements, specific constraints on building placement, other than easements, and land areas reserved, shall be shown and plainly marked on the plats.
3. Per BCRC 12-6243.D, 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:
  - a. Prior to final plat, an approved water and fire hydrant system capable of providing one thousand (1,000) gallons per minute for a minimum of two (2) hours where a community water system exists or is proposed as part of the development and is capable of delivering the pressurized water supply necessary for delivering fire flows as prescribed by the international fire code, as adopted by the state fire marshal, and such later editions as may be so published and adopted by the state fire marshal, or as amended, modified or superseded, and incorporated herein by reference with a copy on file with the office of

the clerk of the board of county commissioners, and hereinafter referred to as IFC.

- b. A note on the final subdivision plat stating: "At the time of building location permit or building permit, the lot owner shall install a minimum two thousand (2,000) gallon water storage system, meeting IFC standards". Refill on demand is not required to meet IFC standards.
- c. A note on the final subdivision plat stating: "The installation of an approved IFC residential fire suppression sprinkler system is required in all newly constructed residences".
- d. Prior to final plat, a manmade or natural water source with a dry hydrant capable of delivering adequate water supply as prescribed by IFC.
- e. A note on the final subdivision plat stating: "At the time of building permit or building location permit, the lot owner shall install an approved fire suppression method to the satisfaction of Bonner County".

A fire protection plan has been submitted as part of the application. The plan is from Whiskey Rock Planning and Consulting, signed by Jeremy Grimm and dated February 14, 2025.

In addition to this plan, the project shall meet at least one of the sub-conditions as noted in points "a" through "e" above.

- 4. Per BCRC 12-624.A, 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. Upon further review of the project, the proposed road names will be verified for compliance with this requirement. Road names will require a modification if not found to follow this requirement.
- 5. Private roads are to be designed to meet private road standards of BCRC Title 12, Appendix A. The site has frontage on and is accessed via Sawbuck Road, a private road accessed off Kelso Lake Road.

Preliminary road design plans, prepared by Foresite Engineering in May 2023, November 2024 & February 2025 were submitted as part of the application. The plans have been reviewed by Bonner County Road and Bridge Department per the department's letter dated March 13, 2025. The applicant shall meet all conditions listed in this letter in addition to any further modifications of these conditions by the Bonner County Road and Bridge Department upon further review of the project or based on the site conditions.

6. Per BCRC 12-642.B.10, the preliminary plat shall show all parcels of land intended to be dedicated for public use or reserved for the use of all property owners with the purpose indicated.
7. Not all adjoining owners are shown in their respective places of ownership on the plat. This information shall be corrected and submitted to this file prior to scheduling for final plat.
8. Per BCRC 12-643.I, the preliminary plat shall be valid for a period not to exceed two (2) years from the date of approval. At any time prior to the expiration date of the preliminary plat, an applicant may make a written request to the planning director for a single extension of the preliminary plat for a period up to two (2) years. The board may consider such request for extension at any regular business meeting. The extension request must be approved or denied prior to the expiration date of the preliminary plat.
9. Per BCRC 12-644, after the preliminary plat is approved, the subdivider shall have an improvement plan for the subdivision prepared by a registered civil engineer. Two (2) copies of the improvement plan shall be filed with the county engineer. This plan shall include the following:
  - a. The subdivision name and number, geographic grid (township, range and tier, section number and location within the section), north arrow, date and scale no smaller than one hundred feet to the inch (1" = 100').
  - b. The plan and profile of all proposed roads showing final grades and cross sections of roads in accord with the requirements contained in title 2 of this code.
  - c. The plan and profile of proposed sanitary and stormwater systems with grades and sizes indicated. Drain calculations may be required.
  - d. A grading plan, showing stormwater drainage for each lot.
  - e. Any other improvements such as curbs, gutters, sidewalks, bridges, lift stations, fire hydrants, street lighting, etc., as required, and in accord with the requirements contained in Title 2 of the Bonner County Revised Code or Appendix A of Title 12 of the Bonner County Revised Code. Construction and inspection of road improvements shall be completed in accord with the requirements contained in Title 2 of the Bonner County Revised Code or Appendix A of Title 12 of the Bonner County Revised Code.
10. After the approval of the improvement plans has been obtained from Bonner County, the subdivider may begin construction of improvements on site as approved. After the completion of the improvements on site, the applicant's

engineer shall submit inspection reports of the built improvements to the County for review.

Per BCRC 12-644.B, the county engineer, or his representative, shall check inspection reports of the applicant's engineer and shall perform a final inspection and additional inspections (if called for). Construction and inspection of road improvements shall be completed in accord with the requirements contained in Title 2 of the Bonner County Revised Code or Appendix A of Title 12 of the Bonner County Revised Code.

11. Per BCRC 12-644.C, in lieu of completing all improvements as required before final plat recording, the subdivider shall enter into a surety agreement with the board agreeing to complete the improvements in accordance with surety agreement conditions and preliminary and final plat approvals. A cash deposit, certificate of deposit, corporate surety bond written by an insurance company licensed in Idaho having a rating from AM Best & Company of "A" or better, letter of credit issued and backed by a federal or state chartered bank, is required equivalent to one hundred fifty percent (150%) of the project engineer's estimated cost of construction of the improvements for the purpose of guaranteeing completion of the work and repair of any defects in improvements which occur within one year of the first acceptance of the completed work by the board. Sureties guaranteeing the work and repair of any defects in improvements which occur within one year after first acceptance of the completed work by the board may be reduced by the board by one-half (1/2) for that one year. The surety agreement shall be valid for a period not to exceed two (2) calendar years from the date of approval. At any time prior to the expiration date of the surety agreement, the subdivider may make a written request to the planning director for a single extension of the surety agreement for a period up to two (2) years. The board may consider such request for extension at any regular business meeting. The extension request must be approved or denied by the board prior to the expiration date of the surety agreement.
12. Per BCRC 12-646, BCRC 12-647 and BCRC 12-648, the final plat shall conform to these sections of the Bonner County Revised Code.
13. The applicant submitted a stormwater management and erosion control plan, prepared by Foresite Engineering in May 2023, November 2024 & February 2025. The plans have been reviewed by Bonner County Road and Bridge Department per the department's letter dated March 13, 2025. The applicant shall meet all conditions listed in this letter in addition to any further modifications of these conditions by the Bonner County Road and Bridge Department upon further review of the project or based on the site conditions.
14. Per BCRC 12-762, a geotechnical analysis shall be required for proposed building sites, roads, driveways or other development, where the natural slope equals or exceeds thirty percent (30%). The geotechnical analysis

shall be stamped and signed by an Idaho licensed civil or geological engineer having sufficient education and experience to prove competency in the field of geotechnical engineering. The geotechnical analysis shall be submitted prior to construction and shall explain the geologic and hydrologic features of the area, shall evaluate the suitability of the site for intended uses, shall identify potential problems relating to the geology and hydrology, shall summarize the data upon which conclusions are based, and shall propose mitigation measures.

Bonner County Revised Code, Section 12-262, provides an opportunity for affected persons to appeal Zoning Commission decisions with the Planning Director within 28 days after the final written decision of the Zoning Commission has been issued. Any such appeal must be submitted in accordance with the referenced code section no later than **5:00 p.m., July 29, 2025. AN APPEAL SHALL BE ACCOMPANIED BY A FILING FEE IN ACCORDANCE WITH THE APPROVED FEE SCHEDULE. THE FEES ARE PAYABLE TO THE BONNER COUNTY PLANNING DEPARTMENT.**

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

Please contact the Planning Department if you have any questions.

Sincerely,



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Jacob Marble, Chair  
Bonner County Zoning Commission

c: Jake Weimer, McGee I, LLC

Attachment: S0003-24 Sawbuck Estates Second Addition staff report

## Bonner County Planning Department

*"Protecting property rights and enhancing property value"*

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

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

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



## Bonner County Zoning Commission Staff Report for June 26, 2025

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**Project Name:** S0003-24 Sawbuck Estates Second Addition

**File Number,** S0003-24, Subdivision  
**Type:**

**Request:** The applicant is requesting to subdivide and plat two parcels totaling approximately 45-acres into nine (9) residential lots of approximately five (5) acres each. The property is zoned Rural 5. The proposed subdivision is adjacent to the platted Minor Land Divisions of Sawbuck Estates, Sawbuck Estates First Addition & Sawbuck Forest and is on Sawbuck Rd, off of Kelso Lake Rd, in Section 16, Township 57 North, Range 2 West, Boise Meridian, Bonner County Idaho.

**Legal Description:** 10-54N-4W E2SWSW & 10-54N-4W S 825FT OF SESW

**Location:** The subject property is located on Sawbuck Road.

**Parcel Number:** RP54N04W106000A & RP54N04W107050A

**Parcel Size:** Approximately 45 acres of unplatted land

**Applicant/  
Landowner:** McGee I, LLC  
PO Box 55  
Priest River, ID 83856

**Project  
Representative:** McGee I, LLC  
Jake Weimer  
PO Box 55  
Priest River, ID 83856

**Application filed:** May 6, 2024

**Notice provided:** Mail: May 27, 2025  
Site Posting: June 16, 2025  
Published in newspaper: May 27, 2025

### Appendices:

**Appendix A: Notice of Public Hearing Record of Mailing**

**Appendix B: Agency Comments**

**Appendix C: Land Use Decision Making Worksheet**  
**Appendix D: Depth-to-Width Spreadsheet**  
**Appendix E: BOCC Zoning Determination**

THE BASIS OF BEARING AS MEASURED BETWEEN THE SOUTHWEST SECTION CORNER OF SECTION 10, COMMON TO SECTIONS 9, 10, 15, AND 16 AND THE WEST QUARTER CORNER OF SECTION 10; SAID LINE BEARS NORTH 00°51'05" EAST.

THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE THE LAND DESCRIBED IN TWO (2) QUITCLAIM DEEDS RECORDED UNDER INSTRUMENT NUMBERS 9547292 AND 954793, RECORDS OF BONNER COUNTY, IDAHO.

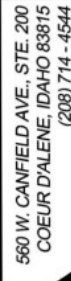
THIS SURVEY WAS PERFORMED USING A ONE SECOND TOTAL STATION<sup>1</sup> AND REAL TIME KINEMATIC (RTK) GLOBAL POSITIONING SYSTEM (GPS) EQUIPMENT.

(PER RECORDS OF BONNER COUNTY, UNLESS OTHERWISE NOTED)  
(GLO) THE SUBDIVISION OF TOWNSHIP 54 NORTH, RANGE 3 WEST -  
SURVEYED BY OSCAR SONNENKALB UNDER CONTRACT NO. 130,  
COMPLETED SEPTEMBER 3, 1892.

- REORDER'S
- 
- CERTIFICATE



LOCATED WITHIN THE SOUTHWEST 1/4 OF SECTION 10,  
TOWNSHIP 54 NORTH, RANGE 4 WEST, BOISE MERIDIAN,  
BONNER COUNTY, IDAHO



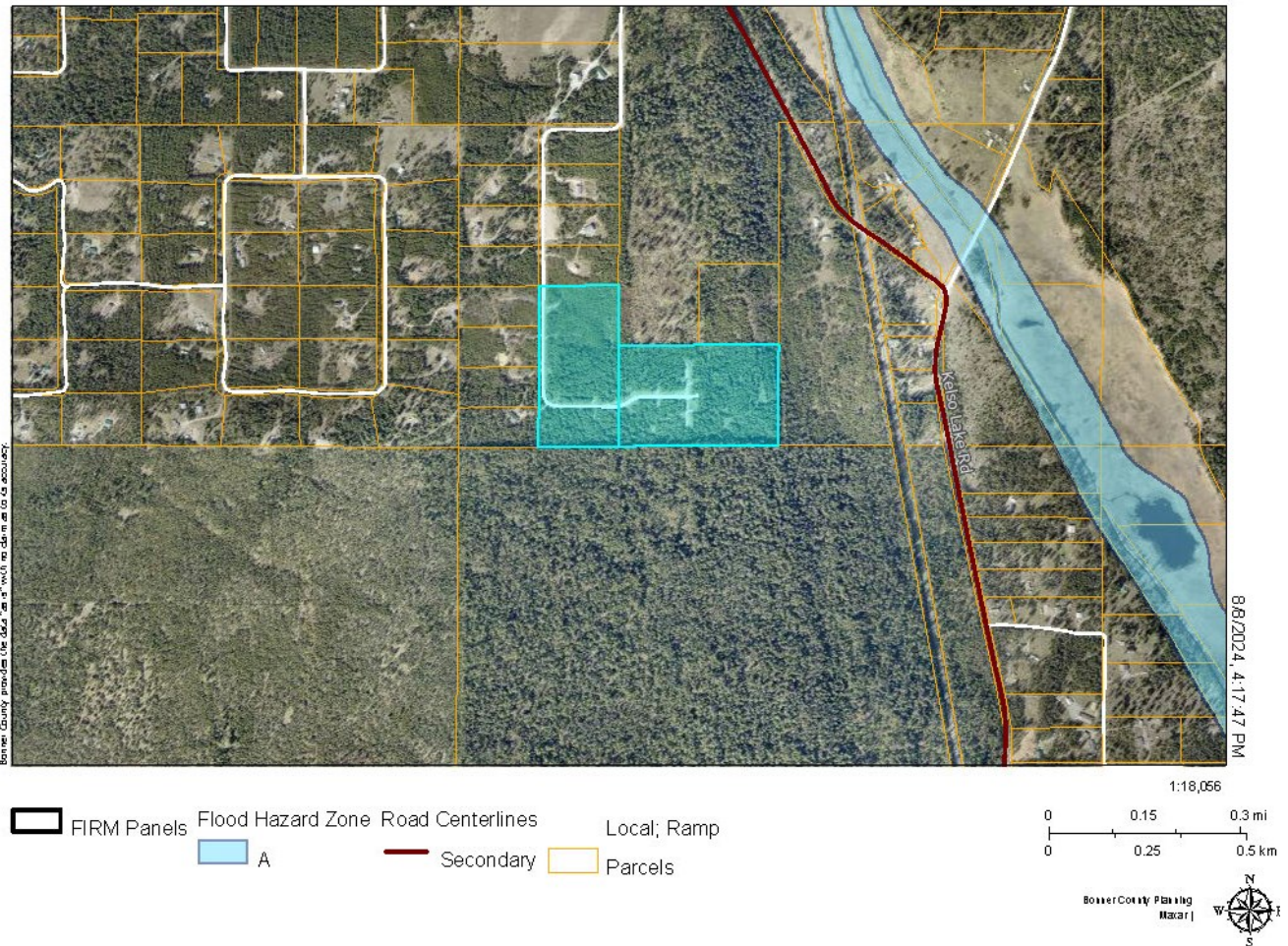
SANTOOTH  
Land Surveying, LLC

DATE:	DRAWN BY:	CHECKED BY:	JOB#:	DWG#:	SHEET:
2-7-2025	CMA	RCH	222-006	222-006-SAWBUCK AND ADD-PLAT	2 / 2

[illegible]



## S0003-24 - Aerial



## Project Summary:

The applicant is requesting to subdivide and plat the two subject parcels into nine (9) residential lots of approximately five (5) acres each. The proposed subdivision is adjacent to the platted Minor Land Divisions of Sawbuck Estates, Sawbuck Estates First Addition & Sawbuck Forest.

Because the proposed land division is adjacent to three Minor Land Divisions of four (4) lots each, this request is being processed as a full subdivision per BCRC 12-600.

The site has frontage on and is accessed via Sawbuck Road, a private road accessed off of Kelso Lake Road. Kelso Lake Road is a county-maintained gravel road. Sawbuck Road is a private local access road. Per the applicant, Sawbuck Road was reconstructed in summer 2021 to have a 22+ foot travelway with fresh base rock and surfacing.

The project site is in Section 10, Township 54 North, Range 4 West, Boise Meridian, Idaho. The site is not located within any Area of City Impact. The property is technically split-zoned but is zoned Rural 5 per commissioner's determination on June, 25, 2024, with a land use designation of Rural Residential, except for a portion of parcel RP54N04W107050A that is zoned Forest 40 with a designation of Ag/Forest Land. The site is surrounded by Forest 40 zoned land to the north, Rural 5 zoned land to the east and west, and Agricultural/forestry 20 land to the south.

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## **Applicable Laws:**

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

BCRC 12-268	Application Process, General Provisions
BCRC 12-411	Density and Dimensional Standards: Forestry, Agricultural/Forestry and Rural Zones
BCRC 12-610	Applicability/ Qualifications
BCRC 12-611	Definitions
BCRC 12-620	Design Standards: General
BCRC 12-621	Design Standards: Lot Design
BCRC 12-623	Design Standards: Services and Utilities
BCRC 12-624	Design Standards: Roads and Access
BCRC 12-626	Design Standards: Environmental Features
BCRC 12-640	Subdivisions, Processing of Subdivision Applications, General
BCRC 12-642	Preliminary Plat, Contents of Application
BCRC 12-643	Subdivisions, Procedure for processing Preliminary Plats
BCRC 12-644	Improvement Plan Required, Contents
BCRC 12-645	Standards for review of Applications for Preliminary Plat of all Subdivisions
BCRC 12-646	Final Plat, Contents
BCRC 12-647	Endorsements on Final Plat
BCRC 12-7.2	Grading, Storm water Management and Erosion Control
BCRC 12-7.4	Wildlife
BCRC 12-7.6	Hillsides
BCRC Title 14	Flood Damage Prevention

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## **Background:**

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### **A. Site Data:**

- Use: The property currently exists as vacant land.
- Platted/ Unplatted: The site is unplatted.
- Size: Approximately 45 acres
- Zone: Rural 5 / Forest 40. Per BOCC determination on June 25, 2024 the site in question is zoned as Rural 5 (see appendices).
- Land Use: Rural Residential / Ag/Forest Land

### **B. Access:**

- The site has frontage on and is accessed via Sawbuck Road, a private road accessed off of Kelso Lake Road. Kelso Lake Road is a county-maintained gravel road. Sawbuck Road is a private local access road.
- Per the applicant, Sawbuck Road was reconstructed in summer 2021 to have a 22+ foot travelway with fresh base rock and surfacing.
- The 60-foot wide ingress, egress, and utilities easement is provided for by instruments 954353, 969662, 989950, 1001675, per the submitted preliminary plat.

### **C. Environmental Factors:**

- The site is mostly flat. The majority of the site contains no slopes or slopes of less than 15% grade. Site contains limited areas with slopes of over 30% grade. (US Geological Survey)
- Site contains no mapped wetlands. (National Wetland Inventory, US Fish and Wildlife Service)
- Site does not contain any mapped waterbodies, streams, lakes or rivers. (National Hydrography Dataset, US Geological Survey)
- Site contains the following types of soil: (US Department of Agriculture)
  - Bonner gravelly ashy silt loam, 0 to 4 percent slopes. Classified as prime farmland.
- Parcel is located within Flood Zone X (Unshaded) and not located within floodway, per FIRM Panel Number 16017C1125E, Effective Date 11/18/2009. FEMA defines Zone X (Unshaded) as "The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood." No further floodplain review is required for this project.
- No local, state or federal agencies have identified any critical wildlife habitats on or within the vicinity of the subject property.

### **D. Services:**

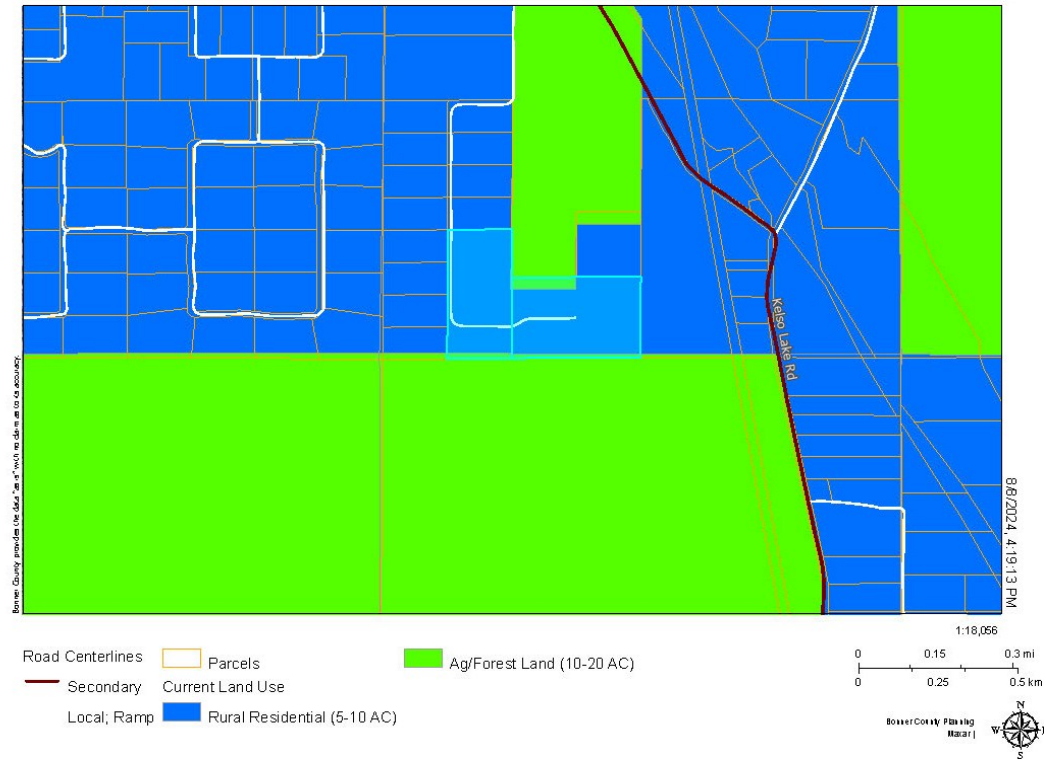
- Water: Individual wells are planned
- Sewer: Individual septic systems are planned
- Power: Northern Lights (per application)
- Fire: Spirit Lake Fire District
- Solid Waste: Country transfer station or private contractor
- School District: West Bonner School District #83
- Ambulance District: Bonner County Ambulance District
- Hospital District: Pend Oreille Hospital District

### **E. Comprehensive Plan, Zoning and Current Land Use**

<b>Compass</b>	<b>Land Use</b>	<b>Zoning</b>	<b>Current Use &amp; Density</b>
<b>Site</b>	Rural Residential	Rural-5 (R-5)	Vacant
<b>North</b>	Rural Residential & Ag/Forest Land	Rural-5 (R-5) and Forest 40 (F-40)	Residential & Vacant
<b>East</b>	Rural Residential & Ag/Forest Land	Rural-5 (R-5) and Forest 40 (F-40)	Residential & Vacant

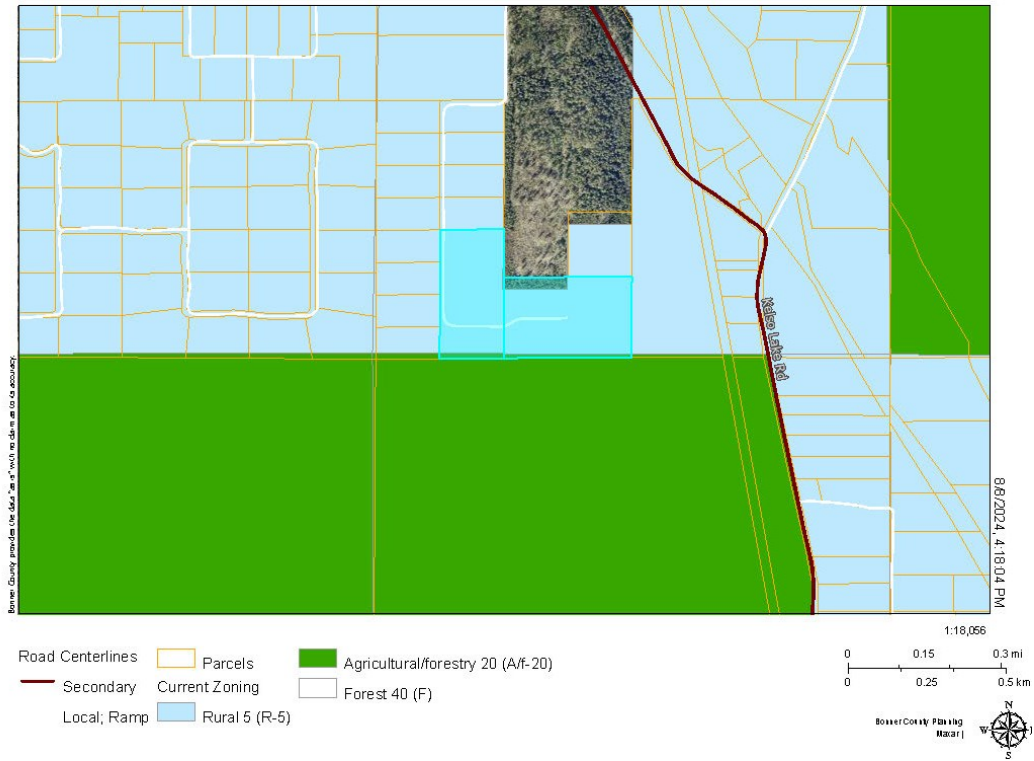
<b>South</b>	Agricultural/forestry 20 (A/f-20)	Agricultural/forestry 20 (A/f-20)	Vacant
<b>West</b>	Rural Residential	Rural-5 (R-5)	Residential

S0003-24 - Land Use





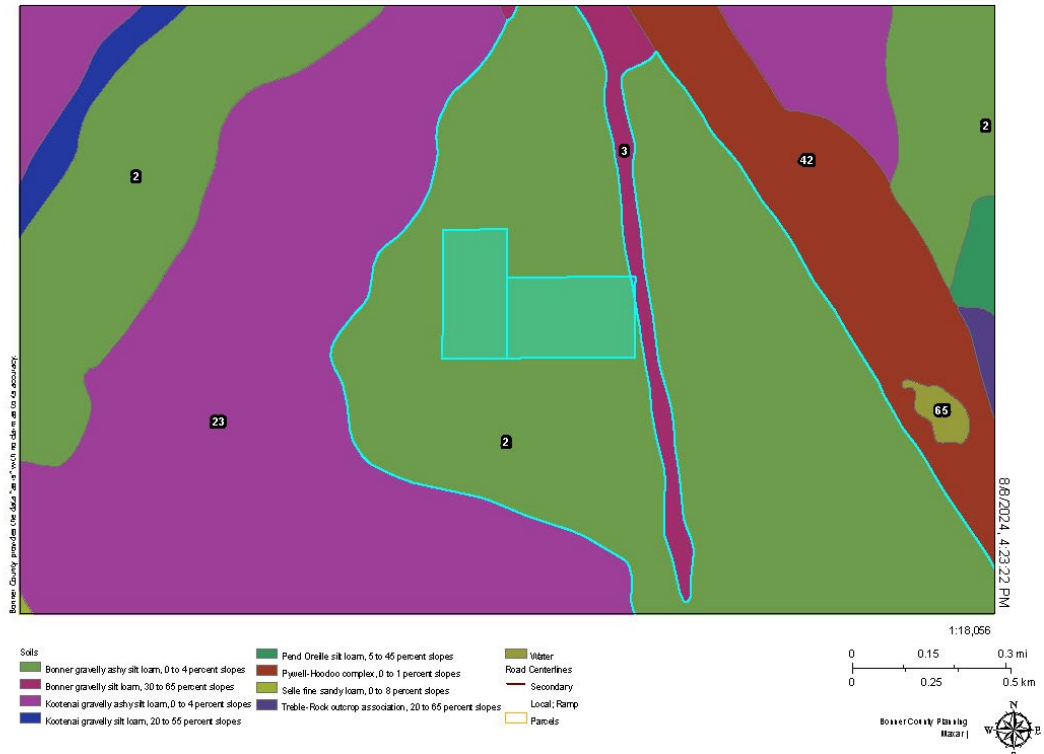
### S0003-24 - Zoning



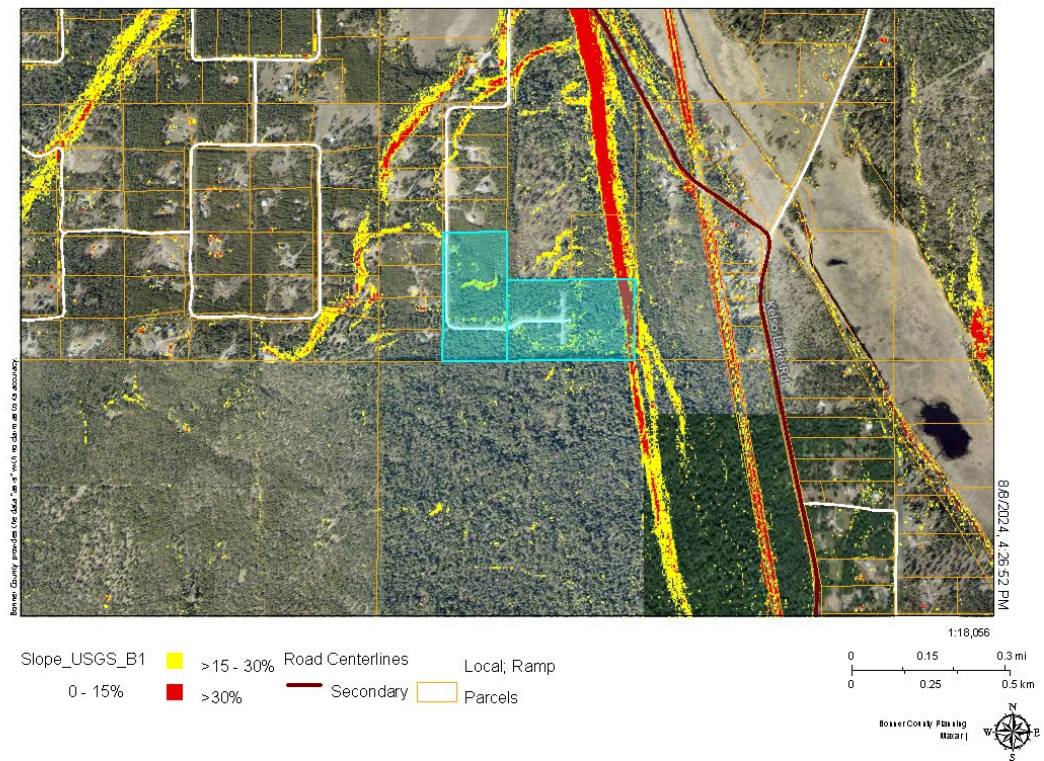
### S0003-24 - Wetlands



# S0003-24 - Bonner gravelly ashy silt loam, prime farmland



## S0003-24 - Slopes



## Agency and Public Comments:

The application was routed to agencies for comment on May 27, 2025.

### The following agencies replied with comments:

Northern Lights, Inc. – 6/3/2025

Bonner County Historical Society – 5/28/2025

Idaho Department of Environmental Quality – 5/29/2025

### The following agencies replied with no comment:

Idaho Transportation Department – 5/28/2025 & 5/29/2025

No other agencies responded as of the date of publication of this staff report.

No public comments were received on this application as of the date of publication of this staff report.

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## Standards Review:

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BCRC Code	Standard for	Required	Provided
12-268	Application Process, General Provisions	Agency Routing	Application routed to Public Agencies on May 27, 2025.
12-411	Density and Dimensional Standards: Rural 5	Minimum Lot Size required is five (5) acres for the Rural (R) District.	Lots are proposed to be five (5) acres or greater. Per BOCC determination on 6/25/2024 the site in question is zoned as Rural 5 (see appendices).
12-610.B	Conformance with BCRC Title 12	Minimum Lot Size required is five (5) acres for the Rural (R) District.	The lots in this subdivision are proposed to be served by individual septic systems and individual wells. Per BCRC 12-412, all proposed lots shall include A sanitary restriction required by Idaho Code, Title 50, Chapter 13 will be in force on the subdivision. This sanitary restriction must include a space for the signature of an appropriate representative of the Panhandle Health District. Per BOCC determination on 6/25/2024 the site in question is zoned as Rural 5 (see

			<p>appendices).</p> <p>The site is proposed to be served by Northern Lights (per application), Spirit Lake Fire District, West Bonner School District #83, Bonner County Ambulance District &amp; Pend Oreille Hospital District.</p>
12-620	General	Easements, constraints, reserved land areas to be shown and marked on the plats.	<p>Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.</p> <p><b>See Conditions of Approval.</b></p>
12-621	Lot Design	<p>All proposed lots or parcels which are three hundred feet (300') or less in width shall maintain a depth to width ratio of not greater than three point two to one (3.2:1); and lots which are more than three hundred feet (300') in width shall maintain a depth to width ratio of not greater than four point two to one (4.2:1). All proposed lots or parcels one hundred feet (100') or less in width shall be designed so that the angle of intersection of the side lot lines with the fronting road is between eighty-five (85) and ninety-five degrees (95°), for a distance of not less than fifty feet (50') from the point of intersection.</p> <p>Submerged lands are not to be included when determining the depth to width calculation.</p>	<p>The depth to width ratio of the lots in the proposed subdivision are all under the required ratios.</p> <p><b>See attached appendices.</b></p>
12-623	Services and Utilities	Water supply, sewage disposal, fire protection	<p>Individual wells and septic systems are planned. Power provided by Northern Lights (per application). Solid Waste disposal via country transfer station or private contractor.</p>



			<p>Site is within Spirit Lake Fire District, West Bonner School District #83, Bonner County Ambulance District &amp; Pend Oreille Hospital District.</p> <p>The fire protection plan submitted with the application states "The proposed subdivision is located in an area of "moderate" risk, according to the Preliminary Plat Fire Hazard Rating Form submitted with this application. A note will be placed on the final plat to address fire hazard and defensible space issues. The submitted fire protection plan includes a defensible space plan.</p> <p><b>See Conditions of Approval.</b></p>
12-624.A	Road name	Unique road names for new roads.	<p>The road serving this proposed subdivision will be an extension of the existing road named Sawbuck Road.</p> <p><b>See Conditions of Approval.</b></p>
12-624.B	Road standards	Road to be designed to meet private road standards of BCRC Title 12, Appendix A.	<p>The site has frontage on and is accessed via Sawbuck Road, a private road accessed off of Kelso Lake Road. Kelso Lake Road is a county-maintained gravel road. Sawbuck Road is a private local access road.</p> <p>Per the applicant, Sawbuck Road was reconstructed in summer 2021 to have a 22+ foot travelway with fresh base rock and surfacing.</p> <p>The 60-foot wide ingress, egress, and utilities easement is provided for by instruments 954353, 969662, 989950, 1001675, per the submitted preliminary plat.</p> <p>The required improvement plan will show the road construction plan.</p>
12-624.C	Legal access	Legal access to each proposed lot	<p>All lots are proposed to have direct frontage and access via</p>

			Sawbuck Road. Project complies.
12-624.D	Public road frontage	For lots less than 5 acres in size, direct frontage and direct access to public roads required.	The site has frontage on and is accessed via Sawbuck Road, a private road accessed off of Kelso Lake Road. No lots less than 5 acres are proposed. Per BOCC determination on 6/25/2024 the site in question is zoned as Rural 5 (see appendices). Project complies. <b>See Conditions of Approval.</b>
12-625	Trails and Parks	Bonner County Trails Plan Public Access, Parks and Facilities	Not Applicable. An approved county trails plan does not exist.
12-626.A	Natural Hazards	Subdivision to be designed around identified natural hazards	The site is mostly flat. The majority of the site contains no slopes or slopes of less than 15% grade. Site contains limited areas with slopes of over 30% grade. The site is not located within designated floodplain or floodway. It is located within Flood Zone X (Unshaded) per FIRM Panel Number 16017C1125E, Effective Date 11/18/2009. The project would not require any further floodplain review. The project has been reviewed to meet the requirements of Title 12, Chapter 7.
12-626.B	Conformance with BCRC 12-7	Conformance with environmental standards.	The project has been reviewed to meet the requirements of Title 12, Chapter 7.
12-642.A	Application Content	Application form	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.
12-642.B	Application Content	Preliminary Plat, prepared by Idaho licensed surveyor, showing parcels to be created.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.
12-642.B.1	Plat Content	Subdivision name, geographic grid, north	Proposal complies. Application deemed complete by staff.

		arrow, and vicinity map, vicinity road pattern.	Plat is stamped by a licensed Idaho surveyor.
12-642.B.2	Plat Content	Boundary line of tract to be subdivided, intersection property lines, abutting roads, names and addresses of adjoining owners shown in their respective places of ownership on the plat.	Not all adjoining owners are shown in their respective places of ownership on the plat. <b>See Conditions of Approval.</b>
12-642.B.3	Plat Content	Location, dimensions and area of proposed lots. Lot numbering.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.
12-642.B.4	Plat Content	Location, dimensions and tentative names of proposed streets and roads.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.
12-642.B.5	Plat Content	Sufficient contours to show the shape of the land and extending at least one hundred feet beyond the subdivision limits.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.
12-642.B.6	Plat Content	Location of water courses, floodplains per FIRMs with BFEs.	The site is not located within designated floodway. It is located within Flood Zone X (Unshaded) per FIRM Panel Number 16017C1125E, Effective Date 11/18/2009. The project would not require any further floodplain review. There are no mapped watercourses on the site.
12-642.B.7	Plat Content	Existing wells, springs, wetland boundaries, wetland delineations, drainage channels, overhead and underground utility lines, structures, sanitary sewers and culverts within the tract.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.
12-642.B.8	Plat Content	Proposed method of water supply, sewage and solid waste disposal.	Individual wells and septic systems are planned. Power provided by Northern Lights (per application). Solid Waste disposal via country transfer

			station or private contractor. Site is within Spirit Lake Fire District, West Bonner School District #83, Bonner County Ambulance District & Pend Oreille Hospital District.
12-642.B.9	Plat Content	All easements of record, including sufficient data to identify conveyance.	Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.
12-642.B.10	Plat Content	Purpose indication for lots reserved for public dedication or common use of property owners.	No lots are proposed to be reserved for public dedication or common use of property owners.
12-642.B.11	Plat Content	Statement for intended use of parcels.	Plat states the proposed use is residential. Proposal complies.
12-642.C.2	Road design and profile	Preliminary road design and profile prepared, stamped and signed by Idaho licensed engineer.	<p>The site has frontage on and is accessed via Sawbuck Road, a private road accessed off of Kelso Lake Road. Kelso Lake Road is a county-maintained gravel road. Sawbuck Road is a private local access road.</p> <p>Per the applicant, Sawbuck Road was reconstructed in summer 2021 to have a 22+ foot travelway with fresh base rock and surfacing.</p> <p>The 60-foot wide ingress, egress, and utilities easement is provided for by instruments 954353, 969662, 989950, 1001675, per the submitted preliminary plat.</p> <p><b>See Conditions of Approval.</b></p>
12-643.A	Application filed	In accord with 12-268	Proposal complies. Application deemed complete.
12-643.B	Public hearing	In accord with Subchapter 2.6	Proposal complies. Public hearings will be held.
12-643.I	Validity of Preliminary Plat		<p>Proposal complies. Application deemed complete by staff. Plat is stamped by a licensed Idaho surveyor.</p> <p><b>See Conditions of Approval.</b></p>
12-644	Improvements Plan	Plan to be prepared by a registered civil engineer.	This is requirement of final and not the preliminary plat.

		Two copies to be provided.	<b>See Conditions of Approval.</b>
12-645	Standards for Review		<b>See Conclusions of Law.</b>
12-646	Final Plat, Contents		Not applicable at this stage of the project. <b>See Conditions of Approval.</b>
12-647	Endorsements on Final Plat		Not applicable at this stage of the project. <b>See Conditions of Approval.</b>
12-7.2	Grading, Stormwater Management and Erosion Control	Applicability: All new subdivisions subject to the provisions of chapter 6 of this title, as amended, and all new planned unit developments subject to the provisions of chapter 2, subchapter 2.5 of this title, as amended, except as provided for in subsection 12-720.3.J of this subchapter.	The applicant submitted a stormwater management and erosion control plan, prepared by Foresite Engineering in May 2023, November 2024 & February 2025. The plans have been reviewed by Bonner County Road and Bridge Department per the department's letter dated March 13, 2025. The applicant shall meet all conditions listed in this letter in addition to any further modifications of these conditions by the Bonner County Road and Bridge Department upon further review of the project or based on the site conditions. <b>See Conditions of Approval.</b>
12-7.4	Wildlife	Not applicable.	No local, state or federal agency has identified presence of any critical wildlife habitats on the site.
12-7.6	Hillsides	Geotechnical Survey Requirement	The site is mostly flat. Most of the site contains no slopes or slopes of less than 15% grade. Site contains limited areas with slopes of over 30% grade, along the northeastern boundary. <b>See Conditions of Approval.</b>

Title 14	Flood Damage Prevention	Development to occur as per BCRC, Title 14.	The site is not located within designated floodplain or floodway. It is located within Flood Zone X (Unshaded) per FIRM Panel Number 16017C1125E, Effective Date 11/18/2009. The project would not require any further floodplain review.
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## Comprehensive Plan Analysis:

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### Property Rights

#### Policies:

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

**Staff:** The application was routed to neighbors 300' from the property line, informing neighbors of the proposed conditional use permit. All public and agency comments received have been added to the record. This proposal has been reviewed for compliance with Bonner County Revised Code and findings of fact will be adopted with the decision of this project. This proposal does not appear to be in conflict with the policies of this component.

### Population

#### Policies:

1. Population projections should be analyzed regularly to determine if changes need to be made to the Comprehensive Plan goals, objectives

and policies and/or the Zoning Ordinance to ensure that the public and community needs are being met through land use decisions.

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

**Staff:** Bonner County has received the results of the 2020 census. The data indicates the demand for housing and jobs will continue to trend upward in both the unincorporated and incorporated areas of Bonner County. Additional and growing demand for housing in the county is likely. This proposal does not appear to be in conflict with the policies of this component.

## **School Facilities & Transportation**

### **Policies:**

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

**Staff:** The West Bonner School District #83 that serves the site were notified of the proposed subdivision. West Bonner School District #83 did not comment on this proposal. This means no comment was received on how this proposal would or would not adversely impact the district's ability to provide adequate school services and facilities for new and existing students.

This project does not appear to be in conflict with the policies of this component.

## **Economic Development**

### **Policies:**

1. Small scale cottage businesses and home occupations should be allowed in all areas of the county. Reasonable conditions on such uses should be set to minimize adverse impacts to the neighborhood based on factors including, but not limited to, hours of operation and traffic volume generated by the business.

2. Develop land use regulations to allow Bonner County's agricultural heritage to be maintained by enabling local food production, distribution, congregation, and retail sales. Examples include community gardens, school gardens, farm related education programs, farmers or public markets, and other small-scale, collaborative initiatives.
3. Develop standards for commercial and industrial development that are appropriate for the surrounding community, including: appropriate site sizes, use types, buffering and design standards that encourage both attractive and efficient function, while protecting the environment.
4. Review and update land use regulations for employee housing to support the goal of enabling this use in proximity to commercial, industrial and agricultural uses.

**Staff:** The housing likely to be built if this subdivision is approved will be at a density determined to be compatible with a lack of urban services and at a density determined in the Bonner County zoning ordinance to be compatible with rural pursuits and rural character. These factors are relevant if there is to be an effective policy to maintain Bonner County's agricultural heritage.

This project does not appear to be in conflict with the policies of this component.

## **Land Use**

### **Policies:**

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

**Staff:** This proposal is in the Rural zone and is consistent with the requirements for the Rural zone. This is an area planned and zoned for the type of growth proposed. This project does not appear to be in conflict with the policies of this component.

## **Natural Resources**

### **Policies:**



1. Watershed standards should be employed in land use codes to protect water quality.
2. Best management practices for waterway setbacks should be instituted to reduce erosion and sedimentation into waterways.
3. Development standards should be designed to encourage clustered development resulting in the preservation of open space and wildlife habitat.
4. Bonner County should recognize its critical wildlife habitat and create development standards to protect these areas and mitigate development impacts to these habitats.
5. Protect water quality by creating standards for development in close proximity to shorelines.
6. Productive farmland, timberland and mining lands should be identified and protected from adverse effects of adjoining developments.

**Staff:** Agencies such Idaho Department of Water Resources, Idaho Department of Environmental Quality and Idaho Department of Fish & Game were noticed in the course of reviewing this application.

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

The Rural zoning district was established to allow low density residential uses that are compatible with rural pursuits. This purpose can be accomplished by limiting residential densities and permitted uses to those that are compatible with rural character and nearby resource production districts and sites and can be adequately supported by rural service levels. This proposal is at the density allowed by the Rural zone.

There does not appear to be any evidence in the record that this use will hinder agricultural or residential uses at rural zoning densities and intensities. This project does not appear to be in conflict with the policies of this component.

## **Hazardous Areas**

### **Policies:**

1. Watershed standards should be employed in land use codes to protect water quality.

2. Best management practices for waterway setbacks should be instituted to reduce erosion and sedimentation into waterways.
3. Development standards should be designed to encourage clustered development resulting in the preservation of open space and wildlife habitat.
4. Bonner County should recognize its critical wildlife habitat and create development standards to protect these areas and mitigate development impacts to these habitats.
5. Protect water quality by creating standards for development in close proximity to shorelines.
6. Productive farmland, timberland and mining lands should be identified and protected from adverse effects of adjoining developments.

**Staff:** Per BCRC 12-7.2, The applicant submitted a stormwater management and erosion control plan, prepared by Foresite Engineering in May 2023, November 2024 & February 2025. The plans have been reviewed by Bonner County Road and Bridge Department per the department's letter dated March 13, 2025. The applicant shall meet all conditions listed in this letter in addition to any further modifications of these conditions by the Bonner County Road and Bridge Department upon further review of the project or based on the site conditions.

Per BCRC 12-762, a geotechnical analysis shall be required for proposed building sites, roads, driveways or other development, where the natural slope equals or exceeds thirty percent (30%). The geotechnical analysis shall be stamped and signed by an Idaho licensed civil or geological engineer having sufficient education and experience to prove competency in the field of geotechnical engineering. The geotechnical analysis shall be submitted prior to construction and shall explain the geologic and hydrologic features of the area, shall evaluate the suitability of the site for intended uses, shall identify potential problems relating to the geology and hydrology, shall summarize the data upon which conclusions are based, and shall propose mitigation measures.

All state environmental agencies were routed for this review. The property is provided with emergency services. This project does not appear to be in conflict with the policies of this component.

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

### **Policies:**

1. Encourage high-density development to take place within the boundaries of existing sewer and water areas.

2. Bonner County should seek comment from existing service providers on their ability to serve future developments without adversely impacting the ability of the utility providers to serve current users.
3. Bonner County should provide adequate facilities for responsible disposal of solid waste to protect the health and welfare of the public as well as the County's natural resources.

**Staff:** Individual wells and septic systems are planned for each proposed lot. Power is provided by Northern Lights (per application). Fire protection is provided by Spirit Lake District and law enforcement by the Bonner County Sheriff. Solid waste disposal is provided by Country transfer station or private contractor, per the submitted plat. The site is within West Bonner School District #83, Bonner County Ambulance District and Pend Oreille Hospital District. These agencies were routed for comment and none responded with any concern that would prevent preliminary approval of this subdivision plat.

This project does not appear to be in conflict with the policies of this component.

## **Transportation**

### **Policies:**

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

**Staff:** The site has frontage on and is accessed via Sawbuck Road, a private road accessed off of Kelso Lake Road. Kelso Lake Road is a county-maintained gravel road. Sawbuck Road is a private local access road.

Per the applicant, Sawbuck Road was reconstructed in summer 2021 to have a 22+ foot travelway with fresh base rock and surfacing. The 60-foot wide ingress, egress, and utilities easement is provided for by instruments 954353, 969662, 989950, 1001675, per the submitted preliminary plat.

This project does not appear to be in conflict with the policies of this component.

## **Recreation**

### **Policies:**

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

**Staff:** This is not a proposal for any new recreational site or facility. This project does not appear to be in conflict with the policies of this component.

## **Special Areas or Sites**

### **Policies:**

1. A generalized map of the known pre-historic and historic sites should be developed so that future developments are aware of special areas of concern and are connected with the historical society and Native American tribes for appropriate preservation and protection.
2. Bonner County should implement road side development standards for recognized scenic byways to protect the view sheds.
3. Special areas should be recognized and addressed when development is proposed in these areas.

**Staff:** A rural neighborhood would not normally be expected to offer scenic byways. The proposal does not appear to be in conflict with the policies of this component.

## **Housing**

### **Policies:**

1. Encourage development of a variety of housing options including mobile home parks, tiny home communities and recreational vehicle parks located in areas that are compatible with their density.
2. Work with municipalities and private parties to find solutions for all types of housing projects and developments.

3. Clustering of housing in developments to save on infrastructure and transportation costs should be encouraged through mechanisms such as density bonuses.
4. Bonner County recognizes opportunities should be made for assisted living and group shelters.
5. Enable workforce housing in direct proximity to agricultural, commercial and industrial uses.

**Staff:** Bonner County has received the results of the 2020 census. The data indicates the demand for housing and jobs will continue to trend upward in both the unincorporated and incorporated areas of Bonner County. Additional and growing demand for housing in the county is likely. This project does not appear to be in conflict with the policies of this component.

## **Community Design**

### **Policies:**

1. To promote and preserve the natural features and rural atmosphere of the community, the county should enact development standards that address development within scenic byways and design standards that account for waterfront setbacks, wildlife corridors, commercial and industrial landscaping, requirements for reduced lighting, cluster development, rural rather than urban setback standards and other design objectives aimed at preserving the rural, natural character of the community.
2. Allow unique and flexible design standards such that new development within older neighborhoods and historic settlements is compatible with those unique neighborhoods.
3. Allow particularized design standards to address waterfront and mountaintop developments which may differ from standard design objectives.

**Staff:** A rural neighborhood would not normally be expected to offer scenic byways within its bounds. The project proposed is at a density and scale determined to be compatible with rural character per both the Bonner County Comprehensive Plan and Bonner County Revised Code.

No critical wildlife corridors were identified during the agency comment process. This is not a commercial or industrial development.

This project does not appear to be in conflict with the policies of this component.

## **Agriculture**

### **Policies:**

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

**Staff:** Per BCRC 12-323, the Rural zoning district was established to allow low density residential uses that are compatible with rural pursuits. The Rural zoning district limits residential densities and permitted uses to those that are compatible with rural character and nearby resource production districts and sites. The rural zoning district limits development to a level that can be adequately supported by rural service levels. The Rural zoning district allows small scale farming and forestry activities, and tourism and recreation uses that can be supported by rural service levels and are compatible with rural character.

This project does not appear to be in conflict with the policies of this component.

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## **Staff Analysis:**

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**Planner's Initials: JRJ**

**Date: June 18, 2025**

**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.

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## **Recommendation by the Governing Body:**

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### **ZONING COMMISSION**

#### **RECOMMENDATION TO APPROVE:**

I recommend approval of this project to the Board of Commissioners, FILE S0003-24, Sawbuck Estates Second Addition, requesting the creation of nine (9) residential lots of approximately five (5) acres each on two parcels, approximately 45-acres cumulatively, zoned Rural 5 and located in Section 16, Township 57 North, Range 2 West, Boise Meridian, Bonner County, Bonner County, Idaho, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law:

**Conclusion 1:** The proposed subdivision **is** in accord with the purposes of Title 12 and of the Rural 5 zoning district.

**Conclusion 2:** The site **is** physically suitable for the proposed development.

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

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

**Conclusion 5:** The proposed subdivision **will not** cause circumstances to exist that will cause future residents or the public at large to be exposed to hazards to health or safety.

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

**Conclusion 7:** The proposed subdivision **is** designed to comply with the design criteria for subdivisions set forth in Subchapter 6.2 of this chapter.

**Conclusion 8:** The proposed subdivision **is not** in conflict with the policies of the Bonner County Comprehensive Plan.

The recommendation 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.

#### **RECOMMENDATION TO DENY:**

I recommend denial of this project to the Board of Commissioners, FILE S0003-24, Sawbuck Estates Second Addition, requesting the creation of nine (9) residential lots of approximately five (5) acres each on two parcels, approximately 45-acres cumulatively, zoned Rural 5 and located in Section 16, Township 57 North, Range 2 West, Boise Meridian, Bonner County, Bonner County, Idaho, based upon the following conclusions:

**Conclusion 1:** The proposed subdivision **is/ is not** in accord with the purposes of Title 12 and of the Rural 5 zoning district.

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

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

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

**Conclusion 5:** The proposed subdivision **will not/ will** cause circumstances to exist that will cause future residents or the public at large to be exposed to hazards to health or safety.

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

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

**Conclusion 8:** The proposed subdivision **is/ is not** in conflict with the policies of the Bonner County Comprehensive Plan.

The recommendation 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.

---

## **Proposed Conditions of Approval:**

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1. A sanitary restriction required by Idaho Code, Title 50, Chapter 13 will be in force on the subdivision and must be included on the face of both preliminary and the final plat for this subdivision. This sanitary restriction must include a space for the signature of an appropriate representative of the Panhandle Health District.



2. Per BCRC 12-620, any easements, specific constraints on building placement, other than easements, and land areas reserved, shall be shown and plainly marked on the plats.
3. Per BCRC 12-6243.D, 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:
  - a. Prior to final plat, an approved water and fire hydrant system capable of providing one thousand (1,000) gallons per minute for a minimum of two (2) hours where a community water system exists or is proposed as part of the development and is capable of delivering the pressurized water supply necessary for delivering fire flows as prescribed by the international fire code, as adopted by the state fire marshal, and such later editions as may be so published and adopted by the state fire marshal, or as amended, modified or superseded, and incorporated herein by reference with a copy on file with the office of the clerk of the board of county commissioners, and hereinafter referred to as IFC.
  - b. A note on the final subdivision plat stating: "At the time of building location permit or building permit, the lot owner shall install a minimum two thousand (2,000) gallon water storage system, meeting IFC standards". Refill on demand is not required to meet IFC standards.
  - c. A note on the final subdivision plat stating: "The installation of an approved IFC residential fire suppression sprinkler system is required in all newly constructed residences".
  - d. Prior to final plat, a manmade or natural water source with a dry hydrant capable of delivering adequate water supply as prescribed by IFC.
  - e. A note on the final subdivision plat stating: "At the time of building permit or building location permit, the lot owner shall install an approved fire suppression method to the satisfaction of Bonner County".

A fire protection plan has been submitted as part of the application. The plan is from Whiskey Rock Planning and Consulting, signed by Jeremy Grimm and dated February 14, 2025.

In addition to this plan, the project shall meet at least one of the sub-conditions as noted in points "a" through "e" above.

4. Per BCRC 12-624.A, 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. Upon further review of the project, the proposed road names will be verified for compliance with this requirement. Road names will require a modification if not found to follow this requirement.
5. Private roads are to be designed to meet private road standards of BCRC Title 12, Appendix A. The site has frontage on and is accessed via Sawbuck Road, a private road accessed off Kelso Lake Road.

Preliminary road design plans, prepared by Foresite Engineering in May 2023, November 2024 & February 2025 were submitted as part of the application. The plans have been reviewed by Bonner County Road and Bridge Department per the department's letter dated March 13, 2025. The applicant shall meet all conditions listed in this letter in addition to any further modifications of these conditions by the Bonner County Road and Bridge Department upon further review of the project or based on the site conditions.

6. Per BCRC 12-642.B.10, the preliminary plat shall show all parcels of land intended to be dedicated for public use or reserved for the use of all property owners with the purpose indicated.
7. Not all adjoining owners are shown in their respective places of ownership on the plat. This information shall be corrected and submitted to this file prior to scheduling for final plat.
8. Per BCRC 12-643.I, the preliminary plat shall be valid for a period not to exceed two (2) years from the date of approval. At any time prior to the expiration date of the preliminary plat, an applicant may make a written request to the planning director for a single extension of the preliminary plat for a period up to two (2) years. The board may consider such request for extension at any regular business meeting. The extension request must be approved or denied prior to the expiration date of the preliminary plat.
9. Per BCRC 12-644, after the preliminary plat is approved, the subdivider shall have an improvement plan for the subdivision prepared by a registered civil engineer. Two (2) copies of the improvement plan shall be filed with the county engineer. This plan shall include the following:
  - a. The subdivision name and number, geographic grid (township, range and tier, section number and location within the section), north arrow, date and scale no smaller than one hundred feet to the inch (1" = 100').

- b. The plan and profile of all proposed roads showing final grades and cross sections of roads in accord with the requirements contained in title 2 of this code.
  - c. The plan and profile of proposed sanitary and stormwater systems with grades and sizes indicated. Drain calculations may be required.
  - d. A grading plan, showing stormwater drainage for each lot.
  - e. Any other improvements such as curbs, gutters, sidewalks, bridges, lift stations, fire hydrants, street lighting, etc., as required, and in accord with the requirements contained in Title 2 of the Bonner County Revised Code or Appendix A of Title 12 of the Bonner County Revised Code. Construction and inspection of road improvements shall be completed in accord with the requirements contained in Title 2 of the Bonner County Revised Code or Appendix A of Title 12 of the Bonner County Revised Code.
10. After the approval of the improvement plans has been obtained from Bonner County, the subdivider may begin construction of improvements on site as approved. After the completion of the improvements on site, the applicant's engineer shall submit inspection reports of the built improvements to the County for review.

Per BCRC 12-644.B, the county engineer, or his representative, shall check inspection reports of the applicant's engineer and shall perform a final inspection and additional inspections (if called for). Construction and inspection of road improvements shall be completed in accord with the requirements contained in Title 2 of the Bonner County Revised Code or Appendix A of Title 12 of the Bonner County Revised Code.

11. Per BCRC 12-644.C, in lieu of completing all improvements as required before final plat recording, the subdivider shall enter into a surety agreement with the board agreeing to complete the improvements in accordance with surety agreement conditions and preliminary and final plat approvals. A cash deposit, certificate of deposit, corporate surety bond written by an insurance company licensed in Idaho having a rating from AM Best & Company of "A" or better, letter of credit issued and backed by a federal or state chartered bank, is required equivalent to one hundred fifty percent (150%) of the project engineer's estimated cost of construction of the improvements for the purpose of guaranteeing completion of the work and repair of any defects in improvements which occur within one year of the first acceptance of the completed work by the board. Sureties guaranteeing the work and repair of any defects in improvements which occur within one year after first acceptance of the completed work by the board may be reduced by the board by one-half (1/2) for that one year. The surety agreement shall be valid for a period not to exceed two (2) calendar years from the date of approval. At any time prior to the expiration date of the surety agreement, the subdivider

may make a written request to the planning director for a single extension of the surety agreement for a period up to two (2) years. The board may consider such request for extension at any regular business meeting. The extension request must be approved or denied by the board prior to the expiration date of the surety agreement.

12. Per BCRC 12-646, BCRC 12-647 and BCRC 12-648, the final plat shall conform to these sections of the Bonner County Revised Code.
13. The applicant submitted a stormwater management and erosion control plan, prepared by Foresite Engineering in May 2023, November 2024 & February 2025. The plans have been reviewed by Bonner County Road and Bridge Department per the department's letter dated March 13, 2025. The applicant shall meet all conditions listed in this letter in addition to any further modifications of these conditions by the Bonner County Road and Bridge Department upon further review of the project or based on the site conditions.
14. Per BCRC 12-762, a geotechnical analysis shall be required for proposed building sites, roads, driveways or other development, where the natural slope equals or exceeds thirty percent (30%). The geotechnical analysis shall be stamped and signed by an Idaho licensed civil or geological engineer having sufficient education and experience to prove competency in the field of geotechnical engineering. The geotechnical analysis shall be submitted prior to construction and shall explain the geologic and hydrologic features of the area, shall evaluate the suitability of the site for intended uses, shall identify potential problems relating to the geology and hydrology, shall summarize the data upon which conclusions are based, and shall propose mitigation measures.

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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](http://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

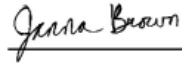
### RECORD OF MAILING

Page 1 of 1

File No.: ~~S0003-24~~

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 27<sup>th</sup> day of May 2025.



Janna Brown, Administrative Assistant III

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
Ellisport 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

## Appendix B: Agency Comments

6/3/25, 7:12 AM

Bonner County Mail - Re: Bonner County Planning - S0003-24 Agency Review - Long Plat - Sawbuck Estates 2nd Addition



Jenna Brown <jenna.brown@bonnercountynyid.gov>

### Re: Bonner County Planning - S0003-24 Agency Review - Long Plat - Sawbuck Estates 2nd Addition

1 message

"Sam Ross" via Mail-Planning <planning@bonnercountynyid.gov>

Reply-To: Sam Ross <sam.ross@nli.coop>

To: Bonner County Planning <planning@bonnercountynyid.gov>

NLI has installed a single-phase underground line down Sawbuck Road.

All lots in the proposed second addition have access to this line.

Applicants/owners can apply for new electrical services online at [www.nli.coop](http://www.nli.coop).



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

Samuel Ross  
Engineering Assistant I  
Northern Lights, INC.  
Email: [Sam.ross@nli.coop](mailto:Sam.ross@nli.coop)  
Office: 208.255.7183  
Cell: 208.946.7787

NWPPA Certified Staking Technician

 The power of local service <b>SINCE 1935</b> 	<b>ADDRESSES</b> <b>HEADQUARTERS</b> 421 Chevy St Sagle, ID 83860 <b>MAILING ADDRESS</b> PO Box 269 Sagle, ID 83860	<b>PHONE NUMBERS</b> <b>MAIN OFFICE</b> (208) 263-5141 <b>TOLL-FREE</b> (800) 326-9594	<b>REPORT AN OUTAGE</b> <b>OUTAGE HOTLINE</b> (866) 665-4837 <b>CALL BEFORE YOU DIG</b> <b>811</b> Know what's below. Call before you dig.
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From: Bonner County Planning <planning@bonnercountynyid.gov>

Sent: Wednesday, May 28, 2025 11:44 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountynyid.gov>; Amber Burgess <clerk@bebeawardistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; A  
Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lpsod.org>; Bill Berg <billb@bbawer.org>; Bonner County Assessors <assessor@group@bonnerc

<https://mail.google.com/mail/u/0/?ik=de5c07150b&view=pt&search=all&permthid=thread-art-8493984030894978973%7Cmsg-f:183383904839384879...> 1/2



5/28/25, 4:29 PM

Bonner County Mail - [EXT SENDER] RE: Bonner County Planning - S0003-24 Agency Review - Long Plat- Sawbuck Estates 2nd ...



Janna Brown <janna.brown@bonnercountyid.gov>

## [EXT SENDER] RE: Bonner County Planning - S0003-24 Agency Review - Long Plat - Sawbuck Estates 2nd Addition

1 message

**Symone Legg** <Symone.Legg@itd.idaho.gov>  
To: Bonner County Planning <planning@bonnercountyid.gov>  
Cc: Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>

Wed, May 28, 2025 at 3:08 PM

ITD Permits has no comments.

Thank you,

**Symone Legg** | Project Coordinator

Idaho Transportation Department | D1 Traffic/Permits

Ext: 208.772.8073 Dept: 208.772.1297

Email: [symone.legg@itd.idaho.gov](mailto:symone.legg@itd.idaho.gov) | [itd.idaho.gov](http://itd.idaho.gov)

*Enhancing quality of life through transportation*

Work schedule: Monday - Thursday 6AM- 4:30PM

**From:** Bonner County Planning <planning@bonnercountyid.gov>

**Sent:** Wednesday, May 28, 2025 11:45 AM

**To:** Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avista.corp.com>; Avista Corp - Peggy George <peggy.george@avista.corp.com>; Becky Meyer <becky.meyer@lpsd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Chace Bell <chace.bell@idwr.idaho.gov>; Chief Debbie Carpenter <chief@spirittlakefire.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Oldtown <cityofoldtown@hotmail.com>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Coolin-Cavanaugh Bay Fire Protection District <coolinfirechief@gmail.com>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan McCracken <Dan.McCracken@deq.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dean Davis <deandavis@sd83.org>; DEQ - Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deq.comments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Stacy Simkins <Stacy.Simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jamie Brown <jamieb@inlandpower.com>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <Jason.Kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joe.kren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; Kayleigh Miller <kmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken\_flint@tcenergy.com>; Kenny Huston

<https://mail.google.com/mail/u/0/?ik=de5c07150b&view=pt&search=all&permthid=thread-arr-8493984030894978973%7Cmsg-f:183340378476493075...>

1/2



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

## [EXT SENDER] RE: Bonner County Planning - S0003-24 Agency Review - Long Plat - Sawbuck Estates 2nd Addition

1 message

**Robert Beachler** <Robert.Beachler@itd.idaho.gov>  
To: Bonner County Planning <planning@bonnercountyid.gov>

Thu, May 29, 2025 at 6:34 AM

No Comment from the Idaho Transportation Department.

Robert Beachler  
District 1 Planning Program Manager  
Idaho Transportation Department  
600 W. Prairie Ave  
Coeur d'Alene, ID 83815  
[robert.beachler@itd.idaho.gov](mailto:robert.beachler@itd.idaho.gov)  
(208) 772-1216  
Office Hours M-TH 6-4:30

**From:** Bonner County Planning <[planning@bonnercountyid.gov](mailto:planning@bonnercountyid.gov)>  
**Sent:** Wednesday, May 28, 2025 11:45 AM  
**To:** Alan Brinkmeier <[alan.brinkmeier@bonnercountyid.gov](mailto:alan.brinkmeier@bonnercountyid.gov)>; Amber Burgess <[clerk@ebsewerdistrict.com](mailto:clerk@ebsewerdistrict.com)>; Army Corps of Engineers <[CENWW-RD-CDA@usace.army.mil](mailto:CENWW-RD-CDA@usace.army.mil)>; Avista Copr - Jay West <[jay.west@avistacorp.com](mailto:jay.west@avistacorp.com)>; Avista Corp - Peggy George <[peggy.george@avista.com](mailto:peggy.george@avista.com)>; Becky Meyer <[becky.meyer@posd.org](mailto:becky.meyer@posd.org)>; Bill Berg <[billb@bbsewer.org](mailto:billb@bbsewer.org)>; Bonner County Assessors <[assessorsgroup@bonnercountyid.gov](mailto:assessorsgroup@bonnercountyid.gov)>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <[DIRECTOR@bonnercountyhistory.org](mailto:DIRECTOR@bonnercountyhistory.org)>; Brenna Garro <[Brenna.Garro@oer.idaho.gov](mailto:Brenna.Garro@oer.idaho.gov)>; Bryan Quayle <[quaylelanduseconsulting@gmail.com](mailto:quaylelanduseconsulting@gmail.com)>; Chace Bell <[chace.bell@idwr.idaho.gov](mailto:chace.bell@idwr.idaho.gov)>; Chief Debbie Carpenter <[chief@spirittlakefire.com](mailto:chief@spirittlakefire.com)>; City of Clark Fork <[city@clarkforkidaho.org](mailto:city@clarkforkidaho.org)>; City of Dover <[cityclerk@cityofdoveridaho.org](mailto:cityclerk@cityofdoveridaho.org)>; City of East Hope Franck <[easthope.city@gmail.com](mailto:easthope.city@gmail.com)>; City of Hope <[hopecityclerk@gmail.com](mailto:hopecityclerk@gmail.com)>; City of Oldtown <[cityofoldtown@hotmail.com](mailto:cityofoldtown@hotmail.com)>; City of Priest River <[layers@priestriver-id.gov](mailto:layers@priestriver-id.gov)>; City of Sandpoint Planning <[cityplanning@sandpointidaho.gov](mailto:cityplanning@sandpointidaho.gov)>; cityclerk@spirittlakeid.gov; Colleen Johnson <[C.Johnson@kootenaiponderaysewerdistrict.org](mailto:C.Johnson@kootenaiponderaysewerdistrict.org)>; Coolin-Cavanaugh Bay Fire Protection District <[coolinfirechief@gmail.com](mailto:coolinfirechief@gmail.com)>; Craig Hill <[craighill@hillsresort.com](mailto:craighill@hillsresort.com)>; D1Permits <[D1Permits@itd.idaho.gov](mailto:D1Permits@itd.idaho.gov)>; Dan Brown <[dbrown@idl.idaho.gov](mailto:dbrown@idl.idaho.gov)>; Dan McCracken <[Dan.McCracken@deq.idaho.gov](mailto:Dan.McCracken@deq.idaho.gov)>; Dan Scholz <[dan.scholz@nli.coop](mailto:dan.scholz@nli.coop)>; Dean Davis <[deandavis@sd83.org](mailto:deandavis@sd83.org)>; DEQ - Kristie McEnroe <[kristie.mcenroe@deq.idaho.gov](mailto:kristie.mcenroe@deq.idaho.gov)>; East Bonner Library <[Amanda@ebonnerlibrary.org](mailto:Amanda@ebonnerlibrary.org)>; East Priest Lake Fire District <[eastpriestlakefd@gmail.com](mailto:eastpriestlakefd@gmail.com)>; Erik Sjoquist <[esjoquist@idl.idaho.gov](mailto:esjoquist@idl.idaho.gov)>; Federal Aviation Administration <[Heather.pate@faa.gov](mailto:Heather.pate@faa.gov)>; Frankie Dunn <[Frankiejedunn@hotmail.com](mailto:Frankiejedunn@hotmail.com)>; Fritz Broschet



6/4/25, 2:48 PM

Bonner County Mail - [EXT SENDER] RE: Bonner County Planning - S0003-24 Agency Review - Long Plat - Sawbuck Estates 2nd A...



Janna Brown <janna.brown@bonnercountyid.gov>

---

**[EXT SENDER] RE: Bonner County Planning - S0003-24 Agency Review - Long Plat - Sawbuck Estates 2nd Addition**

1 message

**DEQ Comments** <deqcomments@deq.idaho.gov>  
To: Bonner County Planning <planning@bonnercountyid.gov>

Thu, May 29, 2025 at 2:16 PM

Good Afternoon,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,

Idaho Department of Environmental Quality  
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814  
Office Line: 208.769.1422

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**Our mission:** To protect human health and the quality of Idaho's air, land, and water.

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**From:** Bonner County Planning <planning@bonnercountyid.gov>

**Sent:** Wednesday, May 28, 2025 11:45 AM

**To:** Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Bell, Chace <Chace.Bell@idwr.idaho.gov>; Chief Debbie Carpenter <chief@spiritlakefire.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Oldtown <cityofoldtown@hotmail.com>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Coolin-Cavanaugh Bay Fire Protection District <coolinfirechief@gmail.com>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan McCracken <Dan.McCracken@deq.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dean Davis <deandavis@sd83.org>;

<https://mail.google.com/mail/u/0/?ik=de5c07150b&view=pt&search=all&permthid=thread-arr-8493984030894978973%7Cmsg-f:183349112144329763...> 1/3

5/28/25, 2:00 PM

Bonner County Mail - [EXT SENDER] Re: Bonner County Planning - S0003-24 Agency Review - Long Plat - Sawbuck Estates 2nd ...



Janna Brown <janna.brown@bonnercountyd.gov>

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**[EXT SENDER] Re: Bonner County Planning - S0003-24 Agency Review - Long Plat - Sawbuck Estates 2nd Addition**

1 message

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Bonner County History Museum <hannah@bonnercountyhistory.org>  
To: Bonner County Planning <planning@bonnercountyd.gov>

This site does not contain any special areas or sites as identified in the State Historic Preservation Office's Idaho Cultural Resource Information System (ICRIS).

Thank you,  
Hannah Combs  
Bonner County Historical Society

On Wed, May 28, 2025 at 11:45 AM Bonner County Planning <planning@bonnercountyd.gov> wrote:

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

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

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

### Appendix C: Land Use Decision Making Worksheet

BCRC Code	Standard for	Required	Provided
12-268	Application Process, General Provisions	Agency Routing	
12-411	Density and Dimensional Standards: Rural 5	Minimum Lot Size required is five (5) acres for the Rural (R) District.	
12-610.B	Conformance with BCRC Title 12	Minimum Lot Size required is five (5) acres for the Rural (R) District.	
12-620	General	Easements, constraints, reserved land areas to be shown and marked on the plats.	
12-621	Lot Design	<p>All proposed lots or parcels which are three hundred feet (300') or less in width shall maintain a depth to width ratio of not greater than three point two to one (3.2:1); and lots which are more than three hundred feet (300') in width shall maintain a depth to width ratio of not greater than four point two to one (4.2:1).</p> <p>All proposed lots or parcels one hundred feet (100') or less in width shall be designed so that the angle of intersection of the side lot lines with the fronting road is between eighty-five (85) and ninety-five degrees (95°), for a distance of not less than fifty feet (50') from the point of intersection.</p> <p>Submerged lands are not to be included when</p>	

		determining the depth to width calculation.	
12-623.A	Services and Utilities	Water supply, sewage disposal, fire protection	
12-624.A	Road name	Unique road names for new roads.	
12-624.B	Road standards	Road to be designed to meet private road standards of BCRC Title 12, Appendix A.	
12-624.C	Legal access	Legal access to each proposed lot	
12-624.D	Public road frontage	For lots less than 5 acres in size, direct frontage and direct access to public roads required.	
12-625	Trails and Parks	Bonner County Trails Plan Public Access, Parks and Facilities	
12-626.A	Natural Hazards	Subdivision to be designed around identified natural hazards	
12-626.B	Conformance with BCRC 12-7	Conformance with environmental standards.	
12-642.A	Application Content	Application form	
12-642.B	Application Content	Preliminary Plat, prepared by Idaho licensed surveyor, showing parcels to be created.	
12-642.B.1	Plat Content	Subdivision name, geographic grid, north arrow, and vicinity map, vicinity road pattern.	
12-642.B.2	Plat Content	Boundary line of tract to be subdivided, intersection property lines, abutting roads, names and addresses of adjoining owners shown in their respective places of ownership on the plat.	
12-642.B.3	Plat Content	Location, dimensions and area of proposed lots. Lot numbering.	

12-642.B.4	Plat Content	Location, dimensions and tentative names of proposed streets and roads.	
12-642.B.5	Plat Content	Sufficient contours to show the shape of the land and extending at least one hundred feet beyond the subdivision limits.	
12-642.B.6	Plat Content	Location of water courses, floodplains per FIRMs with BFEs.	
12-642.B.7	Plat Content	Existing wells, springs, wetland boundaries, wetland delineations, drainage channels, overhead and underground utility lines, structures, sanitary sewers and culverts within the tract.	
12-642.B.8	Plat Content	Proposed method of water supply, sewage and solid waste disposal.	
12-642.B.9	Plat Content	All easements of record, including sufficient data to identify conveyance.	
12-642.B.10	Plat Content	Purpose indication for lots reserved for public dedication or common use of property owners.	
12-642.B.11	Plat Content	Statement for intended use of parcels.	
12-642.C.2	Road design and profile	Preliminary road design and profile prepared, stamped and signed by Idaho licensed engineer.	
12-643.A	Application filed	In accord with 12-268	
12-643.B	Public hearing	In accord with Subchapter 2.6	
12-643.I	Validity of Preliminary Plat		
12-644	Improvements Plan	Plan to be prepared by a registered civil engineer.	

		Two copies to be provided.	
12-645	Standards for Review		
12-646	Final Plat, Contents		
12-647	Endorsements on Final Plat		
12-7.1	Shorelines		
12-7.2	Grading, Stormwater Management and Erosion Control	Applicability: All new subdivisions subject to the provisions of chapter 6 of this title, as amended, and all new planned unit developments subject to the provisions of chapter 2, subchapter 2.5 of this title, as amended, except as provided for in subsection 12-720.3.J of this subchapter.	
12-7.3	Wetlands	Wetland Delineation, Wetland Buffer and Setbacks.	
12-7.4	Wildlife	Not applicable.	
12-7.6	Hillsides	Geotechnical Survey Requirement	
Title 14	Flood Damage Prevention	Development to occur as per BCRC, Title 14.	

## Appendix D: Depth-to-Width Spreadsheet

S0003-24 - Depth-to-Width Measurements						
Methodology and requirements per BCRC 12-621 & 12-812						
	Depth in Ft	Area in Ft <sup>2</sup>	Width in Ft	Required D/W Ratio	Actual D/W Ratio	Compliant?
Lot 1	737	219,542	297.88657	4.2:1	2.47	Y
Lot 2	737	219,542	297.88657	4.2:1	2.47	Y
Lot 3	737	219,542	297.88657	4.2:1	2.47	Y
Lot 4	737	219,542	297.88657	4.2:1	2.47	Y
Lot 5	670	217,800	325.07463	4.2:1	2.06	Y
Lot 6	666	217,800	327.02703	4.2:1	2.04	Y
Lot 7	835	217,800	260.83832	4.2:1	3.20	Y
Lot 8	837	217,800	260.21505	4.2:1	3.22	Y
Lot 9	833	217,800	261.46459	4.2:1	3.19	Y

## Appendix E: BOCC Zoning Determination



### Bonner County Planning Department

*"Protecting property rights and enhancing property value"*

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (208) 265-1463

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

June 25, 2024

## Memorandum

To: Board of County Commissioners

From: Jake Gabell, Bonner County Planning Director

Re: Zoning Boundary Interpretation of RP54N04W107050A via BCRC 12-315

The property owner of the subject property has applied for a short plat. Given the zoning as shown on the digital zoning map on the GIS parcel layer and zoning layer, the property appears to be split zoned R-5, Forest 40, and AF/20, see the attached map for more details. The short plat cannot be processed and create the 5 acre properties given the zoning discrepancies on the property.

The property owner has requested that the BOCC interpret the zoning map via BCRC 12-315.

Distribution:  
Jake Gabell

(Recommendation)  
Staff makes no recommendation.

Motion to interpret as zoned Rural 5:

Mr. Chairman, based on the information before us I move the Board of County Commissioners exercise its authority via BCRC 12-315 H to interpret the zoning boundary on RP54N04W107050A to be entirely zoned Rural 5 and that there are mapping discrepancies that will be correct by the County in the future.

Motion to interpret as split zoned:

Mr. Chairman, based on the information before us I move the Board of County Commissioners exercise its authority via BCRC 12-315 H to interpret the zoning boundary on RP54N04W107050A to be zoned R-5, Forest 40, and AF/20 as shows on the official zone map.

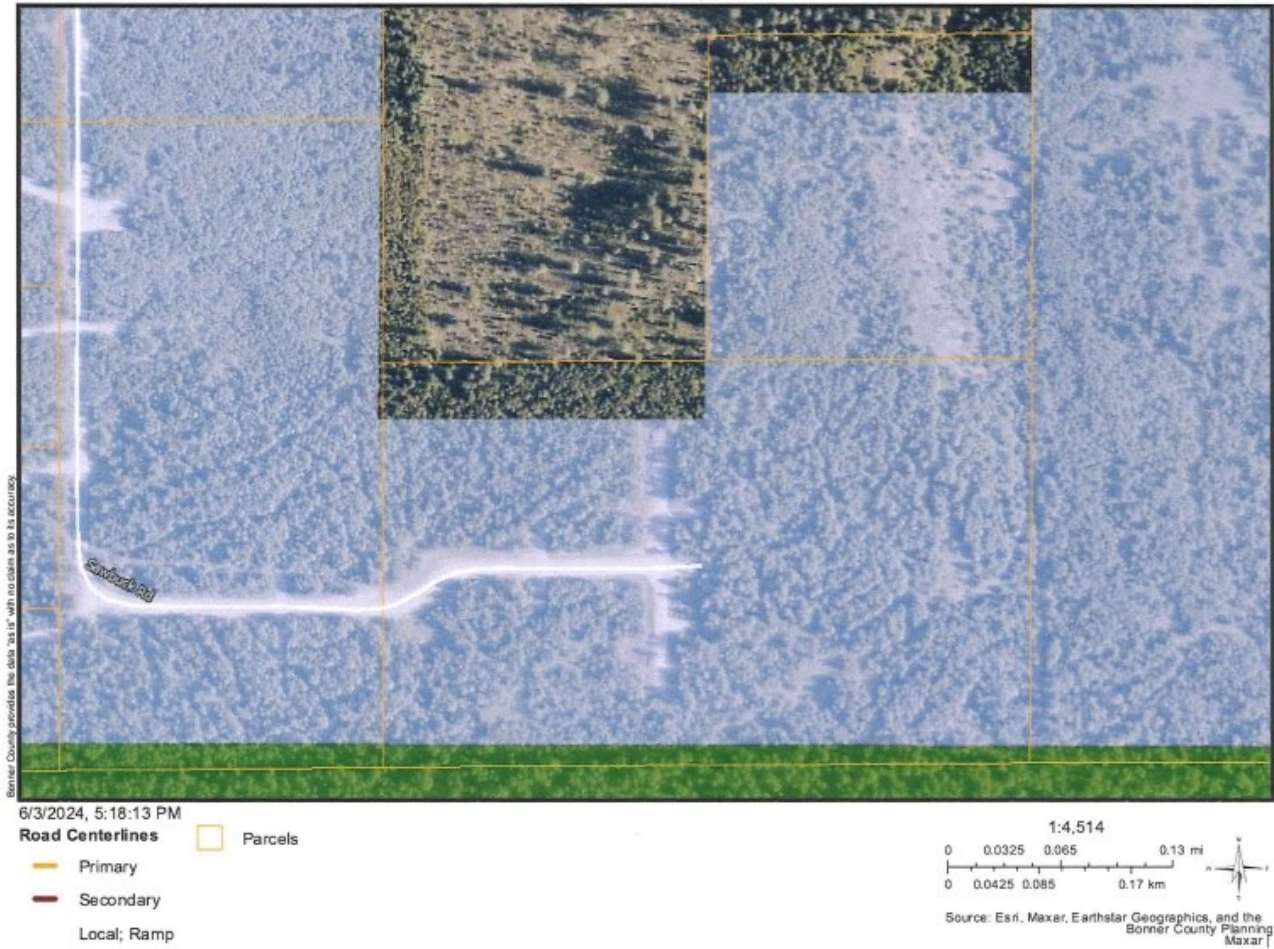
Approved: ☒ Yes ☐ No

Date: 6/25/24

Commissioner Luke Omodt, Chairman



Bonner County Map



## **SUBCHAPTER 3.1 - ZONING MAP AND INTERPRETATION**

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### **12-310: OFFICIAL ZONING DISTRICT MAP:**

A. The official zoning district map shall be made available in an electronic format for the public to view. The official map shall be updated on a continuous basis as zone changes are approved by the board and upon publication. The official, electronic zone map shall be made available for public review during the Bonner County Planning Department's normal business hours. Changes to the official zone map shall be listed in an electronic format on the official zoning map. One or more physical reproductions of the official zoning map shall be located in office of the Bonner County Planning Department. Any reproductions of the official zoning map shall be true and correct reproductions of the official zoning map to the greatest extent possible (with the exception of signatures), but any such reproductions shall not be considered official. (Ord. 501, 11-18-2008; amd. Ord. 680, 10-12-2022)

### **12-311: ADOPTION OF OFFICIAL ZONING MAP, CERTIFICATION, AMENDMENTS TO BE SHOWN:**

A. Official Zoning District Map: The county is divided into zones or districts, as shown on the official zoning district map, which, with all explanatory matter thereon, is adopted by reference and declared to be a part of this title. The official zoning map shall be identified by the signature of the chairperson of the board, attested by the county clerk:

*This is to certify that this is the official zoning district map referred to in section 12-311 of the Bonner County Revised Code, of Bonner County, Idaho.*

B. Amendments: If, in accordance with the provisions of this title, changes are made in district or zone boundaries, or other matter portrayed on the official zoning district map, changes shall be entered on the official zoning district map promptly after the amendment has been approved by the board, with the entry on the official zoning district map specifying the file number, ordinance number, and effective date. Amendments to the zoning map are to become effective immediately upon publication.

C. Conformance with Procedures: No changes of any nature shall be made in the official zoning district map or matter shown thereon except in conformity with the procedures set forth in this title. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this title and punishable under sections 12-132 and 12-133 of this title. (Ord. 501, 11-18-2008; amd. Ord. 680, 10-12-2022)

### **12-312: REPLACEMENT OF OFFICIAL ZONING MAP, CERTIFICATION:**

A. If the official zoning district map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the board may by resolution adopt a new official zoning district map which shall supersede the prior official zoning district map. The new official zoning district map may correct drafting or other errors or omissions in the prior official zoning district map, but no correction shall have the effect of amending the original official zoning district map or any subsequent amendment thereof. The new official zoning district map shall be identified by the signature of chairperson of the board, and shall state:

*This is to certify that this official zoning district map supersedes and replaces the official zoning district map adopted (date of adoption of map being replaced) as part of title 12, Bonner County Revised Code of Bonner County, Idaho.*

B. Unless the prior official zoning district map has been lost or totally destroyed, the prior map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment. (Ord. 501, 11-18-2008; amd. Ord. 680, 10-12-2022)

### **12-314: APPLICATION OF DISTRICT OR ZONE REGULATIONS:**

A. The regulations set by this title within each district or zone shall be minimum regulations and shall apply uniformly to each class or kind of structure or land use.

B. No building, structure or land shall hereafter be used or occupied, and no building or structure, or part thereof, shall be erected, subject to provisions of subchapter 3.4 of this chapter, constructed, reconstructed, moved or structurally altered, except in conformity with all of the regulations specified for the district or zone in which it is located. (Ord. 501, 11-18-2008)

**12-315: RULES FOR INTERPRETATION OF ZONING DISTRICT BOUNDARIES:**

Where uncertainty exists as to the boundaries of zones or districts as shown on the official zoning district map, the following rules shall apply:

A. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow the centerlines.

B. Boundaries indicated as approximately following platted lot lines shall be construed as following those lines.

C. Boundaries indicated as approximately following city limits shall be construed as following city limits.

D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

E. Boundaries indicated as following shorelines shall be construed to follow those shorelines and legally established meander lines. In the event of change in the shoreline, boundaries shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow those centerlines.

F. Boundaries indicated as parallel to, or extensions of features indicated in subsections A through E of this section shall be so construed. Distances not specifically indicated on the official zoning district map shall be determined by the scale of the map.

G. Boundaries indicated as following section or township lines shall be construed as following those section or township lines.

H. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning district map, or in other circumstances not covered by subsections A through G of this section, the board shall interpret the district or zone boundaries.

I. Where a district or zone boundary line divides a lot which was in single ownership at the time of passage of this section, the board may permit, as a special exception, the extension of the regulations for either portion of the lot not to exceed fifty feet (50') beyond the district or zone line into the remaining portion of the lot. (Ord. 501, 11-18-2008)