

# Bonner County Planning Department

*"Protecting property rights and enhancing property value"*

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## Short Plat Administrative Staff Report

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**Project Name:** **A Short Plat of Clagstone 15 Estates**

**File Number, Type:** **SS0001-24 - Short Plat - ELA Construction LLC**

**Request:** The applicant is requesting to subdivide one (1) approximately 15.161-acre platted lot into three (3) platted lots, ranging in size from 5.01-acres to 5.136-acres in size. The property is zoned Rural 5 and is located off of United States Highway 95 in Section 24, Township 54 North, Range 5 West, Boise-Meridian.

**Legal Description:** 24-54N-5W CLAGSTONE 35 ESTATES BLK 1 LOT 4

**Location:** The property is zoned Rural 5. The project is located off Blanchard Cutoff and Clagstone Road in Section 24, Township 54 North, Range 5 West, Boise-Meridian.

**Parcel Number(s):** RP011120010040A

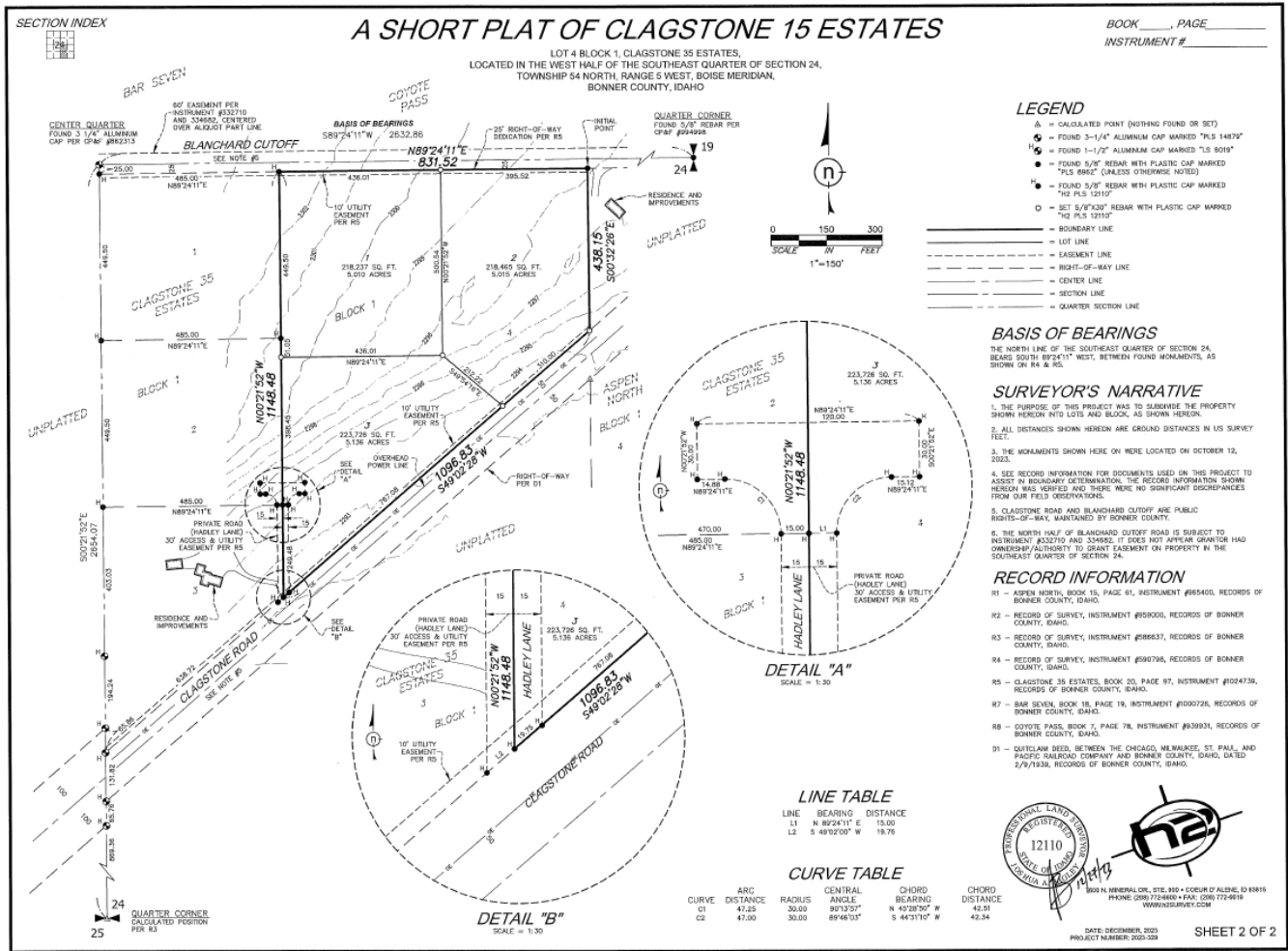
**Parcel Size:** Approximately 15.161-Acres

**Applicant/  
Landowner:** ELA Construction LLC  
PO Box 310  
Hayden, ID 83835

**Project  
Representative:** H2 Surveying/High Trail Consulting  
PO Box 2916  
Hayden, ID 83835

**Application filed:** January 2, 2024

**Notice provided:** Mail: March 1, 2024  
Published in newspaper: March 5, 2024



## Project Summary:

The applicants are requesting to subdivide one (1) 15.161-acre platted lot into three (3) lots ranging in size from 5.1-acres to 5.136-acres. The property is zoned Rural 5. The project is located off Blanchard Cutoff and Clagstone Road in Section 24, Township 54 North, Range 5 West, Boise-Meridian, Idaho.

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## Applicable Laws:

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BCRC 12-268	Application Process, General Provisions
BCRC 12-411	Density and Dimensional Standards: Rural 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 12-641	Subdivisions, Pre-application review
BCRC 12-642	Preliminary Plat, Contents of Application
BCRC 12-644	Improvement Plan Required, Contents
BCRC 12-645	Standards for review of Applications for Preliminary Plat of all Subdivisions
BCRC 12-646	Final Plat, Contents
BCRC 12-647	Endorsements to be shown on Final Plat
BCRC 12-648	Procedure for Final Plat Review and Approval
BCRC 12-649	Digital Submission of Final Plat
BCRC 12-650	Application/ Contents of Preliminary Plats for Short Plat Procedure
BCRC 12-651	Short Plat, Procedure for approval of Preliminary Plat
BCRC 12-652	Short Plat, Contents of Final Plat, Procedure for Approval of Final Plat
BCRC 12-7.2	Grading, Storm water Management and Erosion Control
BCRC 12-7.3	Wetlands
BCRC 12-7.4	Wildlife
BCRC 12-7.5	Flood Damage Prevention
BCRC 12-7.6	Hillsides

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## Background:

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### A. Site data:

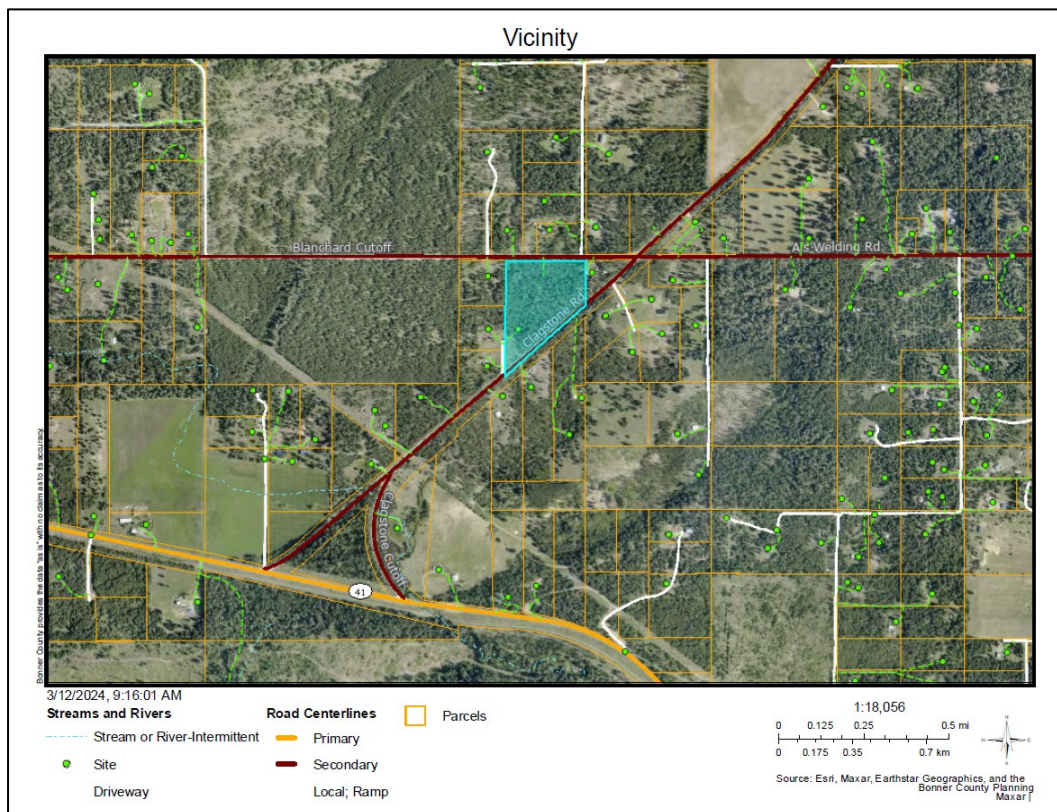
- Current Use: Residential
- Status: Platted lot per Clagstone 35, Instrument No. 1024739, recorded August 31, 2023.
- Size: Approximately 15.161-acres
- Zone: Rural-5
- Land Use: Rural Residential

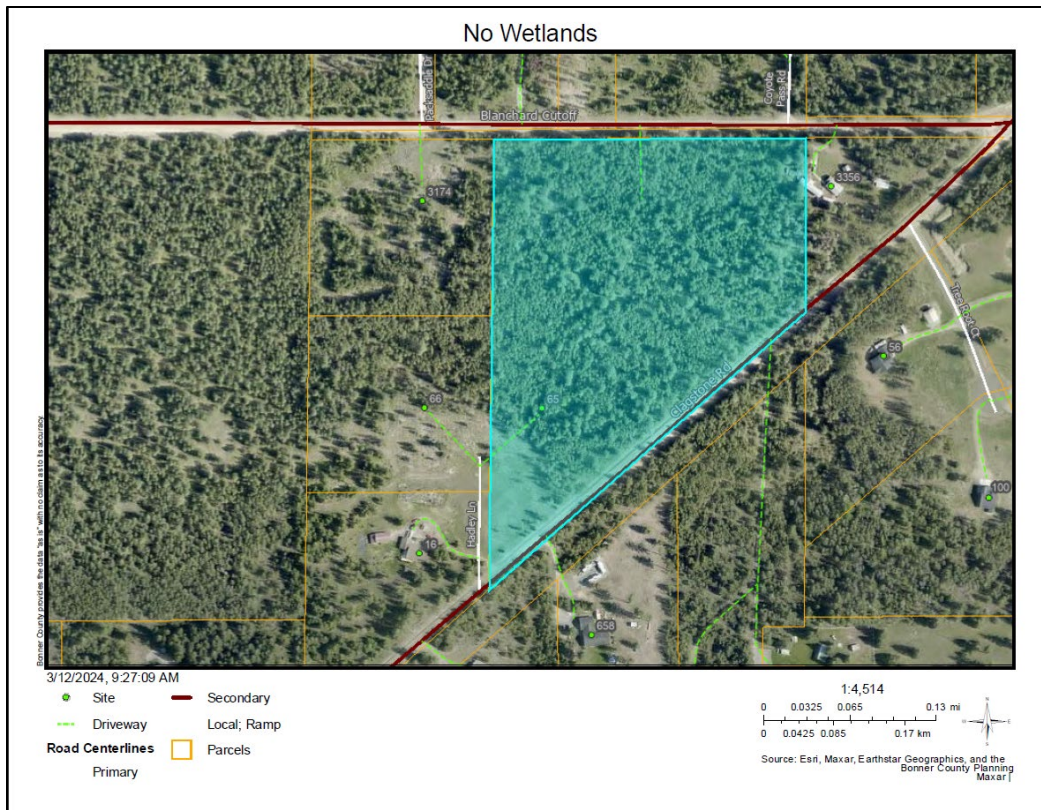
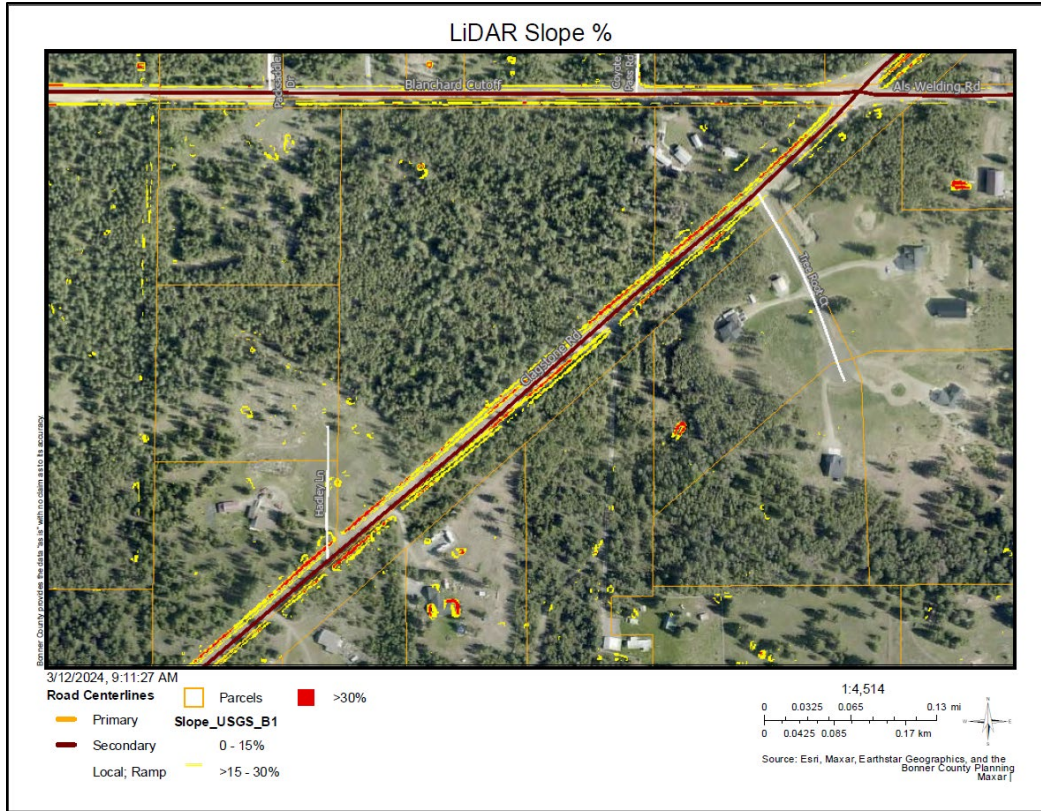
### B. Access:

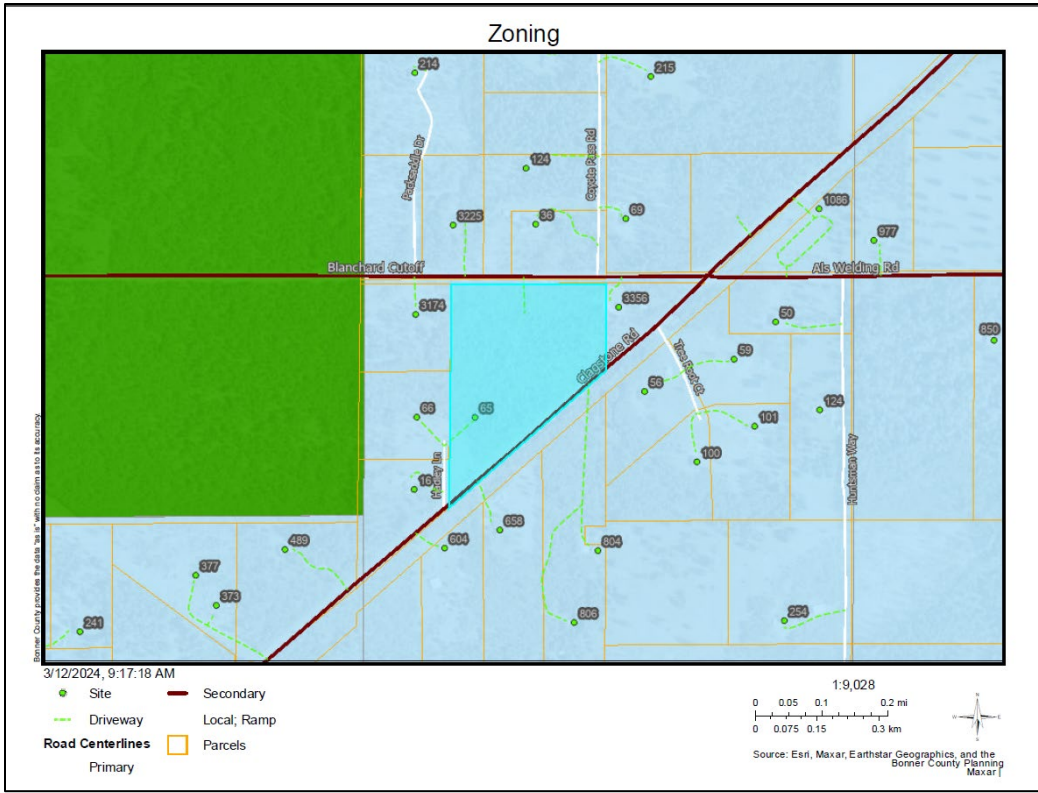
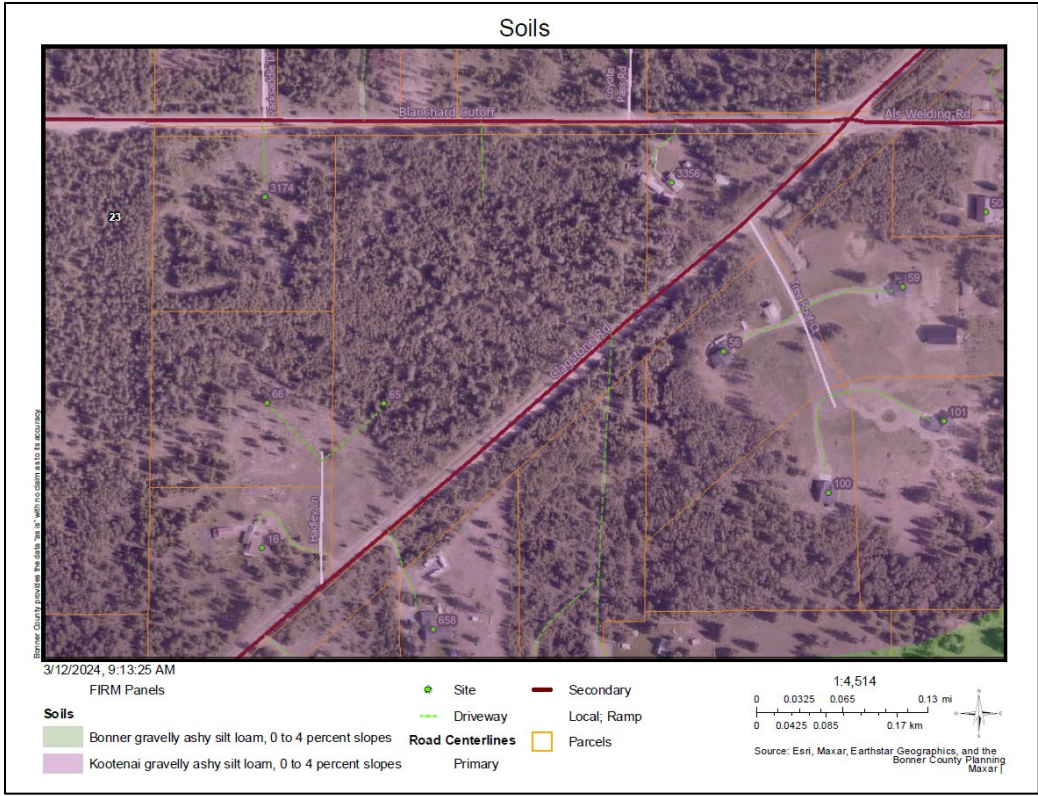
- The site has direct access to Clagstone Road and Blanchard Cutoff, both are Bonner County owned & maintained public roads.
- Hadley Lane, is a privately maintained and owned 30-foot-wide access easement.

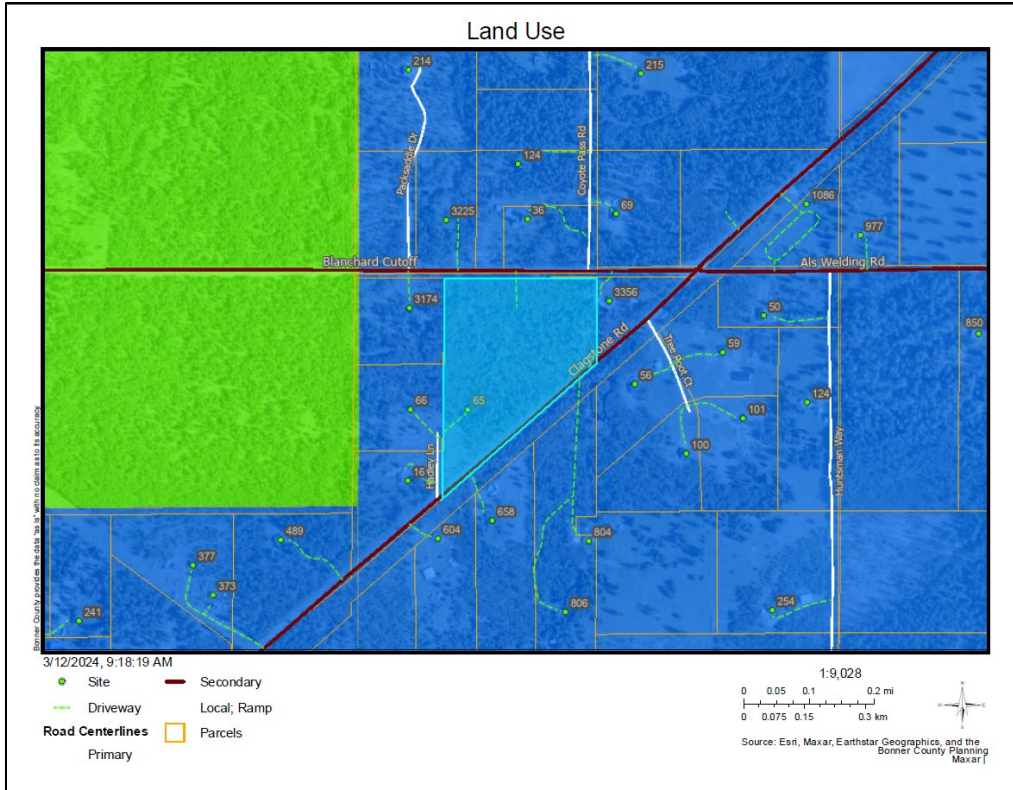
### C. Environmental Factors:

- Site contains very minimal slopes between 15%-30% and over 30%. (United States Geological Survey)
- Site contains no wetlands. (United States Fish and Wildlife Services)
- Site contains no hydrological features. (National Hydrography Dataset, United States Geological Survey)
- Site contains the following type of soil. (Natural Resources Conservation Service, United States Department of Agriculture)
  - Kootenai gravelly ashy silt loam, with a farmland classification of "prime farmland if irrigated" and a drainage classification of "well drained."
- The site is within SFHA Zone X per FIRM Panel Number 16017C1100E, Effective Date 11/18/2009. No further floodplain review is required on this proposal.
- No critical wildlife habitat areas identified by any local, state or federal agencies on site.









**D. Services:**

- Water and Sewage: The lots will be served by individual wells and individual septic systems.
- Fire: Spirit Lake Fire District
- Power: Inland Power.
- School District: Bonner County School District #83
- Ambulance District: Bonner County Ambulance District

## Staff Review and Analysis

BCRC	STANDARD FOR	REQUIRED	CONFORMANCE		
			Yes	No	N/A
<b>12-2.6</b>	<b>Application Process</b>				
12-268	Application Process, General Provisions	Fees, Determination of Application Completion, Agency Review, ACI Notification, Priority Applications, Written Decision.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>12-4.1</b>	<b>Density and Dimensional Standards</b>				
12-411	Min. Lot Size	Min. permitted lot size of 5 acres, in Rural-5 Zoning District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>12-6.2</b>	<b>Design Standards</b>				
12-620	General	Easements, constraints, reserved land areas to be shown and marked on the plats.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-621	Lot Design	Depth to width ratio of not more than 4:1 (lots more than 300 feet wide)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-622	Submerged Lands	Submerged lands not to be counted towards density calculations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-623.A	Urban services	For lots less than 1 acres in size, urban services required.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-623.B	Water supply	Well Logs Demonstrate Adequate Water Availability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-623.C	Sewage disposal	Sanitary Restriction Lift Will Be Applied	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-623.D	Fire Plan/Fire risk Assessment/ Fire Mitigation	Fire Risk Assessment, Fire Mitigation and Fire Suppression. See Conditions of Approval	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12-624.A	Road name	Unique road names for new roads.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-624.B	Road standards	See Conditions of Approval	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-624.C	Legal access	Legal access to each proposed lot.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-624.D	Public road frontage	For lots less than 5 acres in size, direct frontage and direct access to public roads required.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-625.A	Trails and Parks	Bonner County Trails Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-625.B	Trails and Parks	Public Access, Parks and Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-626.A	Natural Hazards	Subdivision to be designed around identified natural hazards.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-626.B	Conformance with BCRC 12-7	Conformance with environmental standards.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



BCRC	STANDARD FOR	REQUIRED	CONFORMANCE		
			Yes	No	N/A
<b>12-6.4</b>	<b>Preliminary Plat Procedures</b>				
12-640	Processing Applications		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-641	Pre-application Review		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-642.A	Application Content	Application Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-642.B	Application Content	Preliminary Plat prepared by Idaho licensed surveyor, showing parcels to be created.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-642.B.1	Plat Content	Subdivision name, geographic grid, north arrow, and vicinity map, vicinity road pattern.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-642.B.3	Plat Content	Location, dimensions, and area of proposed lots. Lot numbering.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-642.B.4	Plat Content	Location, dimensions and tentative names of proposed streets and roads.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-642.B.6	Plat Content	Location of water courses, floodplains per FIRMs with BFEs.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-642.B.8	Plat Content	Proposed method of water supply, sewage, and solid waste disposal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-642.B.9	Plat Content	All easements of record, including sufficient data to identify conveyance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-642.B.10	Plat Content	Purpose indication for parcels reserved for public dedication or common use of property owners.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-642.B.11	Plat Content	Statement for intended use of parcels.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BCRC	STANDARD FOR	REQUIRED	CONFORMANCE		
			Yes	No	N/A
12-642.C.1	Application Fee		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-642.C.2	Road Design and Profile	Preliminary road design and profile prepared, stamped and signed by Idaho licensed engineer. <i>See Conditions of Approval.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-644.A	Improvements Plan	Plan to be prepared by a registered civil engineer. Two copies to be provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-644.B	Improvements Plan	County Engineer Inspections	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-644.C	Surety Agreement	In lieu of completing all improvements, the subdivider shall enter into a surety agreement with the Board.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-645.A	Prelim. Plat Review Standard	In accord with purposes of Title 12 and the applicable Zoning District. <i>See Findings of Facts and Conclusions of Law.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-645.B	Prelim. Plat Review Standard	Site is physically suitable for proposed development. <i>See Findings of Facts and Conclusions of Law.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-645.C	Prelim. Plat Review Standard	No adverse impact to natural resources. If any, to be mitigated as Conditions of Approval. <i>See Findings of Facts and Conclusions of Law.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-645.D	Prelim. Plat Review Standard	Adequate services to serve the proposed subdivision. <i>See Findings of Facts and Conclusions of Law.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-645.E	Prelim. Plat Review Standard	Proposed subdivision to not expose future residents or public at large to be exposed to health or safety. <i>See Findings of Facts and Conclusions of Law.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-645.F	Prelim. Plat Review Standard	Provision for coordinated access with the county system of roads. Proposed transportation to adequately and safely serve the future residents. <i>See Findings of Facts and Conclusions of Law.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-645.G	Prelim. Plat Review Standard	Compliance with Title 12, Subchapter 6.2. <i>See Findings of Facts and Conclusions of Law.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BCRC	STANDARD FOR	REQUIRED	CONFORMANCE		
			Yes	No	N/A
12-646.A	Final Plat, Contents	Subdivision Name	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-646.B	Final Plat, Contents	Names of Subdivider and the engineer or surveyor.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-646.C	Final Plat, Contents	Initial point and description thereof, with location to be indicated on the plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-646.D	Final Plat, Contents	Street lines of all existing or recorded streets, principal property lines, patent lines, Township or Section lines, status of adjoining property.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-646.E	Final Plat, Contents	Accurate location, description and filing of all monuments in accordance with Idaho Code.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-646.F	Final Plat, Contents	Length and Bearings of all lots, streets, alleys and easements as laid out, lengths, curves, radii and tangent bearings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-646.G	Final Plat, Contents	Lot numbering, Block numbering and Road Naming	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-646.H	Final Plat, Contents	Accurate outline of property dedicated for public use with purpose indicated.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-646.I	Final Plat, Contents	Private Restrictions, if any.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-646.J	Final Plat, Contents	North point, graphic scale and date.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-646.K	Final Plat, Contents	Certificate of licensed engineer or surveyor of the State.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-646.L	Final Plat, Contents	Location of all watercourses, BFEs, elevation from FIRMs, approximate areas subject to inundation of storm water overflow.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-646.M	Final Plat, Contents	Wetland boundaries and any proposed easements or easements of record for utilities within the tract.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-647.A	Final Plat Endorsements	Owner's Certificate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-647.B	Final Plat Endorsements	Place for Planning Director's Approval	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-647.C	Final Plat Endorsements	Place for County Surveyor's Approval	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-647.D	Final Plat Endorsements	Place for Panhandle Health District Approval or Sanitary Restriction as allowed by I.C. 50-1326.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BCRC	STANDARD FOR	REQUIRED	CONFORMANCE		
			Yes	No	N/A
12-647.E	Final Plat Endorsements	Place for Board Approval	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-647.F	Final Plat Endorsements	Place for County Treasurer's Approval	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-647.G	Final Plat Endorsements	Place for Recorder's Signature.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-647.H	Final Plat Endorsements	Place for City Approval in within an Area of City Impact.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-647.I	Final Plat Endorsements	Place for Lienholder's Approval.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-648	Procedure for Final Plat Review and Approval	Not applicable at this stage of the project. See Conditions of Approval.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-649	Digital Submission of Final Plat	Not applicable at this stage of the project. See Conditions of Approval.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>12-6.5</b>	<b>Short Plats, Procedures</b>				
12-650.A	Purpose		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-650.B	Application	Short Plat application items	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-650.C	Permit Required	Eligibility for Short Plat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-650.D	Plat Contents				
12-651	Procedure for Prelim. Short Plat Approval	Application to be filed as per BCRC 12-268, Agency Routing, Public Noticing, ACI Noticing, Comment Period, Staff Report Issuance, Written Decision, Preliminary Plat Validity, Administrative Decision Appeal. See Conditions of Approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-652	Procedure for Final Short Plat Approval	Final short plat content to be processed as per BCRC 12-646 and BCRC 12-648.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>12-7.2</b>	<b>Grading, Stormwater Management And Erosion Control</b>				
12-720.1	Purpose		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-720.2	Applicability	Activities to which Subchapter 12-7.2 is applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-720.3. J	Non-applicability	Activities to which Subchapter 12-7.2 is not applicable. See Conditions of Approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-722.1	Procedure for New Subdivisions	See Conditions of Approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BCRC	STANDARD FOR	REQUIRED	CONFORMANCE		
			Yes	No	N/A
12-724.4	Optional Preliminary	For preliminary plats, an optional preliminary grading/storm water management and erosion control plan may be submitted at the time of the application.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>12-7.3</b>	<b>Wetlands</b>				
12-730	Purpose		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-731	Wetland Reconnaissance		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-732	Wetland Delineation		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-733	Wetland Buffer and Setbacks		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>12-7.4</b>	<b>Wildlife</b>				
12-740	Purpose		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12-741	Standards for New Subdivisions		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>12-7.5</b>	<b>Flood Damage Prevention</b>				
	Conformance with BCRC Title 14.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>12-7.6</b>	<b>Hillsides</b>				
12-760	Purpose		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-761	Conceptual Engineering Plan		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12-762	Geotechnical Analysis		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Staff concluded this project **is** consistent with Bonner County Revised Code based upon the contents of this staff report, including the Standards Review, Findings of Facts, Conditions of Approval and Conclusions of Law herein.

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## Agency and Public Comments

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**The application was routed to agencies for comment on March 1, 2024.**

Panhandle Health District	Bonner County Road and Bridge Department
Bonner County Sheriff Department	Idaho Department of Environmental Quality
Spirit Lake Fire District	Idaho Department of Water Resources
Northern Lights Inc.	Idaho Department of Fish and Game
West Pend Oreille School District #83	U.S. Fish and Wildlife Service
Bonner County Schools – Transportation	U.S. Forest Service

**The following agencies replied:**

Bonner County Road and Bridge Department Responded 3/5/2024 (See Comment)

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

Idaho Department of Environmental Quality 3/19/24  
Idaho Department of Water Resources 3/19/24  
Independent Highway District 3/4/24  
Idaho Transportation Department 3/4/24  
Spirit Lake Fire District 3/4/24  
US Navy 3/7/24

**No other agencies replied.**

**One public comment was received as of the date of this staff report citing no opposition to this project, only concerns for the maintenance of Clagstone Road.**

See letter for detail.

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## Findings of Facts:

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1. The site (parcel no. RP011120010040A) consists of approximately 15.161-acres of platted land, zoned Rural 5.
2. The subject property was created via Clagstone 35 Estates, Plat Book 20, Page 97, Bonner County Instrument Number 1024739.
3. The parcel has access to Blanchard Cutoff and Clagstone Road, both roads are owned and maintained by Bonner County.
4. Hadley Lane, is a fully constructed 30' wide ingress, egress and utilities easement and accesses proposed lot 3 from Clagstone Road.

5. Site does not contain mapped slopes of 30% or greater. (United States Geological Survey)
6. Site contains no wetlands. (United States Fish and Wildlife Services)
7. Site contains no hydrological features. (National Hydrography Dataset, United States Geological Survey)
8. Site contains the following types of soils. (Natural Resource Conservation Service, United States Department of Agriculture)
  - a. Kootenai gravelly ashy silt loam, with a farmland classification of "prime farmland if irrigated" and a drainage classification of "well drained."
9. Site is not within floodway and is located within SFHA Zone X per FIRM Panel Number 16017C1100E, Effective Date 11/18/2009.  
No further floodplain review is required on this proposal.
10. No critical wildlife habitat areas identified by any local, state or federal agencies on site.
11. The proposed lots will be served by individual wells, well drillers reports show each proposed lot will have  $\pm 20$  gpm flow rates.
12. Three Building Location Permits are currently active on the subject lot. All building location permits have obtained signed letters of approval from Spirit Lake Fire District.
13. The proposed lots will be served individual septic systems and Inland Power. The site is located within Spirit Lake Fire District, Bonner County School District #83, and Bonner County Ambulance District.
14. The proposed preliminary plat has been evaluated as per the applicable Bonner County Revised Code standards, subject to Conditions of Approval. See staff review above and the conditions of approval below.

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## Conclusions of Law:

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

- Conclusion 1:** The proposed subdivision **is** in accord with the purposes of this Title and of the zoning district in which it is located.
- Conclusion 2:** The site **is** physically suitable for the proposed development.
- Conclusion 3:** The design of the proposed subdivision **will not** adversely impact Bonner County's natural resources, as identified in the comprehensive plan. Any adverse impacts or potential for impacts shall be mitigated as a condition of approval.
- Conclusion 4:** The public and private services, including but not limited to water, sewer services, solid waste, fire protection, emergency services, and school facilities and transportation, which will serve the proposed subdivision **are** adequate for the needs of future residents or users.
- Conclusion 5:** The proposed subdivision **will not** cause circumstances to exist that will cause future residents or the public at large to be exposed to hazards to health or safety.
- Conclusion 6:** The design of the proposed subdivision or related improvements **will** provide for coordinated access with the county system of roads and with adjacent properties and **will not** impede the use of public easements for access to, or through the proposed subdivision. The proposed transportation system **is** designed to adequately and safely serve the future residents or users without adversely impacting the existing transportation system by reducing the quality or level of service or creating hazards or congestion.
- Conclusion 7:** The proposed subdivision **is** designed to comply with the design criteria for subdivisions set forth in Subchapter 6.2 of this chapter.
- Conclusion 8:** The proposed subdivision **is** in accord with the Bonner County Comprehensive Plan.

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## Conditions of Approval:

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1. Per BCRC 12-624.B, the built private road, Hadley Lane, shall be constructed to private road standards set forth in Appendix A of BCRC Title 12 if used to access proposed lot 3. The applicant submitted as-built road design plans on January 2, 2024, dated February 26, 2024 and prepared by Randy M. Hamilton, an Idaho state licensed engineer. The road design plans were deemed incomplete by Bonner County Engineering per review memo dated March 4, 2024. The as-built road plan shall be updated or constructed to the satisfaction of Bonner County Engineering at the time of, or prior to final plat recording. If alternate access is proposed to the proposed lots, they shall meet



the standards set forth in BCRC12-624 B. At the time of this staff report the as-built road is in the approval process.

2. 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.
3. Per BCRC 12-646, BCRC 12-647 and BCRC 12-648, a final plat shall be submitted in accordance with these sections of the Bonner County Revised Code after the approval of the preliminary plat.
4. Per BCRC 12-648.A, the applicant shall submit final plat check fees, current preliminary title report and one blueprint copy of the proposed final plat. Instead of submitting one blueprint copy, the applicant may submit a pdf copy of the final blue line plat.
5. Per BCRC 12-648.B, the final plat must conform to the final plat requirements of Idaho Code Section 50-1304 and BCRC 12-647.
6. Per BCRC 12-649, a digital copy of the final plat shall be submitted to the Planning Department. The digital copy submission shall not substitute for any contents of the final plat listed above.
7. Per BCRC 12-651.G, the preliminary short plat 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 preliminary short plat, an applicant may make a written request to the planning director for an extension of the preliminary short plat for a period up to two (2) years, finding that conditions or applicable regulations have not changed so substantially as to warrant reconsideration of the proposed subdivision with respect to the public health, safety, and general welfare. The planning director may recommend such request for extension at any regular business meeting of the board of commissioners. The extension request must be approved or denied prior to the expiration date of the preliminary short plat.

8. Per BCRC 12-720.J Subdivisions in which all lots contain five (5) acres or greater, and no additional "impervious surface", as defined in section 12-809 of this title, are created. For subdivisions in which all lots contain five (5) acres or greater and new impervious surface is limited to driveways and roads only, the driveways and roadways only shall be subject to this subchapter; At the time of building location permit on any of the proposed lots, the application shall be reviewed against BCRC 12-722.3 to determine applicability.

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**Staff Recommendation for Action: Approval with Conditions**

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

The Planning Director shall make an administrative decision to approve, approve with modifications, continue, deny or recommend a public hearing on the file following the closing of the ten-day response period on **April 10, 2024**.

**Planner's Initials: TL**

**Date: April 1, 2024**

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