



Bonner County Planning Department

"Protecting property rights and enhancing property value"

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March 26, 2026

From: Planning Commission

To: Bonner County Commission

Subject: File AM0020-25 – Comprehensive Plan Map Amendment

The Planning Commission at the March 3, 2026, public hearing recommended denial of the referenced application.

MOTION TO RECCOMEND DENIAL: I, Commissioner Bowman, move to recommend denial of this project to the Board of County Commissioners, FILE ZC0020-25, requesting a comprehensive map amendment from Ag/Forest Land to Rural Residential, based upon the following conclusions:

Conclusion 1

The proposal **is** in conflict with the policies of the Bonner County Comprehensive Plan.

Conclusion 2

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

Conclusion 3

The proposal **is not** in accord with the purpose of the Rural Residential Land use designation.

This 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 conclusions of law 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.

Commissioner Davis seconded the motion.

Voted upon and the Chair declared the Motion passed, unanimously.

Please contact the Planning Department if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Hidden", with a long horizontal flourish extending to the right.

Eric Hidden, Chair
Bonner County Planning Commission

c: Planning Department

Comprehensive Plan Analysis Worksheet

Property Rights

Policies:

1. Follow the attorney general's checklist, prescribed at Idaho Code §67-8003 and provided in the "Property Rights" component of the county's comprehensive plan, for all land use decisions.
2. Adopt a reasoned statement and conclusions of law, in accordance with Idaho Code 67-6535, for all quasi-judicial land use decisions that reflect the justifications for exactions, conditions and restrictions and confirm that a taking of private property has not occurred.
3. In all land use decisions, consider the property rights of the applicant, adjoining and nearby landowners and future generations, as well as the short-term and long-term consequences of decisions.
4. 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 is subject to the regulatory taking analysis provided for by Idaho Code Section 67-8003.

Not In Conflict

Evidence in the Record

Population

Policies:

1. Regularly analyze population projections 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. Use population forecasts and census data to evaluate housing and impacts to the transportation system and other county services.
3. Cooperate with incorporated cities and neighboring counties to address growth challenges within the Areas of Impact and coordinate planning efforts to the extent possible.

In Conflict

Evidence in the Record:

Policy #3

3.The city of Kootenai did not provide a comment on this request, and the planning commission wants a comment from the city. In addition, Oden Water should have the opportunity to comment on the proposal.

School Facilities and 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. Consider the impacts of land use proposals on the school service and seek mitigation from developers such as providing facilities, safety features, or other measures as permitted by Idaho Code, to address the impacts of the proposals.
3. Encourage school districts to proactively review development applications to determine particular school needs and concerns.
4. Encourage construction of trails and bicycle paths to allow safe passage of students to and from schools.
5. Consider the long-term consequences of land use proposals, including the adequacy of existing school facilities, transportation services, and the siting of future schools.

In Conflict

Evidence in the Record:

Policies #1,#5

#1,#5. Commissioner Bowman reached out to the school district to get a comment on the proposal. The district sent a letter to Commissioner Bowman stating their opposition to the request. The long-term consequence on the district is that resources are stretched thin.

Economic Development**Policies:**

1. Allow small scale cottage businesses and home occupations in all areas of the county. Set reasonable conditions on such uses 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 the 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. Mitigate the potential impacts of economic development activities that cause adverse factors such as noise, light glare, odors, fumes and vibrations on the surrounding community.
5. Support local economic development by increasing support for outdoor recreation in the county. Encourage and protect public access to public lands and water, while protecting the surrounding areas from adverse impacts through mitigation and standards.
6. Allow for campgrounds and recreational uses while protecting the surrounding areas from adverse impacts through mitigation and standards.
7. Support local businesses by enabling development of workforce housing in proximity to commercial, industrial, agricultural, and recreational uses, through review and updating of land use regulations.

Not In Conflict

Evidence in the Record:

Land Use

Policies:

1. Develop and maintain a Future Land Use Map and Land Use Regulations that acknowledge and preserve the County's agricultural, timber and mining lands, water and wildlife resources, and identify and avoid hazard areas. Provide areas for

economic growth, encourage affordable housing and center growth in areas where adequate public and private services can be provided.

2. Encourage clustered development for medium and large scale commercial and industrial uses.

3. Commercial and industrial uses should be located and operated in a manner to ensure the protection of our natural resources including clean air and water, dark skies, and overall environmental quality and rural character of the county.

4. Reflect in the use tables that commercial and industrial uses should be unconditionally permitted in areas identified by the Comprehensive Plan as suitable and zoned for those uses. 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.

5. Reflect in the use tables that 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.

6. Based upon the land use analysis completed in 2025, a sufficient number of residential parcels exist or could be created within current zoning density. Therefore, modification of zoning to provide increased density should be rare.

7. Land use applications should be supported by a review, evaluation, or approval by the applicable state agency for sanitary services.

8. Consider avenues to create incentives for land conservation through zoning and subdivision laws to preserve various significant archaeological, ecological, historical, wildlife, and scenic sites that have been recognized in the county as unique and important to preserve.

9. Minimize the creation of lots that cannot receive the appropriate sanitary services.

10. Maintain the Alpine Village zoning district to provide adequate design and development standards for the high-density recreational community with steep slopes and heavy snowfall at elevations above 3500'.

11. Urban development is better suited in urban areas. Idaho Code 67-6502 (a through m) promotes the health, safety and general welfare of the people of the state. Subsection (f) encourages urban and urban type development within incorporated cities. All nine cities within the county provide or are associated with urban water and sewer systems which allow and depend on higher density to make the services fiscally feasible and sustainable.

12. Due to the wildfire threat in the county, consider evacuation routes when making land use decisions and updating land use code.

13. The mapping of land use designations should have homogeneity with the surrounding area. Areas have specific, individual land use designations which results in homogeneity across the landscape. Islands of different land use designations defy the sense of rural context, especially if the land uses are markedly dissimilar.

14. The land uses describe the general uses and characteristics of each of the map designations. Since the Comprehensive Plan Map covers approximately 1.1 million acres, the map is general in nature, and it is recognized that some areas may have or may lack features and characteristics that cause them to differ somewhat from what is in their land use description. It is not reasonable to expect that every parcel within a land use designation will conform to every detail of the geographic characteristics of the area as a whole.

In Conflict

Evidence in the Record:

Policies #1,#6,#9, #13.

1. The dividing of property does not preserve the agricultural/ forestry lands in the county. This proposal conflicts in that will divide land into smaller parcels and once that is done the land is never returned to a larger parcels.

6. There is enough land existing inventory in the county according to the land use projection map for development so we shouldn't allow for anymore.

9. The applicant did not provide any studies demonstrating if the land could accommodate sanitary services.

13. The proposal does not fit with the surrounding area. As most of the land around the proposal is agricultural/ forestry land.

Natural Resources

Policies:

1. Institute best management practices for waterway setbacks to reduce erosion and sedimentation into waterways.

2. Design development standards that encourage clustered development resulting in the preservation of open space and wildlife habitat.

3. Recognize critical wildlife habitats, as identified by US Fish and Wildlife, and create development standards to protect these areas and mitigate development impacts to these habitats.

4. Protect water quality by creating standards for development in close proximity to shorelines.

5. Provide a copy (physical copy or digital link) of the Lake Assist Guidebook to property owners or their representatives applying for a building location permit on

shoreline properties. Make a digital link to the Guidebook available via the Planning Department web page.

6. Implement shoreline development land use regulations that address those areas where the County can enforce such regulations effectively.

7. To the extent of the County's jurisdiction, and consistent with the Clean Water Act, protect delineated wetlands.

8. Identify and protect productive farmland, timberland and mining lands from adverse effects of adjoining developments.

In Conflict

Evidence in the Record:

Policies #7, #8

7. The development of wetlands will not protect wildlife.

8. Once agricultural/ forestry lands are divided and developed that those larger parcels are gone forever.

Hazardous Areas

Policies:

1. Adopt flood mitigation standards that meet or exceed the National Flood Insurance Program minimum requirements.

2. Discourage residential, commercial or industrial development within floodways.

3. Discourage fill within the floodplain.

4. Integrate the county's wildland fire policies and plans into development standards.

5. Identify and discourage developments on excessive slopes with lower density zoning in these areas.

6. Establish regulation and development densities of new development in floodplains. Regulate the location and density of new development in floodplains to reduce the potential for the loss of lives and property in those areas.

7. Land divisions should be designed to reduce exposure to wildland fire and to provide for adequate ingress and egress routes as determined by the applicable Fire Authority Having Jurisdiction.

8. Discourage the issuance of building location permits within areas of excessive slopes, unstable areas and avalanche zones.

N/A

Evidence in the Record:

Public Services, Facilities and Utilities

Policies:

1. Encourage high-density development to take place within the boundaries of existing sewer and water districts with adequate capacity.
2. Seek comments 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. 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.
4. New development should be adequately served by fire protection, roads, sanitary services, schools, law enforcement, ambulance, power and emergency services, and other public services as determined by the relevant service provider.
5. Require developers to provide infrastructure, utilities or financial support to offset the capital costs of expansion of services required by the proposed development.
6. Require adequate provisions for future utility services in areas of commercial, industrial, residential or other similar uses.

In Conflict

Evidence in the Record:

Policies #2, #6

2. Kootenai- Ponderay Sewer District commented that they are not extending services to the area of the proposal.
6. The sewer district and Oden water association has no plans on expansion of services. This request is for increase in density without proof of services.

Transportation

Policies:

1. Develop and regularly update a long-term County highway system plan 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. Discourage development in areas that are not served by county standard roads or where transportation is inadequate.
3. Future development should not adversely impact the existing County highway system by significantly reducing the quality or level of service or creating hazards or congestion.
4. Roads are encouraged to be built to County Standards and at the expense of the developer.
5. Roads within new development should provide adequate access for fire and emergency vehicles as well as routes of escape.
6. Future access roads should be designed and built to integrate with the State and County systems of roads without overburdening the County highway system.
7. Encourage cluster development to reduce transportation costs, road building and environmental impacts.
8. The county intends for certain intense land use developments to provide hard surfaced roads.
9. Consider bike ways and pedestrian paths in development plans to provide an integrated community County highway system wherever possible.
10. To communicate and work cooperatively with other jurisdictions within the county to ensure the best possible flow of traffic county-wide.

Not In Conflict

Evidence in the Record:

4. The roads are Bonner County owned and maintained.
5. This proposal is not for development. Emergency access will be addressed at a later date.

Recreation

Policies:

1. Develop a waterways and public land 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. Protect and encourage public and private recreational opportunities as an important asset that supports a key segment of the County's economy.

3. Consider a plan for a system of green belts and pathways (bike and pedestrian) as areas developed, so that a connected system can be developed and preserved. Under no circumstances will the County require recreational access easements on private property as a condition of development. This policy does not preclude providing voluntary incentives to developers in return for recreational access easements.

4. Ensure the public's legal recreational accesses and amenities are not obstructed or adversely impacted by future development.

5. Adverse impacts of recreational development on adjacent neighborhoods should be mitigated.

Not In Conflict

Evidence in the Record:

N/A

Special Areas or Sites

Policies:

1. Develop a generalized map of the known pre-historic and historic sites 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. Implement roadside development standards for recognized scenic byways to protect the view sheds.

3. Recognize and address Special areas when development is proposed in these areas.

4. Confirm if historical structures or sites exist within a land use application area, and if identified coordinate with the applicable agency.

Not In Conflict

Evidence in the Record:

Housing**Policies:**

1. Enable development of a variety of housing options including manufactured home parks, and tiny home communities located in areas that are compatible with their density.
2. Coordinate with municipalities and private parties to explore solutions for various types of housing projects and developments in areas appropriate for their level of density.
3. Encourage clustering of housing in developments to save on infrastructure and transportation costs through mechanisms such as density bonuses.
4. Provide opportunities for assisted living and group shelters.
5. Enable temporary and seasonal employee labor housing in direct proximity to agricultural, commercial, recreational, and industrial uses or where infrastructure and emergency services support those uses.

Not In Conflict

Evidence in the Record:

Community Design**Policies:**

1. To promote and preserve the natural features and rural atmosphere of the community, enact development standards that address development within scenic byways and design standards that account for waterfront setbacks, 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 the unique environmental conditions of waterfront and mountaintop developments which may differ from standard design objectives.
4. Locate new development in areas with similar densities and compatible uses.
5. The adverse impacts of new development on adjacent areas should be minimized.
6. Consider the protection of natural resources, rural features and surrounding uses of the community in the design and location of new development.

In Conflict

Evidence in the Record:
Policies #1, #4, #5, #6

#1, #5, #6. If homes are built the light pollution from the homes will detract from the dark skies.

#4. The proposed density will not be similar to the densities that are currently found in the area of the proposal.

Agriculture**Policies:**

1. Continue allowing residential uses consistent with the allowable density in Agricultural zoning districts.
2. Protect agricultural uses and activities from land use conflicts or interference created by residential, commercial or industrial development
3. Enable farm-based family businesses on agricultural parcels with land use regulations. Examples include farm stands and other agri-business pursuits.
4. The County acknowledges the provisions of Idaho State's Right to Farm Act. Those shall be considered in the land use decisions.
5. Support the local economy by encouraging production, distribution, and retail sales of locally grown food and other agricultural products.
6. Protect environmental quality so that agriculture continues to be a viable use in the County.

In Conflict

Evidence in the Record:

Policy #2

2. This proposal does not protect agricultural uses and activities. This proposal would fragment farming lands of Bonner County.