



Bonner County Planning Department

"Protecting property rights and enhancing property value"

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April 22, 2026

Hilary & Jed Petterson
298 Red Cedar Lane
Sandpoint, ID 83864

Subj: File CUP0010-25 – Conditional Use Permit – Private School

Encl: (1) File CUP0010-25 Reasoning Statement (2) CUP0010-25 Staff Report (3) Comprehensive Plan Worksheet

Dear Applicant,

The Bonner County Zoning Commission at the April 9, 2026, hearing approved the referenced application.

DECISION TO APPROVE: I, Commissioner Mauk, move to approve this project, FILE CUP0010-25, for a Private School, located in Section 25, Township 58 North, Range 1 West, Boise Meridian, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1

The proposed conditional use permit **is not** in conflict with the policies of the Comprehensive Plan.

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth in BCRC Title 12 - Chapter 3, Subchapter 3.3; Subchapter 3.4, Chapter 4, Subchapter 4.2, 4.3, 4.4, 4.5 and 4.6; Chapter 7, Subchapter 7.2 Bonner County Revised Code, and **was** found to be in compliance.

Conclusion 3

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

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct

planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code § 67-6535, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken to obtain the approval of the Conditional Use Permit is to complete the Conditions of Approval as adopted.

Commissioner Pound seconded the motion.

Role Call Vote:

Commissioner Johnson- Yay

Commissioner Poulsen- Yay

Commissioner Pound- Yay

Commissioner Mauk- Yay

Motion Passes, unanimously.

Conditions of Approval

Standard continuing permit conditions. To be met for the life of the use:

- A-1** The use shall be developed and shall be operated in accordance with the approved site plan.
- A-2** This Conditional Use Permit shall not supersede deed restrictions.
- A-3** All county setbacks shall be met, unless otherwise noted.
- A-4** Conditional Use Permit approval shall expire if the permit has not been issued within two (2) years from the date of approval, or if issued, if the use has not commenced within two (2) years from the date of issuance. At any time prior to the expiration date of the conditional use permit, an applicant may make a written request to the planning director for a single extension of the conditional use permit for a period up to two (2) years. The Zoning Commission at any regular meeting, or board at any regular meeting, may consider the request for extension. The extension request must be approved or denied prior to the expiration date of the conditional use permit.
- A-5** The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing

activities and shall maintain thereafter all permanent erosion control and stormwater management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved.

- A-6** The use shall maintain continuing compliance with the performance standards of BCRC 12-421 as found in this staff report.
- A-7** Landscaping shall be provided if any new development is to occur, as found in the staff report.
- A-8** All new proposed structures shall obtain Building Location Permits, as required by Title 11 of Bonner County Revised Code.
- A-9** Any modifications to this project shall be subject to standards set forth in Title 12, Bonner County Revised Code.
- A-10** The use shall follow BCRC 12-7.2 Grading, Stormwater Management and erosion control measures.
- A-11** Hours of operation shall be 8am-6pm.
- A-12** No amplified sounds within the general education area as found on the site plan during program days associated with school functions or activities.
- A-13** Each class sizes shall not exceed 24 students.
- A-14** The site plan shall meet BCRC 12-432(B), Minimum off street parking requirements.

Conditions to be met prior to issuance:

- B-1** Red Cedar Lane shall be constructed to Appendix A private road standard from Lower Pack River Road to the applicant's property entrance. The improvements shall be inspected and approved by Bonner County Road & Bridge Department.
- B-2** The applicant shall obtain a commercial encroachment permit from Bonner County Road & Bridge Department.
- B-3** The applicant shall submit and revised site plan indicating the parking area is meeting BCRC 12-432(B) and BCRC 12-453(C).

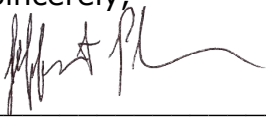
Bonner County Revised Code, Section 12-262, provides an opportunity for affected persons to appeal Zoning Commission decisions with the Planning Director within 28 days after the final written decision of the Zoning Commission has been issued. Any such appeal must be submitted in accordance with the referenced code section

no later than **5:00 p.m., May 20 2026.** **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,

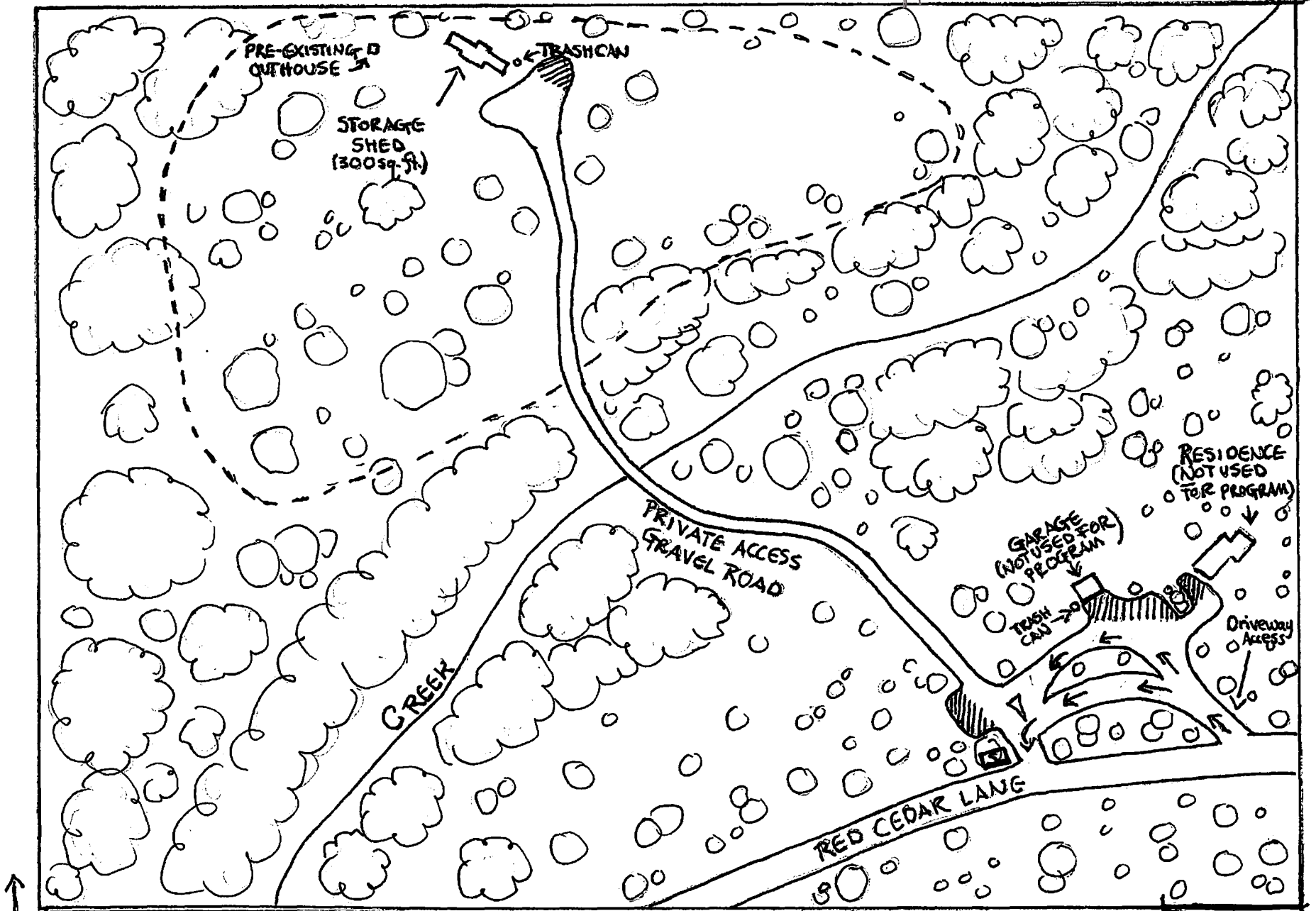


Jeffrey Poulsen, Chair
Zoning Commission

298 RED CEDAR LANE SITE PLAN

Revised Site Plan
Received 2.3.26

APPROVED 4/22/2026



SUBJECT PROPERTY BOUNDARY
(15 ACRES)

KEY

- - - - = GENERAL OUTDOOR EDUCATION AREA
- [Hatched Box] = PARKING AREAS
- [Tree Symbols] = TREES / FORESTED AREA
- [Box with 'S'] = SIGN - NTS ONLY ON PROGRAM DAYS

SCALE
1" = 100'

LAND USE DECISION-MAKING WORKSHEET

CONDITIONAL USE PERMIT

SCHOOLS, PUBLIC AND PRIVATE



Idaho Code §67-6535 (2): *The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.*

BCRC 12-223: The Zoning Commission or Hearing Examiner shall review the particular facts and circumstances of each proposal submitted. To grant a conditional use permit, the Zoning Commission or Hearing Examiner must find that the proposal is not in conflict with the policies of the comprehensive plan, as found in the adopted Implementation Component, and that the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.

Is not in conflict
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission:
Subject to "B Conditions" being met as found in the decision letter.

12-221: GENERAL PROVISIONS:

A. There are certain land uses that possess unique characteristics relative to location, design, size, method of operation, circulation and public facilities that each specific use must be considered individually. These uses are provided for as conditional uses in this subchapter.

12-222: APPLICATION, CONTENTS:

An application for a conditional use permit must be submitted to the Planning Department. At a minimum, the application shall contain the following information:

- A. Name, address and phone number of applicant.
- B. Authorized signature of at least one owner of the property for which the conditional use permit is proposed.
- C. Legal description of property.
- D. Applicant's interest in title.

- E. Description of existing use.
- F. Zoning district in which property is located.
- G. Description of proposed conditional use requested.
- H. A narrative statement that addresses:
 - 1. The effects of elements such as noise, glare, odors, fumes and vibrations on adjoining property.
 - 2. The compatibility of the proposal with the adjoining land uses.
 - 3. The relationship of the proposed use to the comprehensive plan.
- I. A plan of the site, drawn to scale, showing location of all existing and proposed buildings, parking and loading areas, traffic access and circulation, undisturbed areas, open spaces, landscaping, refuse and service areas, utilities, signs and yards.
- J. Reserved. (Ord. 583, 12-5-2018)
- K. A "vicinity map", as defined in section [12-822](#) of this title, sufficient to show the impact of the proposal commensurate with the scale of the project.

Staff: The applicant submitted the information required in BCRC 12-222 A-K, at the time of application on December 31, 2025.

Zoning Commission:

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopt the staff analysis as written in the staff report.

BCRC 12-335 Public Use Table 3-5

Use	Zoning District								
	F	A/F	R	S	C	I	RSC	REC	AV
Schools, public and private (9)		C(3)	C	C	C		C	C	C

(3) Where access to the site is by road, the road shall be located within a recorded easement or public right-of-way, and constructed to the appropriate standard set forth in title 2 of this Code or [appendix A](#) of this title, except where subject to the terms of an approved special use permit issued by a State or Federal agency.

Staff: Red Cedar Lane is a Bonner County owned and privately maintained gravel right of way. The travel surface varies is width from ±16' to 20'. Appendix A for a new road requires road width to be 22' and the travel surface to be 20' at minimum. Bonner County Road Standards Manual p. 33 requires a low volume local road to have a roadway width of 26' and travelway width of 22'.

Zoning Commission:

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Subject to "B Conditions" being met as found in decision letter.

(9) Adequate water supplies for drinking and fire suppression, as well as approval of sewage disposal sites and methods by the Panhandle Health District and/or the State of Idaho, must be demonstrated as appropriate.

Staff: On May 26, 2020, the Board of County Commissioners voted and approved Ordinance 603. This Ordinance removed a portion of the requirements of BCRC 11-105(B) Contents of a Building Location Permit, that stated structures that are to be used for commercial, industrial and public use shall provide stamped plans by a licensed architect or engineer in the state of Idaho. Prior to the removal of this section of code this gave the county the information and ability to make the determination on adequate water supply and fire suppression requirements for a structure. These plans would be routed to agencies to review and decide on those requirements would need to be.

No new structures are proposed to be built associated with this request. The applicant has submitted an approved final/as-built septic permit #24-09-08105 from Panhandle Health for the single-family dwelling.

Selkirk Fire submitted a comment that recognizes no new structures are being proposed for this use, therefore was unable to review the request against any standards required for fire suppression. The district however was able to provide some practical examples found in the fire code that classified this request as "group E Occupancy"(see agency comment) based on the information provide in the application. If in the future the applicant decides to build any structures, they will be required to apply for a Modification of Terms per BCRC 12-266. This will give the fire district the opportunity to review the request and decide on adequate water supply for fire suppression requirements. In addition, the fire district will have an opportunity at the time of Building Location Permit to review any proposed structures again.

Idaho Department of Water Resources summitted a comment that the proposed use is not within their jurisdiction but did offer guidance based on Idaho Code 42-111 for adequate water for drinking. The private well serving the current residence on the property will likely satisfy the definition of the domestic and exemption from water right filing with the minimal additional usage contemplated under the CUP.

See Conditions of Approval

Zoning Commission:

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Conditions of Approval and comments from Northside Fire District and Idaho Department of Water Resources support this conclusion.

Subchapter 4.2, BCRC 12-241 Performance standards for all uses:

Staff: The application was reviewed against these standards no deviations have been requested from the Bonner County Revised Code.

Zoning Commission:

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Adopt the staff analysis as written in the staff report.

Subchapter 4.3, BCRC 12-432, Parking standards: Table 4-3 minimum off street parking requirements for public uses requires:

Public Use:	Minimum Requirement	Proximity Of Parking Spaces
Schools (secondary and vocational (3))	1 space/ 3 students and 1 space/employees or teacher	Within 500 feet of the principal use

3. Industrial, institutional and commercial uses shall be provided with off street loading spaces, exclusive of access areas, of not less than 12 feet in width. Loading spaces shall not project into public rights of way or setback areas.

Staff: The proposed use is for a school which is an institutional use, the site plan indicates that the width of the loading zone width is ±14’.

The submitted site plan indicates that the parking area is within ±390’ of the general education area. The applicant shall provide fifteen (15) parking spaces for the use. Eight (8) parking spaces for students, seven (7) parking spaces for employees/teachers. BCRC 12-431(B) states a parking space shall be no less than 200sq.ft. in area, since the use requires fifteen spaces that applicant will need 3000q.ft. for parking. The site plan indicates that ±1800sq.ft. is shown for parking. The project is ±15 acres, there is enough space to add

additional square footage to accommodate for parking. **See Conditions of Approval**

Zoning Commission:

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: A revised site plan shall be submitted indicating the required 3000sq.ft. of parking.

BCRC 12-443 Sign Standards:

- A. Not more than two (2) signs may be installed to identify a business, service, product, person, accommodation or activity. Businesses located on street corners may use up to three (3) signs.
- B. Table 4-4 of this section provides dimensional standards for freestanding signs.

TABLE 4-4

DIMENSIONAL STANDARDS FOR FREESTANDING SIGNS

	Type Of Frontage Road		
	State Highway With Speed Limit Posted 55 Miles Per Hour Or More	All Other State Highways	All Other Roads
Maximum height, measured at grade	10 feet	8 feet	8 feet
Maximum area	64 square feet	50 square feet	40 square feet
Minimum separation of freestanding signs along a street (includes neighboring property)	150 feet	150 feet	100 feet
Landscaping	1 square foot of landscaping around base per sign area per each 0.5 square foot of sign area (see subchapter 4.6 of this chapter for other applicable landscaping standards). A rock or masonry base or other natural landscape materials may be substituted as approved by the planning director.		

Staff: The applicant is proposing a small sign identifying the property that will only be in place on program days. The applicant shall follow the sign standards in BCRC 12-443. **See Conditions of Approval**

Zoning Commission:

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Adopt the staff analysis as written in the staff report.

BCRC 12-4.5, et seq, Design standards:

BCRC 12-451: Applicability: The standards in section [12-453](#) of this chapter shall apply to all new development in the commercial, industrial where commercial uses and services are proposed, and rural service center districts and all other commercial, multi-family, public and industrial development in other zoning districts unless otherwise noted.

BCRC 12-452: Site and building plans: The applicant shall submit site and building plans through the applicable permit process detailed as necessary to demonstrate how the standards in section 12-453 of this chapter have been met.

Staff: As part of this application the applicant has submitted a site plan with this proposal. A building location permit will be required for all new structures as defined in BCRC 11-219 and BCRC 12-819. **See Conditions of Approval**

Zoning Commission:

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Adopt the staff analysis as written in the staff report.

BCRC 12-453 (A) Sidewalks/Pathway Standards:

Provide a sidewalk or pathway paralleling or nearly paralleling the street along the front edge of the property for all new developments and any building addition where the value of the addition equals or exceeds fifty percent (50%) of the market value of the existing structure and/or site improvements as determined by the Bonner County assessor's office over any five (5) year time period.

Staff: This is not applicable as the applicant has not proposed any new development or addition to any existing structure. According to County Assessor's records the combined value of the properties is ± \$367,000. The County Assessor's office was notified of this request.

Zoning Commission:

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Adopt the staff analysis as written in the staff report.

(B) Pedestrian Connections:

Provide walkways connecting all on site commercial and multi-family buildings with each other and the street for all new developments and any building additions where the value of the additions equals or exceeds fifty percent (50%) of the market value of the existing structure and/or site improvements as determined by the Bonner County assessor's office over any five (5) year time period.

Staff: This is not applicable as the request is not for a commercial or multi-family building. In addition no new structure are proposed for this request.

Zoning Commission:

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Adopt the staff analysis as written in the staff report.

(C) Parking Lot Pathways:

Large new or expansion of existing developments must provide specially marked or paved walkways through parking lots. Specifically, walkways should be provided every four (4) rows and a maximum distance of one hundred fifty feet (150') shall be maintained between paths. Parking lots less than one hundred fifty feet (150') wide or long are exempt from this requirement.

Staff: The proposed parking areas are less than 150' wide and long, therefore parking lot pathways are exempt for this standard.

Zoning Commission:

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Pending a new site plan to ensure that the additional square footage required for parking does not exceed the 150' wide or long.

BCRC 12-453(F): Lighting Standards:

1. Lighting shall be directed downward to the intended area to be lighted. All exterior lighting fixtures shall incorporate cutoff shields to prevent spillover into residential areas. Broadcast lighting fixtures that project lighting outward rather than downward are discouraged. Outdoor lighting shall be arranged so that the light is directed downward and away from adjoining properties. Temporary high intensity construction lights should be oriented so as to reduce or eliminate glare onto adjoining properties.
2. Freestanding light fixtures shall be limited to fourteen feet (14') in height.
3. Vehicular roadway and highway lighting shall be subject to the county requirements.
4. Mercury vapor light fixtures are prohibited.
5. When using decorative miniature lighting strings, bulbs larger than eleven (11) watts each shall not be used. Low wattage, light emitting diode devices and other lighting that reduces electrical use is encouraged.
6. Backlit awnings are prohibited.

Staff: The applicant is not proposing any lighting. If the applicant is to install lighting in the future, they shall follow the lighting standards in BCRC 12-453(F). **See Conditions of Approval**

Zoning Commission:

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission:
Adopt the staff analysis as written in the staff report.

BCRC 12-4.6, Landscaping and screening standards:

BCRC 12-461 Applicability: This standard is only applicable for new development in the commercial, industrial and rural service center districts and all other commercial, multi-family, public and industrial development in other districts unless otherwise noted.

12-462: LANDSCAPING PLAN REQUIRED:

A landscape plan shall be submitted with all new development requiring a building location permit, or building permit or conditional use permit.

Staff: The guidelines found in BCRC 12-463(A) encourage applicants to integrate existing trees and other native plants on the property. The applicant

is required to provide a landscaping buffer that is at minimum of fifteen (15) wide adjacent to Red Cedar Lane to screen the proposed parking area as found in BCRC 12-465. The submitted site plan and Bonner County GIS aerial imagery indicate that there is an existing landscaping buffer.

See Conditions of Approval

Zoning Commission:

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission:
Adopt the staff analysis as written in the staff report.

BCRC 12-7.1 Shorelines

BCRC 12-711 Shoreline Setbacks:

- A. The following shoreline setbacks shall apply in all zoning districts:
 1. For lakes, sloughs, ponds or other similar basins, or the Clark Fork or Pend Oreille rivers, or intermittent streams as shown on the national hydrography dataset (NHD), no structure shall be located closer than forty feet (40'), measured horizontally from the "shoreline", as defined in Section [12-819](#) of this title.

Staff: The properties contain an unnamed intermittent mapped stream. No new structures have been proposed for this request. Any new structures shall follow this code section. **See Conditions of Approval**

Zoning Commission:

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission:
Adopt the staff analysis as written in the staff report.

BCRC 12-713 Impervious surface standards near water:

The maximum "impervious surface", as defined in section [12-809](#) of this title, within "shore land" areas, as defined in section [12-819](#) of this title, which are defined as those lands extending landward for two hundred feet (200') in all directions as measured on a horizontal plane from any shoreline, shall be thirty five percent (35%).

Staff: The properties contain an unnamed intermittent mapped stream. No development has been proposed at this time. If any future development is to occur the applicant shall follow this code section. **See Conditions of Approval**

Zoning Commission:

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Adopt the staff analysis as written in the staff report.

BCRC 12-7.2, Grading, stormwater management and erosion control

BCRC 12-720.2 Applicability

The provisions of this subchapter shall be applicable:

D. New building construction which occurs within three hundred feet (300') of any lake, slough, pond, river, stream or intermittent stream shown on the national hydrography dataset (NHD), as published by the United States geological survey, or by actual survey, and which is subject to the provisions of title 11 of this code, as amended.

Staff: A stormwater management plan will be required, pursuant to BCRC 12-720.2(D) **See Conditions of Approval**

Zoning Commission:

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Adopt the staff analysis as written in the staff report.

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

Adopt the staff analysis as written in the staff report.

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.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

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.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

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:

Adopt the staff analysis as written in the staff report.

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.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

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.

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.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

**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.

Not In Conflict

Evidence in the Record:

The proposal will not be in conflict with these polices if B conditions are satisfied.

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.

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:

Adopt the staff analysis as written in the staff report.

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.

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:

Adopt the staff analysis as written in the staff report.

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.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

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.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

**BONNER COUNTY PLANNING DEPARTMENT
ZONING COMMISSION
STAFF REPORT FOR APRIL 9, 2026**



Project Name: Earth Keepers School

File: CUP0010-25 Conditional Use Permit

Request: The applicant is requesting a conditional use permit for a private school.

Legal Description: 25-58N-1W TRACT 11 PENDOR-IDAHO TR UNRECORDED PLATS

Location: 298 Red Cedar Lane

Parcel Number: RP58N01W252501A/ RP58N01W252505A

Parcel Size: (2) 7.5-acres

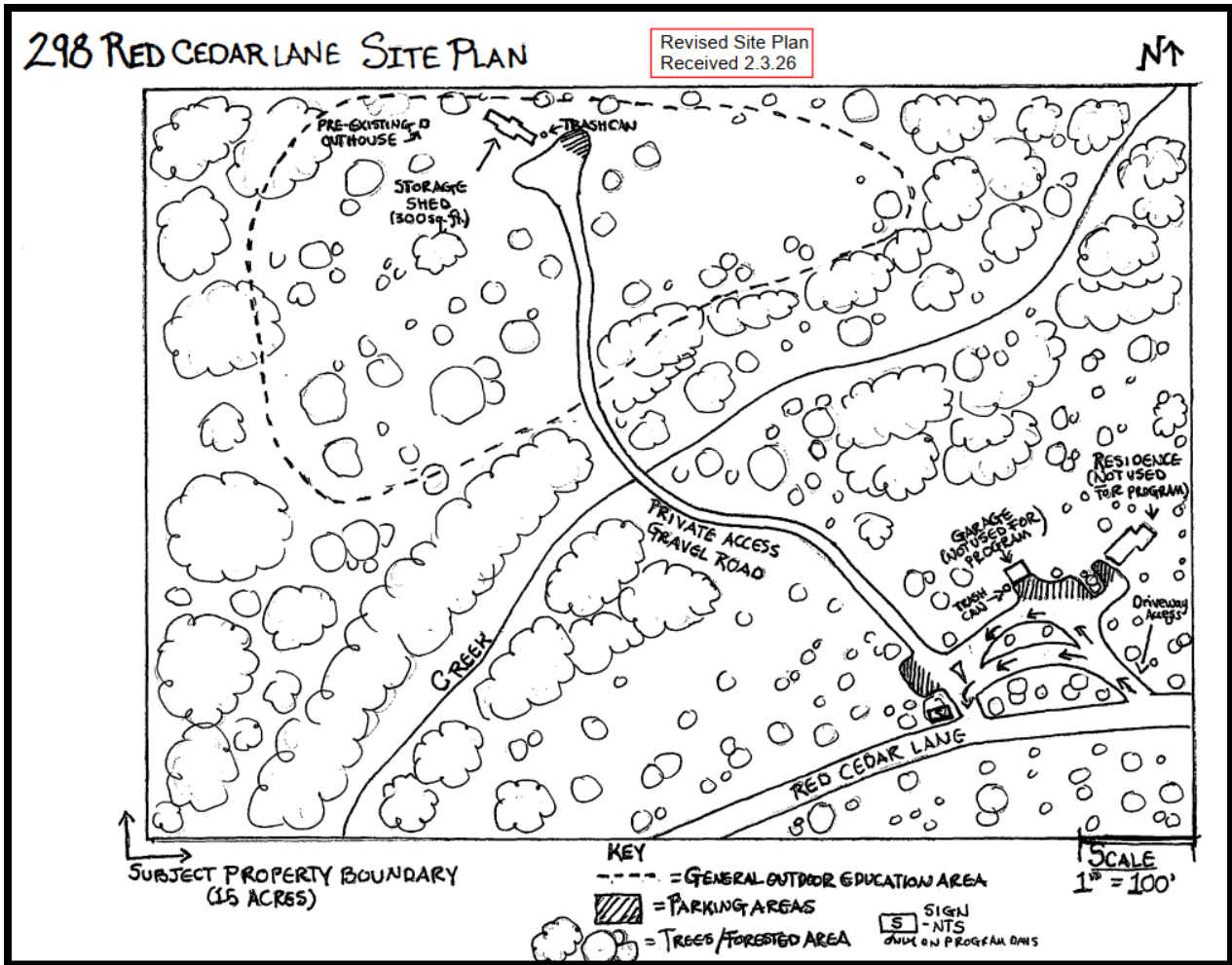
Applicant and Property Owner: Hilary & Jed Petterson
298 Red Cedar Lane
Sandpoint, ID 83864

Project Representatives: N/A

Application filed: December 31, 2025

Notice provided: Mail: March 3, 2026
Site Posting: March 3, 2026
Published in newspaper : March 3, 2026

Appendices Appendix A Agency Noticing
Appendix B Agency Comment



Project summary:

The applicant is requesting a conditional use permit for a private school offering, nature-based outdoor education program serving homeschool students. The site is located on Red Cedar Lane and is ±15 acres. The current zoning assigned to the parcel is A/F-20. The site is currently developed with a single-family dwelling and a storage shed.

Applicable laws:

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

- BCRC 12-220, et seq, Conditional use permit, application and standards
- BCRC 12-335, Schools, public and private
- BCRC 12-4.2, Performance standards for all uses
- BCRC 12-4.3, Parking standards
- BCRC 12-4.4, Sign standards
- BCRC 12-4.5, Design standards
- BCRC 12-4.6, Landscaping and screening standards

Background:

A. Site data:

- Two (2) unplatted parcels
- Size: ±15 acres total
- Zone: A/F-20
- Land Use: Ag/ Forest Land

B. Access:

- Red Cedar Lane is a gravel Bonner County owned and privately right-of-way.

C. Environmental factors:

- Site does contain mapped slopes of 0-≥30% grade. (USGS)
- Site does contain mapped wetlands. (USFWS)
- Site does contain a mapped intermittent stream.
- KS 03/11/2026: RP58N01W252505A & RP58N01W252501A are within SFHA Zone X per FIRM Panel Number 16017C0735E, Effective Date 11/18/2009. No further floodplain review is required on this proposal.

D. Services:(per applicant)

- Water: Individual well
- Sewage: Individual septic system
- Fire: Northside Fire District
- Power: Northern Lights Inc.
- School District: Lake Pend Oreille School District #84

E. Comprehensive Plan, Zoning and Current Land Use:

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Ag/Forest Land	A/F-20	Residential/ (2) 7.5 acres
North	Ag/Forest Land	A/F-20	Residential/ 18.4 & 10.83 acres
East	Ag/Forest Land	A/F-20	Residential/ 12.34 acres
South	Ag/Forest Land	A/F-10	Residential/Vacant- (2) 7.5 acres
West	Ag/Forest Land	A/F-20	Vacant- 39.80 acres

F. Agency Review

Agencies and taxing districts were notified of this application on March 3, 2026. A full list of the public agencies can be found in the attached Appendix A. Agency comments can be found in the attached Appendix B.

The following agencies provided comment:

- Bonner County Road & Bridge Department
- Idaho Department of Water Resources

- Panhandle Health District
- Selkirk Fire Rescue & EMS

The following agencies replied “No comment”:

- Idaho Transportation Department
- Kootenai Ponderay Sewer District
- Idaho Department of Environmental Quality

All other agencies did not reply.

Public Notice & Comments

As the date of this staff report, public comments were received on the request.

Standards Review and Staff Analysis:

BCRC 12-220, This subchapter establishes criteria for conditional uses in a zoning district.

12-222: APPLICATION, CONTENTS:

An application for a conditional use permit must be submitted to the Planning Department. At a minimum, the application shall contain the following information:

- A. Name, address and phone number of applicant.
- B. Authorized signature of at least one owner of the property for which the conditional use permit is proposed.
- C. Legal description of property.
- D. Applicant's interest in title.
- E. Description of existing use.
- F. Zoning district in which property is located.
- G. Description of proposed conditional use requested.
- H. A narrative statement that addresses:
 1. The effects of elements such as noise, glare, odors, fumes and vibrations on adjoining property.
 2. The compatibility of the proposal with the adjoining land uses.
 3. The relationship of the proposed use to the comprehensive plan.
- I. A plan of the site, drawn to scale, showing location of all existing and proposed buildings, parking and loading areas, traffic access and circulation, undisturbed areas, open spaces, landscaping, refuse and service areas, utilities, signs and yards.
- J. Reserved. (Ord. 583, 12-5-2018)
- K. A "vicinity map", as defined in section [12-822](#) of this title, sufficient to show the impact of the proposal commensurate with the scale of the project.

Staff: The applicant submitted the information required in BCRC 12-222 A-K, at the time of application on December 31, 2025.

BCRC 12-223: The Zoning Commission or Hearing Examiner shall review the particular facts and circumstances of each proposal submitted. To grant a conditional use permit, the Zoning Commission or Hearing Examiner must find that the proposal

is not in conflict with the policies of the comprehensive plan, as found in the adopted Implementation Component, and that the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.

BCRC 12-335 Public Use Table 3-5

Use	Zoning District								
	F	A/F	R	S	C	I	RSC	REC	AV
Schools, public and private (9)		C(3)	C	C	C		C	C	C

(3) Where access to the site is by road, the road shall be located within a recorded easement or public right-of-way, and constructed to the appropriate standard set forth in title 2 of this Code or appendix A of this title, except where subject to the terms of an approved special use permit issued by a State or Federal agency.

Staff: Red Cedar Lane is a Bonner County owned and privately maintained gravel right of way. The travel surface varies is width from ±16’ to 20’. Appendix A for a new road requires road width to be 22’ and the travel surface to be 20’ at minimum. Bonner County Road Standards Manual p. 33 requires a low volume local road to have a roadway width of 26’ and travelway width of 22’.

(9) Adequate water supplies for drinking and fire suppression, as well as approval of sewage disposal sites and methods by the Panhandle Health District and/or the State of Idaho, must be demonstrated as appropriate.

Staff: On May 26, 2020, the Board of County Commissioners voted and approved Ordinance 603. This Ordinance removed a portion of the requirements of BCRC 11-105(B) Contents of a Building Location Permit, that stated structures that are to be used for commercial, industrial and public use shall provide stamped plans by a licensed architect or engineer in the state of Idaho. Prior to the removal of this section of code this gave the county the information and ability to make the determination on adequate water supply and fire suppression requirements for a structure. These plans would be routed to agencies to review and decide on those requirements would need to be.

No new structures are proposed to be built associated with this request. The applicant has submitted an approved final/as-built septic (Permit #24-09-08105) from Panhandle Health for the single-family dwelling. Panhandle Health District commented that the applicant has an approved Privy Permit (Permit #26-09-12551), this satisfies the adequate sewage disposal.

Selkirk Fire submitted a comment that recognizes no new structures are being proposed for this use, therefore was unable to review the request against any standards required for fire suppression. The district however was able to

provide some practical examples found in the fire code that classified this request as "group E Occupancy" (see agency comment) based on the information provide in the application. If in the future the applicant decides to build any structures, they will be required to apply for a Modification of Terms per BCRC 12-266. This will give the fire district the opportunity to review the request and decide on adequate water supply for fire suppression requirements. In addition, the fire district will have an opportunity at the time of Building Location Permit to review any proposed structures again.

Idaho Department of Water Resources submitted a comment that the proposed use is not within their jurisdiction but did offer guidance based on Idaho Code 42-111 for adequate water for drinking. The private well serving the current residence on the property will likely satisfy the definition of the domestic and exemption from water right filing with the minimal additional usage contemplated under the CUP.

See Conditions of Approval

Subchapter 4.2, BCRC 12-241 Performance standards for all uses:

Staff: The application was reviewed against these standards no deviations have been requested from the Bonner County Revised Code.

Subchapter 4.3, BCRC 12-432, Parking standards: Table 4-3 minimum off street parking requirements for public uses requires:

Public Use:	Minimum Requirement	Proximity Of Parking Spaces
Schools (secondary and vocational) (3)	1 space/ 3 students and 1 space/employees or teacher	Within 500 feet of the principal use

3. Industrial, institutional and commercial uses shall be provided with off street loading spaces, exclusive of access areas, of not less than 12 feet in width. Loading spaces shall not project into public rights of way or setback areas.

Staff: The proposed use is for a school which is classified as public use, therefore this standard is not applicable to this request.

The submitted site plan indicates that the parking area is within ±390' of the general education area. The applicant shall provide fifteen (15) parking spaces for the use. Eight (8) parking spaces for students, seven (7) parking spaces for employees/teachers. BCRC 12-431(B) states a parking space shall be no less than 200sq.ft. in area, since the use requires fifteen spaces that applicant will need 3000q.ft. for parking. The site plan indicates that ±1800sq.ft. is shown for parking. The project is ±15 acres, there is enough space to add

additional square footage to accommodate for parking. **See Conditions of Approval**

BCRC 12-443 Sign Standards:

- A. Not more than two (2) signs may be installed to identify a business, service, product, person, accommodation or activity. Businesses located on street corners may use up to three (3) signs.
- B. Table 4-4 of this section provides dimensional standards for freestanding signs.

TABLE 4-4

DIMENSIONAL STANDARDS FOR FREESTANDING SIGNS

	Type Of Frontage Road		
	State Highway With Speed Limit Posted 55 Miles Per Hour Or More	All Other State Highways	All Other Roads
Maximum height, measured at grade	10 feet	8 feet	8 feet
Maximum area	64 square feet	50 square feet	40 square feet
Minimum separation of freestanding signs along a street (includes neighboring property)	150 feet	150 feet	100 feet
Landscaping	1 square foot of landscaping around base per sign area per each 0.5 square foot of sign area (see subchapter 4.6 of this chapter for other applicable landscaping standards). A rock or masonry base or other natural landscape materials may be substituted as approved by the planning director.		

Staff: The applicant is proposing a small sign identifying the property that will only be in place on program days. The applicant shall follow the sign standards in BCRC 12-443. **See Conditions of Approval**

BCRC 12-4.5, et seq, Design standards:

BCRC 12-451: Applicability: The standards in section [12-453](#) of this chapter shall apply to all new development in the commercial, industrial where commercial uses and services are proposed, and rural service center districts and all other commercial, multi-family, public and industrial development in other zoning districts unless otherwise noted.

BCRC 12-452: Site and building plans: The applicant shall submit site and building plans through the applicable permit process detailed as necessary to demonstrate how the standards in section 12-453 of this chapter have been met.

Staff: As part of this application the applicant has submitted a site plan with this proposal. A building location permit will be required for all new structures as defined in BCRC 11-219 and BCRC 12-819. **See Conditions of Approval**

BCRC 12-453 (A) Sidewalks/Pathway Standards:

Provide a sidewalk or pathway paralleling or nearly paralleling the street along the front edge of the property for all new developments and any building addition where the value of the addition equals or exceeds fifty percent (50%) of the market value of the existing structure and/or site improvements as determined by the Bonner County assessor's office over any five (5) year time period.

Staff: This is not applicable as the applicant has not proposed any new development or addition to any existing structure. According to County Assessor's records the combined value of the properties is ± \$367,000. The County Assessor's office was notified of this request.

(B) Pedestrian Connections:

Provide walkways connecting all on site commercial and multi-family buildings with each other and the street for all new developments and any building additions where the value of the additions equals or exceeds fifty percent (50%) of the market value of the existing structure and/or site improvements as determined by the Bonner County assessor's office over any five (5) year time period.

Staff: This is not applicable as the request is not for a commercial or multi-family building. In addition no new structure are proposed for this request.

(C) Parking Lot Pathways:

Large new or expansion of existing developments must provide specially marked or paved walkways through parking lots. Specifically, walkways should be provided every four (4) rows and a maximum distance of one hundred fifty feet (150') shall be maintained between paths. Parking lots less than one hundred fifty feet (150') wide or long are exempt from this requirement.

Staff: The proposed parking areas are less than 150' wide and long, therefore parking lot pathways are exempt for this standard.

BCRC 12-453(F): Lighting Standards:

1. Lighting shall be directed downward to the intended area to be lighted. All exterior lighting fixtures shall incorporate cutoff shields to prevent spillover into residential areas. Broadcast lighting fixtures that project lighting outward rather than downward are discouraged. Outdoor lighting shall be arranged so that the light is directed downward and away from adjoining properties. Temporary high intensity construction lights should be oriented so as to reduce or eliminate glare onto adjoining properties.
2. Freestanding light fixtures shall be limited to fourteen feet (14') in height.
3. Vehicular roadway and highway lighting shall be subject to the county requirements.

4. Mercury vapor light fixtures are prohibited.
5. When using decorative miniature lighting strings, bulbs larger than eleven (11) watts each shall not be used. Low wattage, light emitting diode devices and other lighting that reduces electrical use is encouraged.
6. Backlit awnings are prohibited.

Staff: The applicant is not proposing any lighting. If the applicant is to install lighting in the future, they shall follow the lighting standards in BCRC 12-453(F). **See Conditions of Approval**

BCRC 12-4.6, Landscaping and screening standards:

BCRC 12-461 Applicability: This standard is only applicable for new development in the commercial, industrial and rural service center districts and all other commercial, multi-family, public and industrial development in other districts unless otherwise noted.

12-462: LANDSCAPING PLAN REQUIRED:

A landscape plan shall be submitted with all new development requiring a building location permit, or building permit or conditional use permit.

Staff: The guidelines found in BCRC 12-463(A) encourage applicants to integrate existing trees and other native plants on the property. The applicant is required to provide a landscaping buffer that is at minimum of fifteen (15) wide adjacent to Red Cedar Lane to screen the proposed parking area as found in BCRC 12-465. The submitted site plan and Bonner County GIS aerial imagery indicate that there is an existing landscaping buffer.

See Conditions of Approval

BCRC 12-7.1 Shorelines

BCRC 12-711 Shoreline Setbacks:

A. The following shoreline setbacks shall apply in all zoning districts:

1. For lakes, sloughs, ponds or other similar basins, or the Clark Fork or Pend Oreille rivers, or intermittent streams as shown on the national hydrography dataset (NHD), no structure shall be located closer than forty feet (40'), measured horizontally from the "shoreline", as defined in Section [12-819](#) of this title.

Staff: The properties contain an unnamed intermittent mapped stream. No new structures have been proposed for this request. Any new structures shall follow this code section. **See Conditions of Approval**

BCRC 12-713 Impervious surface standards near water:

The maximum "impervious surface", as defined in section [12-809](#) of this title, within "shore land" areas, as defined in section [12-819](#) of this title, which are defined as

those lands extending landward for two hundred feet (200') in all directions as measured on a horizontal plane from any shoreline, shall be thirty five percent (35%).

Staff: The properties contain an unnamed intermittent mapped stream. No development has been proposed at this time. If any future development is to occur the applicant shall follow this code section. **See Conditions of Approval**

BCRC 12-7.2, Grading, stormwater management and erosion control

BCRC 12-720.2 Applicability

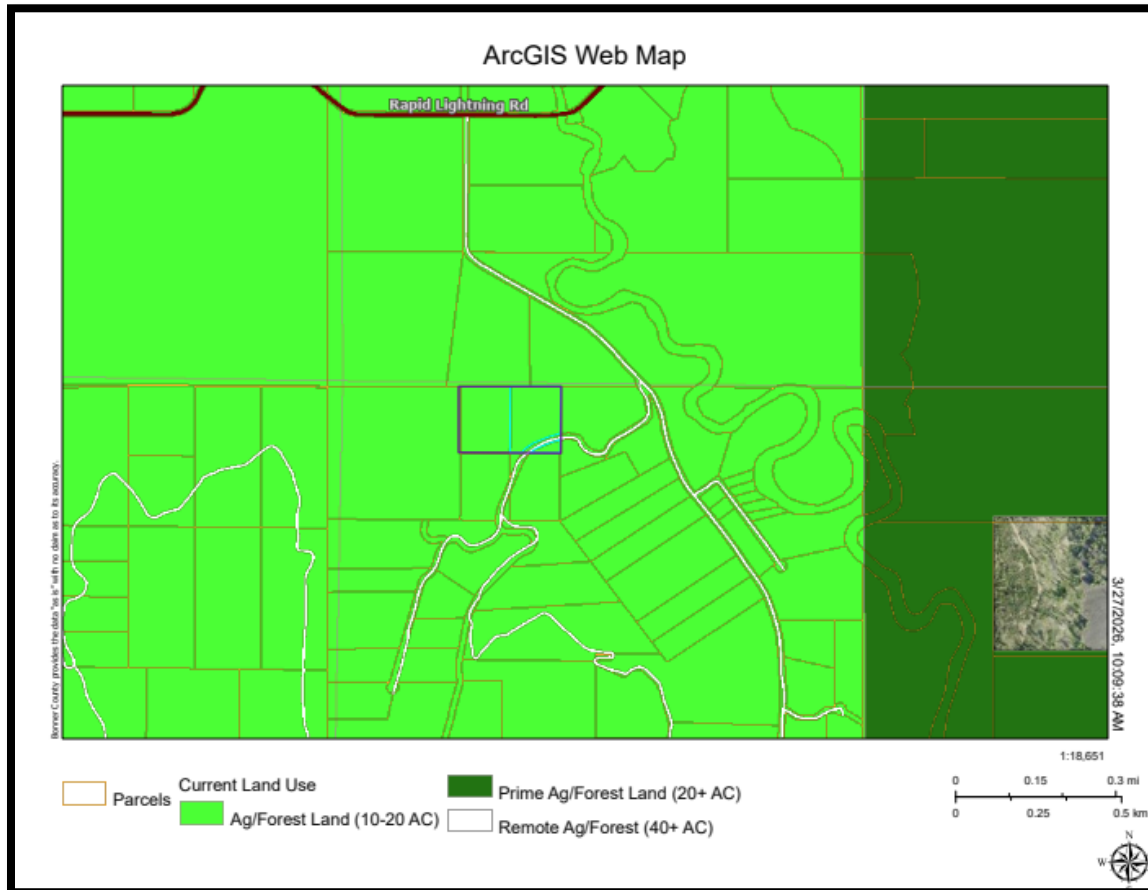
The provisions of this subchapter shall be applicable:

D. New building construction which occurs within three hundred feet (300') of any lake, slough, pond, river, stream or intermittent stream shown on the national hydrography dataset (NHD), as published by the United States geological survey, or by actual survey, and which is subject to the provisions of title 11 of this code, as amended.

Staff: A stormwater management plan will be required, pursuant to BCRC 12-720.2(D) **See Conditions of Approval**

G. Comprehensive Plan Land Use Designation:

Ag/Forest Land:



The Ag/Forest Land designation recognizes areas where steeper slopes prevail (30% or greater) and transportation is provided by private roads or U.S. Forest Service or state roads. Urban services are not available and residential development challenges are present due to slope, poor soil conditions, hazard areas and lack of police or fire services.

Comprehensive Plan Analysis:

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.

Staff: The zoning code allows schools to be conditionally permitted in the Agricultural District. The proposed use appears to be intended to educate future generations.

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.

Staff: The 2020 census placed Bonner County's population at 47,110. Bonner County, established in 1907, now has over 100 years of population data. The county grew by fewer than 2,000 people over the first 60 years of its existence. Between 1990 and 2000, Bonner County increased in population by 38.4 percent, but by the 2010 census, the growth slowed to an 11 percent increase over 10 years. From 2010 to 2020 the population grew by 13 percent and the estimated increase from 2020 to 2021 was 3.4 percent or 49,491. New housing is not proposed for this use. Title 12 of the county code does not require a trip generation study be submitted at the time of application, therefore impacts to the transportation system at this time are unknown.

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.

Staff: Lake Pend Oreille School District #84 and School Transportation that serves the properties, were notified of this request. The district did not comment if this request will affect the district's ability to provide adequate school services (and facilities) for new and existing students. The Transportation department did not provide a comment. Bonner County currently assesses property taxes; a portion of that revenue goes to the school's general fund.

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.

Staff: Bonner County's land use regulations provide a comprehensive framework that supports small-scale businesses, preserves agricultural heritage, promotes sustainable development, and facilitates the integration of employee housing with commercial, industrial, and agricultural uses. The county's approach balances the needs of diverse land uses while addressing potential impacts on the community and environment, fostering a vibrant and sustainable future for its residents. The proposed use could add to the tax base for the state and Bonner County.

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.

Staff: The proposal is for public use and not commercial or industrial development. Bonner County Revised code allows for schools to be conditionally permitted in the Agricultural/ Forestry District.

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.

Staff: Bonner County has adopted and implemented regulations that protect waterways and wetlands from pollution, erosion and sedimentation. There is a intermittent stream on the properties however no development is proposed at this time.

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.

Staff: The parcels do contain mapped slopes of 0-≥30% grade. According to the Avalanche Hazards map found in the Hazardous Component (p.7) this area is mapped as low avalanche danger. The parcels are not within a mapped floodway or floodway. Furthermore, emergency services are provided to this parcel by the Northside Fire District and Bonner County Sheriff's Department.

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.

Staff: The proposal is not within a water or sewer district, furthermore no development is being proposed on the properties. Panhandle Health District does require a permit for a pit privy(outhouse). The properties are afforded emergency services by Bonner County EMS, Bonner County Sheriff's Department, and Northside Fire District. Northside Fire commented with concerns with the proposal.

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.

Staff: The properties are currently adjacent and accessed off Bonner County owned roads. No new development is proposed for this use. However, an increase in traffic is anticipated with the proposal. Bonner County Road & Bridge Department commented that the applicants will need to upgrade their encroachment permit.

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.

Staff: The proposal will create private recreational opportunities. Access to recreational opportunities that currently exist both publicly and privately within the county are anticipated to remain the same.

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.

Staff: Bonner County has not developed or adopted a map that identifies pre-historic or historic sites. There are adopted scenic byways in the county, however this proposal is not adjacent to one. No agency that was notified of this request indicated any historical structures or sites on this parcel.

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.

Staff: This proposal is not anticipated to have a direct impact on housing in Bonner County.

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.

Staff: The proposal is not for a new housing development. The applicant has indicated in the application that the school will be a nature-based educational program.

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.

Staff: An increase in density on the properties is not proposed. The program appears to be similarly based on agri-eductaion which is a permitted use in the county that encourages farming and ranching related skills.

Planner's Initials: DB Date: April 2, 2026

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.

Motion by the governing body:

ZONING COMMISSON

DECISION TO APPROVE: I, Commissioner (insert name) move to approve this project, FILE CUP0010-25, for a Private School, located in Section 25, Township 58 North, Range 1 West, Boise Meridian, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1

The proposed conditional use permit **is not** in conflict with the policies of the Comprehensive Plan.

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth in BCRC Title 12 - Chapter 3, Subchapter 3.3; Subchapter 3.4, Chapter 4, Subchapter 4.2, 4.3, 4.4, 4.5 and 4.6; Chapter 7, Subchapter 7.2 Bonner County Revised Code, and **was** found to be in compliance.

Conclusion 3

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

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

DECISION TO DENY: I, Commissioner (insert name), move to deny this project, FILE CUP0010-25, for a Private School, located in Section 25, Township 58 North, Range 1 West, Boise Meridian, based upon the following conclusions:

Conclusion 1

The proposed conditional use permit **is/is not** in conflict with the policies of the Comprehensive Plan.

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth in BCRC Chapter 3, Subchapter 3.3, Subchapter 3.4 BCRC Chapter 4, Subchapter 4.2, 4.3, 4.4, 4.5 and 4.6 Title 12, Chapter 7, Subchapter 7.2, Title 12, Bonner County Revised Code and **was/was not** found to be in compliance.

Conclusion 3

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

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

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

Conditions of Approval:

Standard continuing permit conditions. To be met for the life of the use:

- A-1** The use shall be developed and shall be operated in accordance with the approved site plan.
- A-2** This Conditional Use Permit shall not supersede deed restrictions.
- A-3** All county setbacks shall be met, unless otherwise noted.
- A-4** Conditional Use Permit approval shall expire if the permit has not been issued within two (2) years from the date of approval, or if issued, if the use has not commenced within two (2) years from the date of issuance. At any time prior to the expiration date of the conditional use permit, an applicant may make a written request to the planning director for a single extension of the conditional use permit for a period up to two (2) years. The Zoning Commission at any

regular meeting, or board at any regular meeting, may consider the request for extension. The extension request must be approved or denied prior to the expiration date of the conditional use permit.

- A-5** The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and stormwater management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved.
- A-6** The uses shall maintain continuing compliance with the performance standards of BCRC 12-421 as found in this staff report.
- A-7** Landscaping shall be provided if any new development is to occur, as found in the staff report.
- A-8** All new proposed structures shall obtain Building Location Permits, as required by Title 11 of Bonner County Revised Code.
- A-9** Any modifications to this project shall be subject to standards set forth in Title 12, Bonner County Revised Code.

Conditions to be met prior to issuance:

None are proposed in this staff report.

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