



Bonner County Planning Department

"Protecting property rights and enhancing property value"

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

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

Email: planning@bonnercountyid.gov - Web site: www.bonnercountyid.gov

August 29, 2025

Jack & Mary Ann Jones
166 Silver Mountain Ln
Oldtown, ID 83822

Subj: File MOD0004-25 – Modification of Conditional Use Permit C650-99, to include the new lot size and construct a larger church.

Encl: (1) File MOD0004-25 Zoning Commission Approved Site Plan
(2) File MOD0004-25 Decision Making Worksheet
(3) File MOD0004-25 Staff Report

Dear Mr. & Mrs. Jones,

The Bonner County Zoning Commission at the August 21, 2025, public hearing, approved the referenced application with conditions.

Commissioner Clark moved to approve this project FILE MOD0004-25 for a modification of an existing Conditional Use Permit, File C650-99 issued in 2003 to include the new lot size and construct a larger church, finding that it is not in conflict with the policies of Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1

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

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth at Title 12, BCRC Chapter 2 Subchapter 2.2, BCRC Chapter 3 Subchapter 3.3, BCRC Chapter 4 Subchapter 4.2-4.6, Chapter 7 Subchapter 7.2. The proposal **is** in accord with the Bonner County Revised Code.

Conclusion 3

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

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Commissioner Clark further

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

Commissioner Burkamp seconded the motion.

Roll Call Vote

Commissioner Burkamp	AYE
Commissioner Clark	AYE
Commissioner Marble	AYE

VOTED upon and the Chair declared the motion carried, 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** The Conditional Use Permit shall not supersede deed restrictions.
- A-3** All county setbacks shall be met.
- A-4** The Conditional Use Permit or modifications thereof, shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit or modifications thereof, the applicant may make a written request to the Planning Director for an extension of the Conditional Use Permit for a period up to two (2) years. The Zoning Commission may consider such request for extension at any public hearing. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit or modifications thereof.
- 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** Prior to issuance of a building location permit, the owner of the proposed church shall obtain all required addresses for the structure(s) on the property. These addresses shall meet the provisions of Bonner County Revised Code, Title 13.
- A-7** All required permits must be obtained from Idaho Department of Environmental Quality, including permits for a public drinking water and wastewater system sufficient to serve the proposed use.
- A-8** All required permits must be obtained from Panhandle Health District, including permits for a public drinking water and wastewater system sufficient to serve the proposed use.
- A-9** All required permits must be obtained from Idaho Department of Water Resources, including permits for a public drinking water and wastewater system sufficient to serve the proposed use.
- A-10** The required stormwater plan for this project must be approved by Bonner County prior to the issuance of any Building Location Permit associated with this approval.
- A-11** The proposed use expansion shall not generate radioactivity, electrical disturbances, vibrations or air pollution beyond what would otherwise be expected during normal operations of a local church.
- A-12** The site shall be developed with a minimum of 215 parking spaces in accordance with BCRC 12-4.3, each to have a minimum 200 Sq. Ft. of area.
- A-13** All Conditions of Approval listed under C650-99 shall remain in force as written, or as amended here-in.

Bonner County Revised Code, Section 12-262, provides an opportunity for affected persons to appeal Planning and Zoning Commission decisions with the Planning Director within 28 days after the final written decision of the Planning and 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., September 26, 2025.**
AN APPEAL SHALL BE ACCOMPANIED BY A FILING FEE IN ACCORDANCE WITH THE APPROVED FEE SCHEDULE. THE FEES ARE PAYABLE TO THE BONNER COUNTY PLANNING DEPARTMENT.

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

Please contact the Planning Department if you have any questions.

Sincerely,



Jacob Marble, Chair
Bonner County Zoning Commission



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LAND USE DECISION-MAKING WORKSHEET MODIFICATION/CONDITIONAL USE PERMIT CHURCH MOD0004-25

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.

STANDARDS FOR CONDITIONAL USE PERMIT REVIEW:

Prior to approving a conditional use permit, the governing body shall review the particular facts and circumstances of each proposed conditional use permit in terms of the following standards and shall find adequate evidence showing that such use at the proposed location.

Idaho Code §67-6512	A special use permit/conditional use permit may be granted to an applicant if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance, subject to the ability of political subdivisions, to provide services for the proposed use and when it is not in conflict with the plan.
YES	List the relevant evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>The Commission found that the use is already permitted, outlined in the Staff Report, and adopted the analysis of the Staff Report.</i>	
BCRC 12-222	APPLICATION CONTENTS
YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.

The Commission found that the application was very thorough, and addressed every aspect required, and adopted the analysis of the Staff Report.

BCRC 12-223

The Zoning Commission or Hearing Examiner, except as otherwise provided in this title, is charged with conducting at least one public hearing on the conditional use permit application, at which time interested persons shall have an opportunity to be heard. 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.

YES

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

The Commission adopted the analysis from the staff report and deemed that this proposal was not in conflict with the policies of the comprehensive plan, nor would it create a hazard or be dangerous to persons on or adjacent to the property. This was done at a public hearing, where interested persons had the opportunity to be heard.

BCRC 12-266

Modification of Terms and Conditions of Permit Approval

The Zoning Commission shall consider the proposed modification in accordance with the requirements for the original permit application and shall confine the review to the proposed modification.

YES

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

The Commission adopted the analysis of the Staff Report, and confined their review to the proposed modification.

BCRC 12-335

BCRC 12-335, Public Use Table, Churches (Note 3)

Note 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.
YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>The Commission adopted the analysis of the Staff Report, further finding that the access was directly off State Highway 41, and that the Idaho Transportation Department had evaluated the proposal, and issued an encroachment permit for the project.</i>	
BCRC 12-411	Density and Dimensional Standards: Rural-10 Zoning
YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>The Commission adopted the Staff Report Analysis, finding that the project met all density and dimensional standards.</i>	
BCRC 12-4.2	GENERAL STANDARDS:
YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>The Commission adopted the analysis in the Staff Report.</i>	
BCRC 12-421	PERFORMANCE STANDARDS FOR ALL USES
YES	List the evidence from the record that supports your conclusion and the rationale for the conclusion.
<i>The Commission adopted the analysis in the Staff Report.</i>	
BCRC 12-4.3	PARKING STANDARDS
YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.

The Commission found that the parking standard was thoroughly met, and adopted the analysis of the Staff Report.

BCRC 12-4.4 SIGN STANDARDS

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

The Commission found adopted the analysis of the Staff Report, and found that the deviations requested, of a 5-foot setback, and an internally illuminated sign, were supported by the analysis of the Staff Report.

BCRC 12-4.5 DESIGN STANDARDS

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

The Commission adopted the analysis of the Staff Report, and found that the deviation to building width was supported by the analysis of the Staff Report.

BCRC 12-4.6 LANDSCAPING AND SCREENING STANDARDS

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

The Commission adopted the analysis of the Staff Report, and found that the deviation to landscaping types was supported by the analysis of the Staff Report, and the alternative landscaping types proposed.

BCRC 12-7.2 GRADING, STORMWATER MANAGEMENT AND EROSION CONTROL

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

The Commission adopted the analysis of the Staff Report, and found that the Stormwater Plan was being processed and required as part of the Building Location Permit.

CONTESTED FACTS

Concern was brought up over the increased traffic, hazards, and encroachment to Highway 41. The Commission found that the Idaho Department of Transportation were the subject matter experts on the issue, and had approved the project, and issued permits.

Concern was brought up over the Fire Department not approving the Building Location Permit for the Church, and not supporting the project. The Commission found that the concerns of the Fire Department were related to the sprinkler system, and Building Location Permit, and not the Modification file, and were therefore out of the scope of their review/decision.

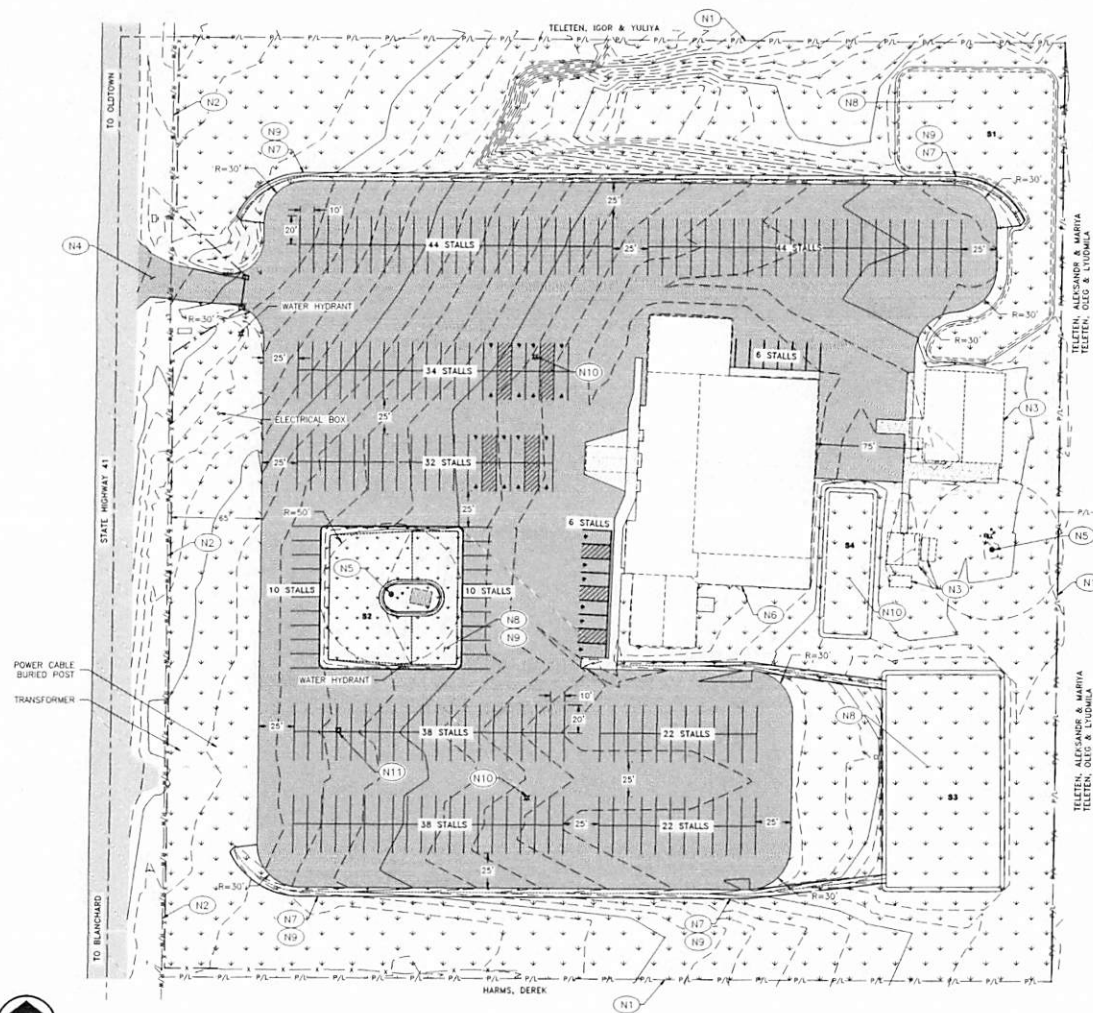
DATE

NOTES FOR THIS DETAIL

- (N1) EXISTING PROPERTY LINE LOCATION
 (N2) RIGHT-OF-WAY LOCATION
 (N3) EXISTING STRUCTURES
 (N4) EXISTING ACCESS DRIVEWAY
 (N5) EXISTING WELL, PROTECT
 (N6) PROPOSED BUILDING LOCATION
 (N7) PROPOSED GRASSED V-DITCH SEE DETAIL 1.5/7
 (N8) PROPOSED STORMWATER MANAGEMENT SWALE, GRASSY INFILTRATION AREA SEE DETAIL 1.3/7
 (N9) DISTURBED AREAS SHALL BE RESEED WITH NATIVE PLANT SPECIES
 (N10) EXISTING YARD HYDRANT TO BE REMOVED
 (N11) EXISTING ELECTRICAL METER TO BE REMOVED

NOTE:

PARKING LOT LAYOUT PROVIDES 306 STALLS WITH 22 OF THEM FOR ADA PARKING.



4.1

PROPOSED PARKING LAYOUT PLAN

SCALE: 1" = 40'



ENGINEER'S STAMP
 PROJECT: HOUSE OF THE LORD CHURCH FACILITY
 SHEET: 06245 (DWG) 06245 (PLOT)
 SCALE: AS SHOWN
 DRAWN BY: DLO
 CHECKED BY: KAK
 FILE NAME: HSL-046
 DATA NO: 06413-25-001

SHEET 3 OF 8

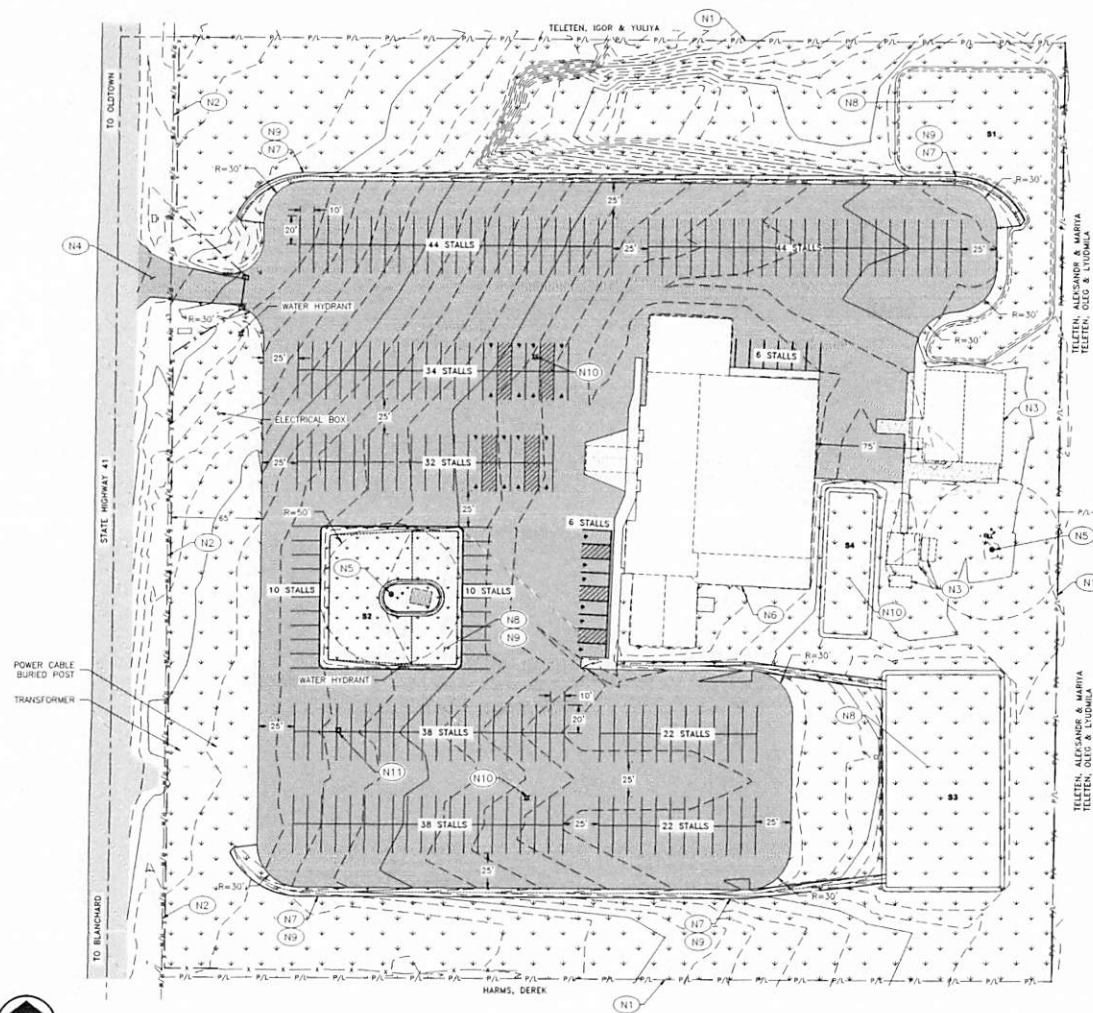
DATE

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PROPOSED PARKING LAYOUT PLAN

SCALE: 1" = 40'



James A. Sewell and Associates, LLC
 ENGINEERS - SURVEYORS - PLANNERS
 NEWPORT, WASHINGTON, 99156
 (509) 447-5626

SHEET TITLE: PROPOSED SITE PLAN
 PROJECT: HOUSE OF THE LORD CHURCH FACILITY
 SITE: 16245 HWY 101
 SCALE: AS SHOWN
 DRAWN BY: DLO
 CHECKED BY: KAK
 FILE NAME: HSL-046
 DATA NO: DR413-25-001

SHEET 3 OF 8