



## Bonner County Planning Department

*"Protecting property rights and enhancing property value"*

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

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April 10, 2026

David Yount  
9071 W Twin Lakes Rd  
Rathdrum, ID 83858

Subj: File MOD0009-25 – Modification of Conditional Use Permit CUP0020-23, to include a new, second equipment structure, ancillary support equipment, emergency diesel generator, and a new chain-link fence enclosed compound.

Encl: (1) File MOD0009-25 Zoning Commission Approved Site Plan  
(2) File MOD0009-25 Decision Making Worksheet  
(3) File MOD0009-25 Staff Report

Dear Mr. Yount,

The Bonner County Zoning Commission at the March 26, 2026, public hearing, approved the referenced application with conditions.

Commissioner Mauk moved to approve this project FILE MOD0009-25 for a modification of an existing Conditional Use Permit, FILE CUP0020-23 to include a new, second equipment structure, ancillary support equipment, emergency diesel generator, and a new chain-link fence enclosed compound, 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** in accord with general and specific objectives 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, and 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 Mauk 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 Pound seconded the motion.

**Roll Call Vote**

Commissioner Johnson	YES
Commissioner Pound	YES
Commissioner Blaser	YES
Commissioner Mauk	YES

**VOTED** upon and the Chair declared the motion carried, unanimously.

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**Conditions of approval:**

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

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- 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** The modifications shall be developed and shall be operated in accordance with the previous decision Conditional Use Permit CUP0020-23, except as modified by this decision.
- A-4** All County setbacks shall be met.
- A-5** 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-6** A building location permit shall be obtained prior to commencing any land disturbing activity.
- A-7** 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-8** The backup generator included in this project, if operated less than 225 hrs. per month, would meet Category II Exemption on requirements for an air quality permit under IDAPA 50.01.01.222.c.iii. To maintain this exemption the facility shall maintain monthly records of hours of operation. The records shall be maintained for a minimum of two years and be made available to county or DEQ personnel when requested.

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., May 8, 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 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,



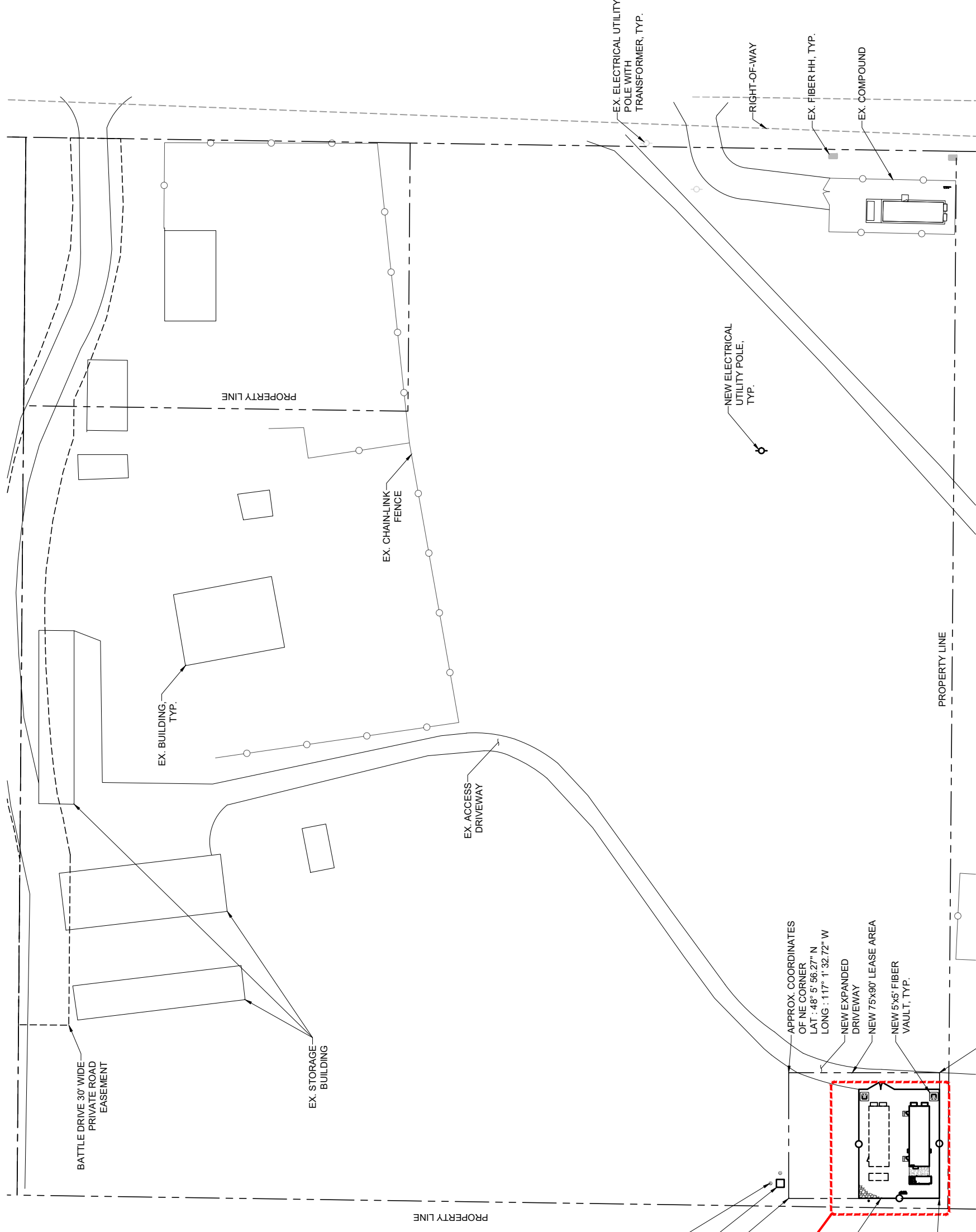
Brett Blaser, Vice Chair  
Bonner County Zoning Commission

**NOTES:**

- PROPERTY LINES SHOWN ARE BASED ON AVAILABLE DATA AND ARE FOR REFERENCE ONLY. FINAL PROPERTY BOUNDARIES TO BE VERIFIED BY OWNER OR LAND SURVEYOR AS REQUIRED.

**APPROVED**

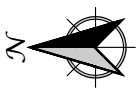
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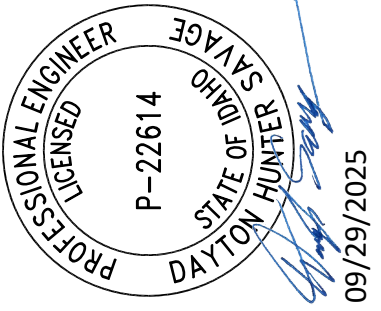
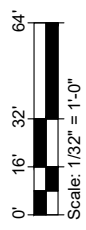
NEW 6" CONCRETE ENCASED BOLLARD, TYP. (SEE DETAIL 2/D1.1)  
 NEW PAD MOUNTED TRANSFORMER  
 APPROX. COORDINATES OF NW CORNER  
 LAT : 48° 5' 56.27" N  
 LONG : 117° 1' 33.83" W

**1**  
 DETAILED SITE PLAN  
 A2.1

NEW COMPOUND  
 APPROX. COORDINATES OF SW CORNER  
 LAT : 48° 5' 55.32" N  
 LONG : 117° 1' 33.96" W



**1**  
 OVERALL SITE PLAN  
 SCALE: 1/32" = 1'-0"



SITE NAME:  
 BLANCHARD

SITE ADDRESS:  
 32622 STATE HIGHWAY 41,  
 BLANCHARD, ID 83804

PROJECT:  
 FIBER HUT

SET ISSUE:		DATE:
NO	DESC	
0	CDs	9/29/2025

OVERALL SITE PLAN

**A1.0**



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## LAND USE DECISION-MAKING WORKSHEET MODIFICATION/CONDITIONAL USE PERMIT PUBLIC UTILITY FACILITY

*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.

<b>Idaho Code §67-6512</b>	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.
<b><i>The Commissioners found that the Modification was in accord with the goals and objectives of the Bonner County Comprehensive Plan, as outlined in their Comprehensive Plan review and the previous approval for the use.</i></b>	
<b>BCRC 12-222</b>	<b>APPLICATION CONTENTS</b>
YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.

***The Commissioners adopted the findings of the Staff Report, and noted that all required materials were submitted as outlined in the report.***

<b>BCRC 12-223</b>	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 there is adequate evidence showing the proposal is in accord with the general and specific objectives of the comprehensive plan and Title 12 and the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property
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YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
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***The Commissioners agreed that this condition was being met, as a hearing was taking place, and the Comprehensive Plan analysis showed that the proposal was in accord.***

<b>BCRC 12-266</b>	<b>Modification of Terms and Conditions of Permit Approval</b>  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.
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YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
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***The Commissioners agreed that the review was only for the modifications requested, and noted that staff answered clarifying questions to ensure the confinement of the review.***

<b>BCRC 12-335</b>	<b>BCRC 12-335, Public Use Table, Public Utility Facilities (Notes 6 &amp; 11)</b>
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<b>Note 6</b>	Specified conditions with respect to emissions of noise, light, glare, smoke, odor, dust, particulate matter, vibrations or hours of operation may be prescribed differently from those required in a given district,
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		as to be compatible with other applicable State and Federal standards.
<b>Note 11</b>		The area of land covered by buildings shall not exceed 35 percent of the total lot area. The site area shall be sufficient to accommodate the facility and required parking, setbacks, landscaping, walkways and other applicable development standards. The public utility facility lot or parcel is not required to meet the minimum lot/parcel size of the zoning district in which it is located. In considering applications, the Planning or Zoning Commission shall consider the public convenience and necessity of the facility and any adverse effect that the facility will have upon properties in the vicinity, and may require such reasonable restrictions, or conditions of development; or protective improvements as to uphold the purpose and intent of this title and the comprehensive plan. A sewage management agreement shall be approved and executed prior to the issuance of a conditional use permit for subsurface sewage disposal systems serving 10 or more residential dwelling units or designed with a capacity of 2,500 gallons or more per day.
YES		List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<b><i>The Commissioners adopted the findings of the Staff Report, noting that the use was found compatible in the previous approval, and the Conditions of Approval in the Staff Report ensured compliance. They also noted that the lot coverage was only at 4.9%.</i></b>		
<b>BCRC 412</b>	<b>12-</b>	<b>Density and Dimensional Standards: Commercial Zoning</b>
YES		List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<b><i>The Commissioners found that the subject parcel is zoned as Commercial, the proposed compound meets setbacks, and the parcel is already used and approved for the proposed purpose. The Commission adopted the findings of the Staff Report.</i></b>		
<b>BCRC 4.2</b>	<b>12-</b>	<b>GENERAL STANDARDS:</b>
YES		List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.

***The Commissioners found that this standard was already shown to be in conformance and outlined in the previous CUP approval. They found that this proposal was for an identical structure and adopted the findings in the Staff Report.***

**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.

***The Commissioners found that this standard was already shown to be in conformance and outlined in the previous CUP approval. They found that this proposal was for an identical structure and adopted the findings in the Staff Report.***

**BCRC 12- 4.3 PARKING STANDARDS**

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

***The Commissioners found that this standard was already shown to be in conformance and outlined in the previous CUP approval. They found that this proposal was for an identical structure and adopted the findings in 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 Commissioners found that this standard was already shown to be in conformance and outlined in the previous CUP approval. They found that this proposal was for an identical structure and adopted the findings in 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 Commissioners found that this standard was already shown to be in conformance and outlined in the previous CUP approval. They found that this proposal was for an identical structure and adopted the findings in the Staff Report.***

**BCRC 12- 4.6 LANDSCAPING AND SCREENING STANDARDS**

YES		List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<b><i>The Commissioners found that this standard was already shown to be in conformance and outlined in the previous CUP approval. They found that this proposal was for an identical structure and adopted the findings in the Staff Report.</i></b>		
<b>BCRC 7.2</b>	<b>12-</b>	<b>GRADING, STORMWATER MANAGEMENT AND EROSION CONTROL</b>
YES		List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<b><i>The Commissioners found that this standard was already shown to be in conformance and outlined in the previous CUP approval. They found that this proposal was for an identical structure and adopted the findings in the Staff Report.</i></b>		
<b>COMPREHENSIVE PLAN ANALYSIS</b>		Must find adequate evidence showing the proposal is in accord with the general and specific objectives of the comprehensive plan and Title 12 and the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.
<b>Property Rights</b>		Private property shall not be taken for public uses without just compensation of due process of law.
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Property Rights</b>		Impacts to other properties shall be taken into account when considering land use proposals, policies and codes.
YES		The Commission found this to be found this to be in accord with the objective, as determined in the previous approval.
<b>Population</b>		Bonner County shall keep current with county census data, population estimates and projections and shall use the data to analyze community needs and project impacts.
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>School Facilities &amp; Transportation</b>		Ensure that the proposed developments and county land use decisions do not adversely impact the local school districts and their ability to provide adequate school facilities and transportation systems.

YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>School Facilities &amp; Transportation</b>		The county should encourage school districts to proactively review development applications to determine particular school needs and concerns.
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>School Facilities &amp; Transportation</b>		Bonner County roads, trails and bicycle paths should be designed and maintained to allow safe passage of students to schools.
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>School Facilities &amp; Transportation</b>		Long-term consequences of land use proposals should be considered, including the adequacy of existing facilities and the siting of future schools.
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Economic Development</b>		Support small businesses such as markets, restaurants, recreational activities, campgrounds, and marinas that provide services which support resort residents and visitors in their local communities
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Economic Development</b>		Enable development of small scale cottage industries and home based occupations while protecting the surrounding areas from adverse impacts.
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Economic Development</b>		Policies regarding economic development activities should seek to mitigate the impacts of such factors as noise, light glare, odors, fumes and vibrations on the surrounding community
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Economic Development</b>		Support local economic development by increasing support for outdoor recreation in Bonner County. Encourage and protect public access to public lands and water, campgrounds, and recreational areas.

YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Economic Development</b>		Support local businesses by enabling development of workforce housing in proximity to commercial, industrial and agricultural uses.
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Economic Development</b>		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 Bonner County.
YES		The Commission found this to be Not-Applicable. The Commission noted that the Staff Report indicated this is a Public Use, not a Commercial or Industrial use.
<b>Land Use</b>		Bonner County should develop and maintain a future land use map and land use codes that acknowledge and protect its agricultural, timber and mining lands, protects the water and wildlife resources, identifies and avoids hazard areas, provides areas for economic growth, encourages affordable housing and centers growth in areas where adequate public and private services can be provided.
YES		The Board agreed with the Staff Report, finding that the Bonner County Revised Code permits Public Utility Facilities as a Conditional Use in areas zoned Commercial, and this request upholds the land use objectives of the Comprehensive Plan.
<b>Land Use</b>		Encourage clustered development for medium and large scale commercial and industrial uses.
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Land Use</b>		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 Bonner County.
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Natural Resources</b>		Bonner County's system of lakes and waterways is one of its greatest assets, and Bonner County should strive to preserve both the quality and quantity of its water resources.
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.

<b>Natural Resources</b>	Bonner County values its productive agricultural lands and forests, mining lands, its fisheries, wildlife, wetlands and aquifer recharge areas and should provide measures to protect and maintain these natural features.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Natural Resources</b>	Bonner County should protect its water resources by requiring adequate sewer treatment systems based on soil, density, and intensity of use to reduce impacts to water resources.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Hazardous Areas</b>	Bonner County intends to regulate the location and density of new development in floodplain to reduce the potential for the loss of lives and property within flood hazard areas.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Hazardous Areas</b>	Future development should be designed to reduce exposure to wildland fire and to provide for emergency and escape routes for residents.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Hazardous Areas</b>	Development within areas of excessive slopes, unstable areas and avalanche zones shall be discouraged.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Public Services, Facilities &amp; Utilities</b>	New development should be adequately served by fire protection, roads, sewer, schools, law enforcement, ambulance, power and emergency services, water and other public or private services.
YES	The Commission agreed with the analysis of the Staff Report, finding that this proposal supports this objective by providing infrastructure for all of the above.
<b>Public Services, Facilities &amp; Utilities</b>	Require the developers to provide infrastructure, utilities or financial support to offset the capital costs of expansion of services, required by the proposed development.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.

<b>Public Services, Facilities &amp; Utilities</b>	Bonner County shall require adequate provisions for future utility services in areas of commercial, industrial, residential or other similar uses.
YES	The Commission agreed with the analysis of the Staff Report, finding that the application supports this objective by enhancing the infrastructure available to provide services to county residents. This utility will enhance service for customers as well as enhancing emergency services communications.
<b>Transportation</b>	Future development shall not adversely impact the existing transportation system by reducing the quality or level of service or creating hazards or congestion.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Transportation</b>	Roads within new development shall be built to county standards and at the expense of the developer.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Transportation</b>	Roads within new development shall provide adequate access for fire and emergency vehicles and routes of escape.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Transportation</b>	Future access roads shall be developed to integrate with the state and county system of roads without overburdening the transportation system.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Transportation</b>	To reduce transportation costs, road building and environmental impacts, cluster development shall be encouraged.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Transportation</b>	Bonner County intends for certain intense land use developments to provide paved roads.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.

<b>Transportation</b>	Bike ways and pedestrian paths shall be considered in development plans to provide an integrated community transportation system wherever possible.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Transportation</b>	To communicate and work cooperatively with other jurisdictions within the county to ensure the best possible flow of traffic county-wide.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Recreation</b>	Ensure public legal recreational access and amenities are not obstructed or adversely impacted by future development.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Special Areas or Sites</b>	Future developments shall not adversely affect or destroy culturally or ecologically sensitive sites.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Housing</b>	Provide an environment that enables opportunities for diverse housing needs.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Community Design</b>	New development should be located in areas with similar densities and compatible uses.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Community Design</b>	The adverse impacts of new development on adjacent areas should be minimized.
YES	The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Community Design</b>	Consider the protection of natural resources, rural features and surrounding uses of the community in the design and location of new development.

YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Agriculture</b>		Protect the rural character and agricultural heritage of Bonner County by retaining large and small scale commercial agriculture and hobby farms as viable uses.
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Agriculture</b>		Support the local economy by encouraging production, distribution, and retail sales of locally grown food and other agricultural products.
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.
<b>Agriculture</b>		Develop policies to discourage fragmentation of very large productive agricultural lands.
YES		The Commission found this to be Not-Applicable, as it was found not-applicable in the previous approval.