



## Bonner County Planning Department

"Protecting property rights and enhancing property value"

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March 25, 2026

Bonner County Board of County Commissioners Decision Letter

**SUBJ.:** PUD0001-25 – Yoman Bluffs

**ENCL:** (1) Reasoned Statement

The Board of County Commissioners, at the, March 2, 2026, public hearing voted to deny the above-reference application. The standards used in evaluating the application and the reasons for denial of the application are as follows:

**MOTION TO DENY:** I, commissioner Korn, move to deny this project FILE PUD0001-25 a large-scale residential Planned Unit Development on an approximately 38.27-acres, Recreation-zoned property located off Sherwood Beach Road in Section 10, Township 59 North, Range 4 West, Boise-Meridian, Idaho, based on the following conclusions:

1. The planned unit development **is not** in accord with the Bonner County comprehensive plan.
2. The proposed planned unit development **can** be substantially completed within two (2) years from the date of approval.
3. The streets and thoroughfares proposed **are not** suitable and adequate to gather anticipated traffic and will not generate traffic in amounts that will overload the street network outside the planned unit development. Connections to public transportation systems shall also be considered.
4. Any residential development **will not** constitute a residential environment of sustained desirability and stability and **will not** be in harmony with the character of the surrounding neighborhood and community.
5. Any proposed commercial or industrial development **will not** constitute an efficient well organized development, with adequate provisions for access and storage, and it **will not** adversely affect adjacent or surrounding development.
6. The proposed use **may** create a hazard or **may** 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 his 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.

- 1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
- 2) Pursue such remedies as may be applicable at Title 67, Chapter 65, Idaho Code.

Commissioner Williams seconded the motion.

**ROLL CALL VOTE:**

**Commissioner Williams    AYE**  
**Commissioner Domke       AYE**  
**Commissioner Korn        AYE**

**VOTED** upon and the Chair declared the motion carried, 3-0.

Please contact the Planning Department if you have any questions.

Sincerely,



Brian Domke, Chair  
Bonner County Commissioners

cc: Planning Department

# LAND USE DECISION-MAKING WORKSHEET

## MODIFICATION OF CONDITIONAL USE PERMIT

### PLANNED UNIT DEVELOPMENT

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**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.*

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**Idaho Code §67-6516:** Each governing board shall provide, as part of the zoning ordinance, for the processing of applications for variance permits. A variance is a modification of the bulk and placement requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. A variance shall not be considered a right or special privilege but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest.

<b>Is not in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b> There is no evidence in the record that demonstrates any undue hardship from the characteristics of the property that warrant an approval for the requested variances.

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#### **Planned Unit Development P.U.D. Reasoning Statement:**

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#### **BCRC TITLE 12, SUBCHAPTER 2.5 PLANNED UNIT DEVELOPMENTS**

- **BCRC 12-251(E), Planned Unit Development Classification and Minimums:**

A "large scale residential" PUD consisting of only residential and accessory uses and having more than six (6) dwelling units.

**Staff:** The applicant is requesting a large scale residential Planned Unit Development consisting of only residential and accessory uses permitted in the Recreation zoning district.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  Adopt the staff analysis as written in the staff report.

- **BCRC 12-252, Uses permitted within Planned Unit Developments:**

Permitted uses shall be the same as those within the base zone district.

**Staff:**

Residential units are permitted in the Recreation District. The request for this Planned Unit Development proposes to create or envisions the following:

- Twenty-three (23) residential lots, ranging from 1.11 acres to 2.07 acres in size. The PUD is designed to be residential lots. The common areas will include walking trails, a picnic area with a gazebo and a 12,000 sq.ft. storage building.
- Three tracts have been identified on the face of the plat as common areas. All three will have blanket utility easements. Tracts 1 & 2 are subject to ingress and egress for all lots. All three tracts will be owned and maintained by the HOA.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  Adopt the staff analysis as written in the staff report.

- **BCRC 12-253.1, Planned Unit Development Application Requirements:**

Application for a PUD shall be made with the Bonner County Planning Department. In addition to the basic information requirements and application forms provided by the department, a completed application shall include the following:

- A. A report showing how the proposed PUD complies with the conditional use standards of section [12-223](#) of this chapter.
- B. Environmental analysis, which shall address the impacts of the development on the various physical features of the land, including wetlands, wildlife habitat,

vegetation, floodplain and floodways, cultural resources, water quality and other natural resources.

- D. A "large scale" PUD which is contemplated to be completed or under construction within two (2) years after approval, shall include the proposed use or uses, housing densities and arrangements, parking facilities, preliminary subdivision plan (if applicable), common areas, open spaces and a transportation network for vehicular and pedestrian circulation
- E. A trip generation and distribution letter.

**Staff:** The application for the proposed "large scale residential" Planned Unit Development was made to the Planning Department. In addition to the basic information requirements, the application included the following:

- An environmental analysis.
- A preliminary development plan along with the proposed preliminary plat.
- A trip generation letter.

<b>Is not in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  More information could have been provided by the applicant-based agency comments from IDEQ and Bonner County Road & Bridge Department. A nutrient pathogen study and a formal traffic impact study would be warranted.

- **12-223: CONDITIONAL USE PERMITS, STANDARDS FOR REVIEW OF APPLICATIONS, PROCEDURES:**

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.

**Staff:** A public hearing was held on December 18, 2025 by the Zoning Commission. A recommendation was made by the commission. The commission voted to recommend approval.

<b>Is not in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  There is conflict with some of the comprehensive plan based on the design approach, the number of lots, and ingress/ egress. Natural Resources policy #5 Hazardous Area policies #5 & #6 Transportation policy #2

- **BCRC 12-253.2, Pre-application Meeting:**

**Staff:** The applicant met with the Planning Department prior to submission of an application and the project was discussed accordingly.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  Adopt the staff analysis as written in the staff report.

- **BCRC 12-253.3, Concurrent processing of Planned Unit Development and Subdivision Application:**

When a PUD includes a subdivision, the processing of the subdivision application shall take place concurrently with the PUD application.

**Staff:** The project proposes the creation of residential lots and common area tracts through the process of platting. The preliminary plat has been submitted for concurrent review with this Planned Unit Development application.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  Adopt the staff analysis as written in the staff report.

- **BCRC 12-254(B), Large-scale PUD, General Provisions:**

Development plans submitted as part of an approved "large scale" PUD shall be in substantial compliance with the approved conceptual land use plan. Any significant change affecting the original approval of the plan shall require a public hearing. A change in density or a more intensive use of the same area constitutes a significant change.

**Staff:** The subdivision plan for the project has been submitted for concurrent review with the conceptual land use plan of the Planned Unit Development. The development plans for the large-scale PUD are in substantial compliance with the conceptual plan of the Planned Unit Development. Any significant change affecting the original approval of the plan shall require a public hearing.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  Adopt the staff analysis as written in the staff report.

- **BCRC 12-255, Procedure for Approval of Planned Unit Developments:**  
The procedures of subchapter 2.2 of this chapter for approval of conditional use permits apply to consideration and approval of planned unit developments.

**Staff:** The project is being reviewed for compliance with BCRC Title 12, Subchapter 2.2 for approval of Conditional Use Permits for consideration and approval of this project.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  Adopt the staff analysis as written in the staff report.

**BCRC 12-256, Design Standards for Planned Unit Developments:**

- **BCRC 12-256.A, Common Open Space:** Common Open Space: At least ten percent (10%) of the gross land area of a residential PUD shall be reserved as common open space, exclusive of streets, parking areas, and utility easements and other improvements which would detract from the function of the "common open space"

**Staff:** The project proposes reserving approximately 6.31 acres of property as common open space that consists of three (3) separate tracts, to be owned and

maintained by the HOA. This dedication of common open space is approximately 16.4% of the total acreage of the parent parcel.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b> The applicant identified common open spaces. Community concerns with wildlife corridors through IDFG didn't identify any critical wildlife corridor but there is wildlife in the area. An HOA was proposed.  Adopt the staff analysis as written in the staff report.

○ **BCRC 12-256.B, Owners' Association:**

A PUD shall include a homeowners' association and/or corporate ownership, which shall be responsible for the development, use and permanent maintenance of all common activities and facilities.

**Staff:** The preliminary plat Note #8 indicates that Tracts 1, 2 and 3 are to be owned and maintained by the HOA.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  Adopt the staff analysis as written in the staff report.

○ **BCRC 12-256.C, Covenants, Articles of Incorporation:**

Articles of incorporation for the homeowners' association or corporate entity governing the PUD shall be recorded with the final plat of any PUD subdivision or final development plans. The covenants, conditions and restrictions shall be sufficient to enforce development requirements and responsibilities of the homeowners' association and/or ownership.

**Staff:** See Conditions of Approval.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b> Adopt the staff analysis as written in the staff report.

○ **BCRC 12-256.D, Development Density:**

The unit density of a PUD containing residential uses (dwelling units/acre) shall not exceed the density of the zone district in which it is located, except for density bonuses.

**Staff:** The area of the subject site is approximately 38.27 acres, and the development is proposed to be served by community water system with individual septic systems. BCRC 12-412 allows a minimum lot size of one (1) acre in Recreation District where lots are served by urban water only. The applicant has proposed 23 residential lots. The applicant is proposing a lower density count by 8 residential units.

No density bonuses are requested as part of this project.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b> The density request is contributing to environmental concerns even though the applicant has proposed less density than is allowed by code.  Adopt the staff analysis as written in the staff report.

○ **BCRC 12-256.E, Public Amenities:**

**Staff:** No density bonuses are requested on this project.

<b>N/A</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  Adopt the staff analysis as written in the staff report.

○ **BCRC 12-256.F, Requirements for Public Amenities:**

**Staff:** No density bonuses are requested on this project.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>

Adopt the staff analysis as written in the staff report.

○ **BCRC 12-256.G, Design Standards:**

Minimum development standards set forth in this title may be increased or decreased sufficient to accomplish design objectives in the utilization of natural or created amenities (i.e., topographic features, seasonal recreational uses, etc.), provided the development meets the intent of the standards. PUD subdivisions shall comply with the conservation subdivision provisions of section **BCRC 12-633** of this title.

- **BCRC 12-633(B):** Development Standards: Development standards in chapter 4 of this title for the applicable zoning district shall apply to all lots in a conservation subdivision, except where otherwise noted in this chapter.

**Staff:** As part of this project, the applicant is requesting deviations to the development standards for this project:

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  Adopt the staff analysis as written in the staff report.

● **BCRC 12-412: Street Setbacks:**

**Staff:** The minimum required street setback is 25 feet, and the property line setback is 5 feet for Recreation zoned properties per BCRC 12-412. The applicant is proposing a street setback of 5 feet on lots 1,2,3,4,5,6 and 7. This will allow lot owners to construct garages close to the road to lessen building height.

<b>Is not in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  The five (5) foot setback is a significant deviation from the design of the community and poses too much risk in the event of an emergency.

- **BCRC 12-633(C):** Design Standards: Conservation subdivisions are subject to subchapter 6.2 of this title, design standards, except where otherwise noted

**Subchapter 6.2 Design Standards**

**Staff:** The applicant is requesting a deviation to lot and parcel design. BCRC 12-621(A)(B) requires that:

- A. All proposed lots or parcels which are three hundred feet (300') or less in width shall maintain a depth to width ratio of not greater than three point two to one (3.2:1); and lots which are more than three hundred feet (300') in width shall maintain a depth to width ratio of not greater than four point two to one (4.2:1).

**Staff:** The request from the depth to width standards is to maintain a reasonable road profile grade and to ensure rights-of-way do not run perpendicular or parallel to property lines. The request is for lots 6,7,8,9,10,19,20,21,22 and 23. The depth to width ratio request ranges from 3.4:1 to 4.4:1. The depth to width shall not exceed 4.4:1.

<b>Is not in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  The applicant would be able to meet the depth to width ratio if the lot density were to be reduced. Some of the deviation request is up to 37% which makes the lots narrow and difficult to develop. Due to this request this causes an additional deviation to be requested for reduced street setbacks. Where meeting this standard would create a more buildable lot.

- B. All proposed lots or parcels one hundred feet (100') or less in width shall be designed so that the angle of intersection of the side lot lines with the fronting road is between eighty-five (85) and ninety-five degrees (95°), for a distance of not less than fifty feet (50') from the point of intersection.

**Staff:** The request from angle of intersection is to maintain a reasonable road profile grade and proposed roadways do not run perpendicular or parallel to property lines. The request is for lots 1,2, and 22.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  The deviation request is minimal therefore is not problematic.  Adopt the staff analysis as written in the staff report.

- **BCRC 12-622: Submerged Land:**  
Lands below the applicable natural or ordinary water mark, or the applicable artificial high-water mark, of any lake, river, stream, channel or other body of

public water shall not be counted in the calculations for determining the maximum density for a subdivision.

**Staff:** The proposal does not contain any submerged lands.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>  Adopt the staff analysis as written in the staff report.

• **BCRC 12-623(B)(3): Service and Utilities:**

Lots to be served by a new public drinking water system: Division of Environmental quality written approval of an engineering report prepared by an Idaho licensed professional engineer demonstrating that an adequate water supply is available to meet the estimated demand for water from the lots in the proposed subdivision.

**Staff:** Lots are proposed to be served by new community water system. The applicant provided a letter prepared by an Idaho registered professional geologist that an adequate water supply is available to the estimated demand for water from the lots in the proposed subdivision. A full report prepared by an Idaho professional engineer will be required prior to final plat.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b> In compliance because one acre lots are proposed and they have approval. Adopt the staff analysis as written in the staff report.

• **BCRC 12-624(A)(B): Roads and Access:**

- A. All new roads created for subdivisions shall be designated by unique road names, unless such roads are determined to be and are designed to be extensions of existing roads.

**Staff:** No deviation to this standard is being requested.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>

Adopt the staff analysis as written in the staff report.

- B. Road networks shall be designed and constructed to private road standards set forth in appendix A of this title, except as otherwise noted herein. Road networks shall be designed to provide for a continuous transportation system to adjacent properties, where topographical conditions warrant.

**Staff:** The request from the private road standards in appendix A is to allow the construction of an easement that will be 50-foot wide, where a 60-foot-wide right of way is required. Per the applicant, the reason for this request is that this “will enhance the ability to operate as a private, inclusive development offering common area amenities to the residents only.”

This request also includes a deviation to the width of the roadway width and travelway width surface per BCRC 12-624 appendix A to be 24 feet wide.

**Is not in compliance**

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

**BOCC:**

The proposed 50’ easement is to narrow a poses health and safety concerns, such as adequate space for emergency vehicles and snow storage.

- C. Legal access shall be provided to each proposed lot, which shall be developed for ingress and egress, providing for ready access meeting the standards in subsection B of this section.

**Staff:** Each proposed lot on the face of the plat indicates that all lots will have a legal ingress/ egress access.

**Is in compliance**

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

**BOCC:**

Adopt the staff analysis as written in the staff report.

- D. All proposed lots less than five (5) acres gross shall have direct frontage on, and direct access to, a public right of way. Cluster lots less than five (5) acres gross in a conservation subdivision within the rural, agricultural/forestry and forestry

districts are exempt from this requirement. Right of way offered for dedication in any zoning district shall be developed with a road constructed to the standards set forth in title 2 of this code. Such road may be maintained privately or by a public highway agency. Exceptions to the direct frontage and access requirements to allow for private frontage or interior roads may be granted in the commercial, industrial, or rural service center districts provided such access meets the applicable private road standards of this title.

**Staff:** The applicant is requesting a deviation to this standard. This will allow access and dedication of the roads to the HOA. The lots are all less than five (5) acres and will have direct access to Yoman Drive and Bluffs Drive, which are proposed to be privately owned and maintained.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b> This is a reasonable deviation since the applicant proposes road frontage on all lots even though the roads will be privately owned and maintained. The request still meets the intention of the code.

- **BCRC 12-626(A)(B): Environmental Features:**
  - A. The subdivision shall be designed around identified natural hazards (highly erosive soils on steep slopes, landslide areas, rock falls, areas of subsidence, floodplains) to protect building sites and roads from damage from such hazards.

**Staff:** The applicant has designed the subdivision around natural features that are found on the parcel. Deviations have been requested to other portions of the code to accommodate for these features.

<b>Is not in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b> Since deviations are being requested then the design of the PUD does not address the natural features of the property. If less lots were proposed the width of lots could accommodate natural features such as slopes.

- B. The subdivision shall meet the requirements of chapter 7, "Environmental Standards", of this title.

**Staff:** A review of Chapter 7 Environmental Standards of title 12 is included in this staff report below in the preliminary plat review of this request.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b> If approved this would be a condition of approval.

o **BCRC 12-256.H, Buffering, Clustering:**

Residential PUDs shall provide for the clustering of dwelling units. Clustered lots shall be accessed by interior road systems. To the maximum extent possible, cluster lots shall be located so that common open space provides a buffer between the cluster lots and adjacent properties and/or right of way.

**Staff:** The proposal will have an interior roads system that allows legal access to each lot. A common area vegetative buffer easement is proposed that encompasses the entire PUD.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b> The clustering is adequate given the natural features of the property. Adopt the staff analysis as written in the staff report.

o **BCRC 12-258(A):** Expiration and extension of Planned Unit Development Approval:

Preliminary Subdivision PUD: Conditional use approval for a preliminary subdivision PUD shall expire two (2) years from the date of approval if the final plat has not been approved and recorded.

**Staff:** See Conditions of Approval.

<b>Is in compliance</b>
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
<b>BOCC:</b>

Adopt the staff analysis as written in the staff report.

○ **BCRC 12-258(D): Extension:**

An extension of time request not to exceed two (2) years may be granted by the board of county commissioners. The request shall be made in writing prior to the expiration date and shall state the reasons why the extension is needed and how the developer intends to progress with the project. If it is found that the intent of the PUD approval is merely for speculation purposes, the extension shall not be granted.

**Staff:** See Conditions of Approval

**Is in compliance**

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

**BOCC:**

Adopt the staff analysis as written in the staff report.

**BCRC TITLE 12, CHAPTER 7 ENVIRONMENTAL STANDARDS**

● **BCRC 12-7.1 Shorelines**

Section BCRC 12-713.A.2 of the code states that 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%). Developments may exceed these requirements by up to fifty percent (50%), provided all structures are not located closer than seventy-five feet (75') from the shoreline. For example, the maximum percentage of impervious area may be increased from thirty five percent (35%) of the shore land area to fifty-two and one-half percent (52.5%) of the shore land area, provided all structures are not closer than seventy-five feet (75') from the shoreline.

**Staff:** Tract 1 is within 200' of the shoreline. The applicant has not proposed any structures on this tract. The tract is shown to be a common area and has a recorded sewer easement, Instrument #614394.

**Is in compliance**

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

**BOCC:**

Adopt the staff analysis as written in the staff report.

- **BCRC 12-7.2, Grading, Stormwater management and erosion control**

**Staff:** The applicant submitted a stormwater management and erosion control plan prepared by James A. Sewell and Associates, LLC on May 2, 2025. The plan is currently being reviewed by Bonner County in compliance with BCRC 12-722.2. The applicant will be required to comply with all applicable requirements of this section of the Bonner County Revised Code.

**Is in compliance**

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

**BOCC:**

Adopt the staff analysis as written in the staff report.

- **BCRC 12-7.3, Wetlands:** The purpose of this subchapter is to provide measures to protect and maintain wetlands.

**Staff:** The requirements of this chapter do not apply to this project. Site does not contain any mapped wetlands.

**Is in compliance**

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

**BOCC:**

Adopt the staff analysis as written in the staff report.

- **BCRC 12-7.4, Wildlife:** The purpose of this subchapter is to provide measures to protect and maintain wildlife and fisheries habitat.

**Staff:** Site does not contain any critical wildlife mapped areas as identified by any local, state or federal agencies. The nearest mapped critical wildlife habitat is Priest Lake which is approximately ±200 feet away. Idaho Fish & Game indicated wildlife is in the area but not on the proposed site.

**Is in compliance**

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

**BOCC:**

The board recognizes IDGF comment that wildlife may be in the general area but none was identified in the property.

Adopt the staff analysis as written in the staff report.

- **BCRC 12-7.5, Flood Damage Prevention**

**Staff:** The project is not within and floodway or flood hazard zone. The closest flood hazard zone is ±200 feet away. The mapped zone is Priest Lake.

**Is in compliance**

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

**BOCC:**

Adopt the staff analysis as written in the staff report.

- **BCRC 12-7.6, Hillsides**

The purpose of this subchapter is to protect the community from the loss of lives and property and to reduce public and private financial losses due to slope slippage.

**Staff:** Within the current project site, some proposed lots have areas of mapped slopes  $\geq 30\%$  grade. In such cases, a geotechnical analysis shall be required for proposed building sites, roads, driveways or other development. Geotechnical analysis shall be stamped and signed by an Idaho licensed civil or geological engineer having sufficient education and experience to prove competence in the field of geotechnical engineering. The geotechnical analysis shall be submitted prior to construction and shall explain the geologic and hydrologic features of the area, shall evaluate the suitability of the site for intended uses, shall identify potential problems relating to geology and hydrology, shall summarize the data upon which conclusions are based, and shall propose mitigation measures.

**Is in compliance**

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

**BOCC:**

To meet this requirement this would need to be a phased condition of approval. Adopt the staff analysis as written in the staff report.