

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



Short Plat Administrative Staff Report

Project Name: Hamilton Pond

File Number, Type: SS0005-25, Short Plat

Request: The applicant is proposing to divide one ±13.89-acre lot into two lots, 4.49 acres and 9.4 acres respectively.

Legal Description: 3-57N-1W HAMILTON HILL II LOT 2A

Location: The site is generally located off Sunnyside Road, Sandpoint in Section 3, Township 57 North, 1 West Boise Meridian, Bonner County.

Parcel Number(s): RP0337100002A0A

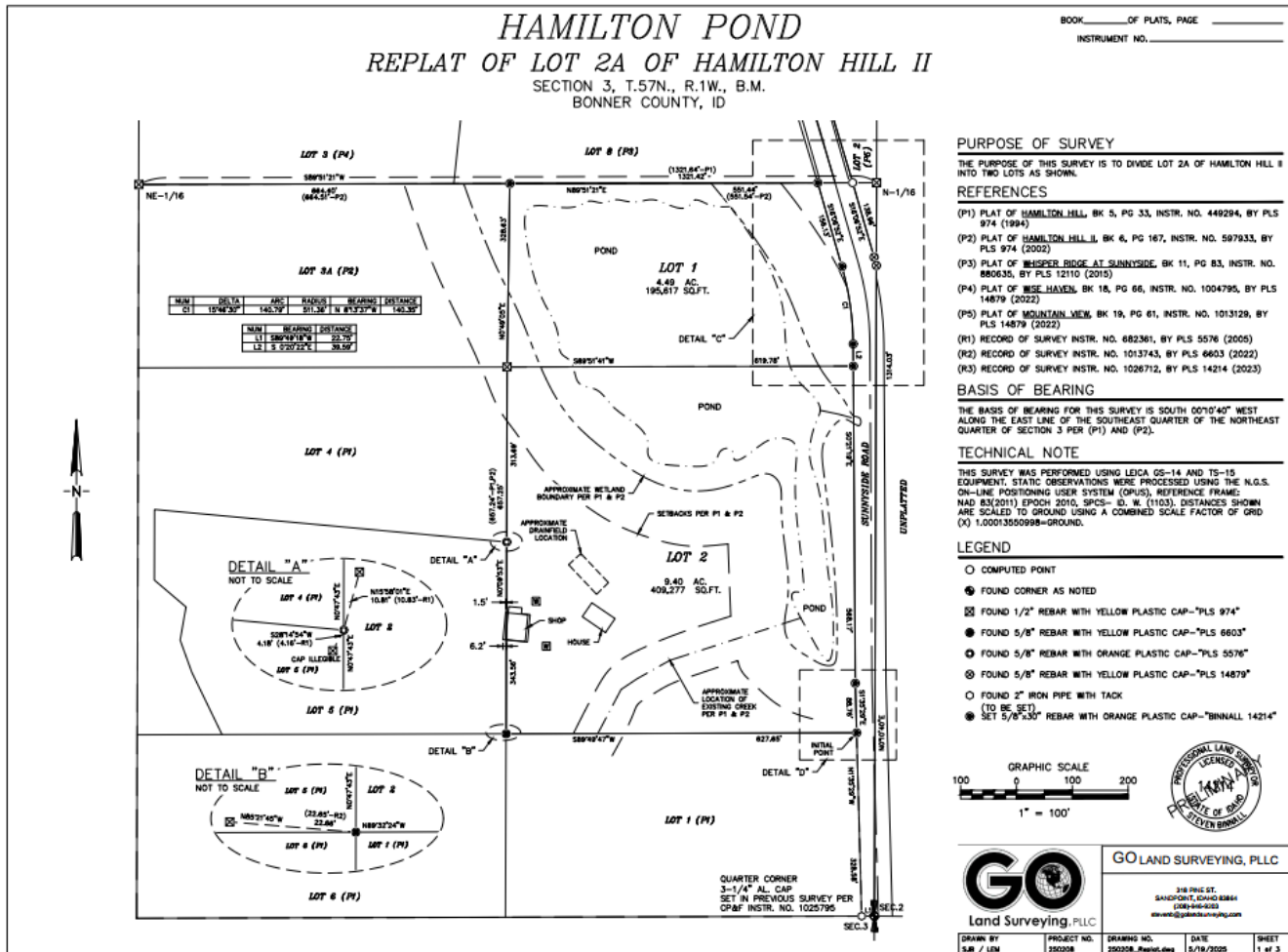
Parcel Size: Approximately 13.89

**Applicant/
Landowner:** Elmer Hamilton
[REDACTED]
Sandpoint, ID 83864

**Project
Representative:** Steven Binnall
GO Land Surveying, PLLC
414 Euclid Ave.
Sandpoint, ID 83864

Application filed: June 5, 2025

Notice provided: Mail: July 17, 2025
Published in newspaper: July 17, 2025



Project Summary:

The site consists of approximately 13.89 acres of land, platted as Lot 2A of Hamilton Hill II Plat Book 6, Page 167, Instrument #597933 Bonner County Records.

The subject property and all surrounding properties are zoned Rural-5 with a land use designation of Rural Residential. The site is accessed on Sunnyside Road a Bonner County owned and maintained gravel right-of-way.

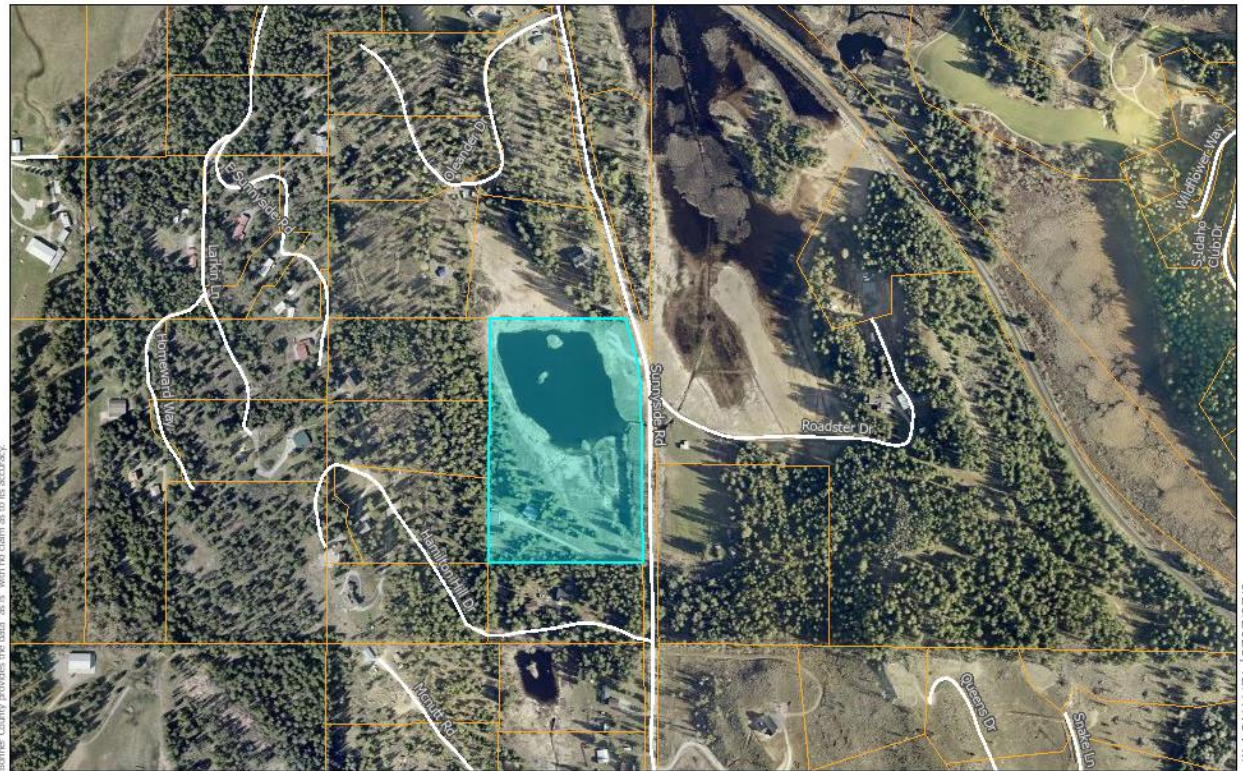
The applicant is requesting to re-plat the subject property into two new lots, 4.49 acres and 9.4 acres in size.

Applicable Laws:

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

| | |
|---------------|--------------------------------------------------------------------------------------------------------------------------------|
| BCRC 12-2.6 | Abandonments, Appeals, Complaints, Exceptions, Fees, Modifications, Public Hearings, Application Processing |
| BCRC 12-264 | Administrative Exceptions |
| BCRC 12-268 | Application Process, General Provisions |
| BCRC 12-412 | Density and Dimensional Standards: Suburban, Commercial, Industrial, Rural Service Center, Recreation and Alpine Village Zones |
| BCRC 12-610 | Applicability/ Qualifications |
| BCRC 12-611 | Definitions |
| BCRC 12-612.A | Replatting Required |
| BCRC 12-620 | Design Standards: General |
| BCRC 12-621 | Design Standards: Lot Design |
| BCRC 12-622 | Design Standards: Submerged Lands |
| BCRC 12-623 | Design Standards: Services and Utilities |
| BCRC 12-624 | Design Standards: Roads and Access |
| BCRC 12-625 | Design Standards: Trails and Parks |
| BCRC 12-626 | Design Standards: Environmental Features |
| BCRC 12-627 | Subdivisions in the Commercial and Rural Service Center Districts |
| BCRC 12-640 | Subdivisions, Processing of Subdivision Applications, General |
| BCRC 12-641 | Subdivisions, Pre-application review |
| BCRC 12-642 | Preliminary Plat, Contents of Application |
| BCRC 12-644 | Improvement Plan Required, Contents |
| BCRC 12-645 | Standards for review of Applications for Preliminary Plat of all Subdivisions |
| BCRC 12-646 | Final Plat, Contents |
| BCRC 12-647 | Endorsements to be shown on Final Plat |
| BCRC 12-648 | Procedure for Final Plat Review and Approval |
| BCRC 12-649 | Digital Submission of Final Plat |
| BCRC 12-650 | Application/ Contents of Preliminary Plats for Short Plat Procedure |
| BCRC 12-651 | Short Plat, Procedure for approval of Preliminary Plat |
| BCRC 12-652 | Short Plat, Contents of Final Plat, Procedure for Approval of Final Plat |
| BCRC 12-7.1 | Shorelines |
| BCRC 12-7.2 | Grading, Storm water Management and Erosion Control |
| BCRC 12-7.3 | Wetlands |
| BCRC 12-7.4 | Wildlife |
| BCRC 12-7.5 | Flood Damage Prevention |
| BCRC 12-7.6 | Hillsides |

SS0005-25



Background:

A. Site data:

- Current Use: Single-family Dwelling
- Status: Platted as Lot 2A Hamilton Hill.
- Size: Approximately 13.89 acres
- Zone: Rural-5
- Land Use: Rural Residential

B. Access:

- The site is currently accessed off Sunnyside Road, a Bonner County owned and maintained gravel right-of-way.

C. Environmental factors:

- The parcel does contain mapped slopes of 0-≥30% grade. (USGS)
- The parcel does contain mapped wetlands. (USFWS)
- The parcel does contain any mapped waterfront. (NHD)
- Parcel is within SFHA Zone X, per FIRM Panel 16017C0735E, Effective Date 11/18/2009.
- Soil Types:
 - Description: Pend Oreille silt loam, 5 to 45 percent slopes
 - Type: Consociation
 - Drainage: Well Drained
 - Classification: Not prime farmland
 - Description: Pywell-Hoodoo complex, 0 to 1 percent slopes
 - Type: Complex
 - Drainage: Very poorly drained
 - Classification: Prime farmland if drained

D. Services:

- Water: Individual wells
- Sewage: Individual septic systems
- Fire: Northside Fire District
- Power: Avista Utilities
- School District: Lake Pend Oreille School District #84

Staff Review and Analysis

| BCRC | STANDARD FOR | REQUIRED | CONFORMANCE | | |
|-----------|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|--------------------------|
| | | | Yes | No | N/A |
| 12-2.6 | Application Process | | | | |
| 12-268 | Application Process, General Provisions | Fees, Determination of Application Completion, Agency Review, ACI Notification, Priority Applications, Written Decision. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-4.1 | Density and Dimensional Standards | | | | |
| 12-412 | Min. Lot Size | Minimum lot size in the Rural-5 is 5 acres. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-6.2 | Design Standards | | | | |
| 12-620 | General | Easements, constraints, reserved land areas to be shown and marked on the plats. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-621(A) | Lot Design | 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 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| BCRC | STANDARD FOR | REQUIRED | CONFORMANCE | | |
|---------------|-------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|-------------------------------------|
| | | | Yes | No | N/A |
| | | feet (300') in width shall maintain a depth to width ratio of not greater than four point two to one (4.2:1) | | | |
| 12-622 | Submerged Lands | Submerged lands not to be counted towards density calculations. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-623.A | Urban services | For lots less than 1 acres in size, urban services required. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-623.B | Water supply | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-623.C | Sewage disposal | A sewage disposal method for all building sites, as approved by the Panhandle health district and/or the state of Idaho, may be provided. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-623.D | Fire Plan/Fire risk Assessment/ Fire Mitigation | A fire suppression plan was submitted as part of the application. See Conditions of Approval | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-624.A | Road name | Unique road names for new roads. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-624.B | Road standards | Road to be designed to meet private road standards of BCRC Title 12, Appendix A. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-624.C | Legal access | Legal access to each proposed lot. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-624.D | Public road frontage | For lots less than 5 acres in size, direct frontage and direct access to public roads required. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-625.A | Trails and Parks | Bonner County Trails Plan | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-625.B | Trails and Parks | Public Access, Parks and Facilities | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-626.A | Natural Hazards | Subdivision to be designed around identified natural hazards. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-626.B | Conformance with BCRC 12-7 | Conformance with environmental standards. See relevant standards review below. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-626.C | Waterfront property | Conformance with BCRC 12-7.1 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-6.4 | Preliminary Plat Procedures | | | | |
| 12-641 | Pre-application Review | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-642.A | Application Content | Application Form | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-642.B | Application Content | Preliminary Plat prepared by Idaho licensed surveyor, showing parcels to be created. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-642.B.1 | Plat Content | Subdivision name, geographic grid, north arrow, and vicinity map, vicinity road | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| BCRC | STANDARD FOR | REQUIRED | CONFORMANCE | | |
|-------------|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| | | | Yes | No | N/A |
| | | pattern. | | | |
| 12-642.B.2 | Plat Content | Boundary line of tract to be subdivided, intersection property lines, abutting roads, names and addresses of adjoining owners shown in their respective places of ownership on the plat. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-642.B.3 | Plat Content | Location, dimensions and area of proposed lots. Lot numbering. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-642.B.4 | Plat Content | Location, dimensions and tentative names of proposed streets and roads. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-642.B.5 | Plat Content | Sufficient contours to show the shape of the land and extending at least one hundred feet beyond the subdivision limits. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-642.B.6 | Plat Content | Location of water courses, floodplains per FIRMs with BFEs. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-642.B.7 | Plat Content | Existing wells, springs, wetland boundaries, wetland delineations, drainage channels, overhead and underground utility lines, structures, sanitary sewers and culverts within the tract. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-642.B.8 | Plat Content | Proposed method of water supply, sewage and solid waste disposal. <i>See Conditions of Approval.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12-642.B.9 | Plat Content | All easements of record, including sufficient data to identify conveyance. <i>See Conditions of Approval.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-642.B.10 | Plat Content | Purpose indication for parcels reserved for public dedication or common use of property owners. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-642.B.11 | Plat Content | Statement for intended use of parcels. <i>See Conditions of Approval.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12-642.C.1 | Application Fee | Fee has been paid | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-642.C.2 | Road Design and Profile | Preliminary road design and profile prepared, stamped and signed by Idaho licensed engineer. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-642.C.3 | Other Information | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-644.A | Improvements Plan | Plan to be prepared by a registered civil engineer. Two copies to be provided. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-644.B | Improvements | County Engineer Inspections | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| BCRC | STANDARD FOR | REQUIRED | CONFORMANCE | | |
|---------------|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|-------------------------------------|
| | | | Yes | No | N/A |
| | Plan | | | | |
| 12-644.C | Surety Agreement | In lieu of completing all improvements, the subdivider shall enter into a surety agreement with the Board. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-6.5 | Short Plats, Procedures | | | | |
| 12-650.A | Purpose | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-650.B | Number of lots | Creation of 5 to 10 lots under common ownership | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-650.C | Permit Required | Eligibility for Short Plat | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-650.D | Plat Contents | Conformance with BCRC 12-6.2 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-651 | Procedure for Prelim. Short Plat Approval | Application to be filed as per BCRC 12-268, Agency Routing, Public Noticing, ACI Noticing, Comment Period, Staff Report Issuance, Written Decision, Preliminary Plat Validity, Administrative Decision Appeal. <i>See Conditions of Approval.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-7.1 | Shorelines | | | | |
| 12-710 | Purpose | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-711 | Shoreline Setbacks | Applicable at the time of Building Location Permit. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-712 | Fence restrictions | Applicable at the time of Building Location Permit. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-713 | Impervious Surface Standards | Applicable at the time of Building Location Permit. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-714 | Shoreline Vegetative Buffer | Applicable at the time of Building Location Permit | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-7.2 | Grading, Stormwater Management And Erosion Control | | | | |
| 12-720.1 | Purpose | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-720.2 | Applicability | Activities to which Subchapter 12-7.2 is applicable. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-720.3 | Non-applicability | Activities to which Subchapter 12-7.2 is not applicable. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-722.1 | Procedure for New Subdivisions | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-724.4 | Optional Preliminary | For preliminary plats, an optional preliminary grading/storm water management and erosion control plan may | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| BCRC | STANDARD FOR | REQUIRED | CONFORMANCE | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-----------------------------------------------------------------------------------|--------------------------|-------------------------------------|
| | | | Yes | No | N/A |
| | | be submitted at the time of the application. | | | |
| 12-7.3 | Wetlands | | | | |
| 12-730 | Purpose | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-731.B | Wetland Reconnaissance | Applicable at the time of Building Location Permit | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-732 | Wetland Delineation | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-733 | Wetland Buffer and Setbacks | Applicable at the time of Building Location Permit | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-7.4 | Wildlife | | | | |
| 12-740 | Purpose | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-741 | Standards for New Subdivisions | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-7.5 | Flood Damage Prevention | | | | |
| | | Conformance with BCRC Title 14. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-7.6 | Hillsides | | | | |
| 12-760 | Purpose | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-761 | Conceptual Engineering Plan | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12-762 | Geotechnical Analysis | Applicable at the time of Building Location Permit | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| The application IS OR IS NOT consistent with Bonner County Revised Code based on the evidence in the record submitted up to the time the staff report was prepared, with the addition of Findings of Facts, and Conclusions of Law as listed in this staff report, subject to the Conditions of Approval listed in this staff report. | | | <input checked="" type="checkbox"/> IS , subject to Conditions of Approval | | |
| | | | <input type="checkbox"/> IS NOT | | |

Agency and Public Comments

Agencies and Taxing Districts were notified of this request on July 17, 2025. A full list of the agencies notified can be found in Appendix A. Agency comments can be found in Appendix B.

The following agencies replied with comments:

- Bonner County Historical Society
- Bonner County Road & Bridge Department
- Panhandle Health District

The following agencies replied with no comment:

- Idaho Department of Transportation
- Idaho Department of Fish and Game
- Idaho Department of Transportation

All other agencies did not reply.

Public Comments:

As of the date of this staff report no public comments have been received.

Findings of Facts:

1. The applicant is requested to re-plat approximately 13.89 acres of platted land, zoned Rual-5, to create 2 new lots, 4.49 acres and 9.4 acres in size.
2. The applicant has an approved administrative variance recorded at Instrument #995889 for lot size of 4.49 acres.
3. The proposal is currently accessed off Sunnyside Road, a Bonner County owned and maintained right-of -way.
4. The proposal contains mapped slopes of 0 to $\geq 30\%$ grade per (USGS).
5. Avista Utilities can provide electricity to the proposed lots.
6. Northside Fire District, Bonner County Sheriff's Department, Lake Pend Oreille School District #84, Pend Oreille Hospital District and Bonner County Ambulance District can provide public services.

Conclusions of Law:

Based upon the findings of fact, the following conclusions of law are adopted:

Conclusion 1: The proposed subdivision **is** in accord with the purposes of this Title and of the zoning district in which it is located.

Conclusion 2: The site **is** physically suitable for the proposed development.

Conclusion 3: The design of the proposed subdivision **will not** adversely impact Bonner County's natural resources, as identified in the comprehensive plan. Any adverse impacts or potential for impacts shall be mitigated as a condition of approval.

Conclusion 4: The public and private services, including but not limited to water, sewer services, solid waste, fire protection, emergency services, and school facilities and transportation, which will serve the proposed subdivision **are** adequate for the needs of future residents or users.

Conclusion 5: The proposed subdivision **will not** cause circumstances to exist that will cause future residents or the public at large to be exposed to hazards to health or safety.

Conclusion 6: The design of the proposed subdivision or related improvements **will** provide for coordinated access with the county system of roads and with adjacent properties and **will not** impede the use of public easements for access to, or through the proposed subdivision. The proposed transportation system **is** designed to adequately and safely serve the future residents or users without adversely impacting the existing transportation system by reducing the quality or level of service or creating hazards or congestion.

Conclusion 7: The proposed subdivision **is** designed to comply with the design criteria for subdivisions set forth in Subchapter 6.2 of this chapter.

Conclusion 8: The proposed subdivision **is** in accord with the Bonner County Comprehensive Plan.

Conditions of Approval:

1. Per BCRC 12-642.B.8, note proposed method of solid waste disposal on the plat.
2. Per BCRC 12-642.B.11, indicate the intended use of the parcels, i.e. residential, agricultural, etc. in the plat notes.
3. The final plat contents shall conform to BCRC 12-646 "A thru M".
4. As per BCRC 12-646(D), update the plat to show/include the following before final plat submission per Bonner County Road & Bridge:
 - a) Indicate the total ROW width for Sunnyside Road.
 - b) Label Sunnyside Road as a public, county maintained
 - c) List the instrument number for how this ROW was established.
5. As per BCRC 12-648.A, the applicant shall submit final plat check fees, current preliminary title report and one blueprint copy of the proposed final plat. Instead of submitting one blueprint copy, the applicant may submit a pdf copy of the final blueline plat.
6. As per BCRC 12-648.B, final plat must conform to the final plat requirements of Idaho Code Section 50-1304, BCRC 12-647 and BCRC 12-649.
7. As per BCRC 12-651.G, the preliminary short plat shall be valid for a period not to exceed two (2) calendar years from the date of approval. At any time prior to the expiration date of the preliminary short plat, an applicant may make a written request to the planning director for an extension of the preliminary short plat for a period up to two (2) years, finding that conditions or applicable regulations have not changed so substantially as to warrant reconsideration of the proposed subdivision with respect to the public

health, safety, and general welfare. The planning director may recommend such request for extension at any regular business meeting of the board of commissioners. The extension request must be approved or denied prior to the expiration date of the preliminary short plat.

Staff Recommendation for Action: Approval with Conditions

The applicant, or interested parties, have 10 days from the date of the issuance of this report to provide written comment in response to the staff report.

The Planning Director shall make an administrative decision to approve, approve with modifications, continue, deny or recommend a public hearing on the file following the closing of the ten-day response period on **September 1, 2025**.

Planner's Initials: DB

Date: August 20, 2025
