

**BONNER COUNTY PLANNING DEPARTMENT
HEARING EXAMINER
STAFF REPORT FOR OCTOBER 8, 2026**



Project Name: Yount - Public Utility Facility

File Number, Type: MOD0002-26; Modification of CUP0020-23 and MOD0009-25.

Request: The applicants are requesting a modification of CUP0020-23 and MOD0009-25 to include two additional, new equipment structures, ancillary support equipment, emergency diesel generators, and a new chain-link fence enclosed compound. The 6.2-acre project site is zoned Commercial. The project site is located off State Highway 41 in Section 24, Township 55 North, Range 6 West, Boise-Meridian.

Legal Description: 24-55N-6W HOODOO VIEW ACRES LOT 1

Location: 68 Battle Drive, Blanchard.

Parcel Number: RP021090000010A

Parcel Size: 6.2-acres

Applicant: Yount Properties, LLC
9071 W. Twin Lakes Rd
Rathdrum, ID 83858

Project Representative: Jordan Perkins
Ontivity, LLC
5400 Ward Rd, Bldg III
Arvada, CO 80002

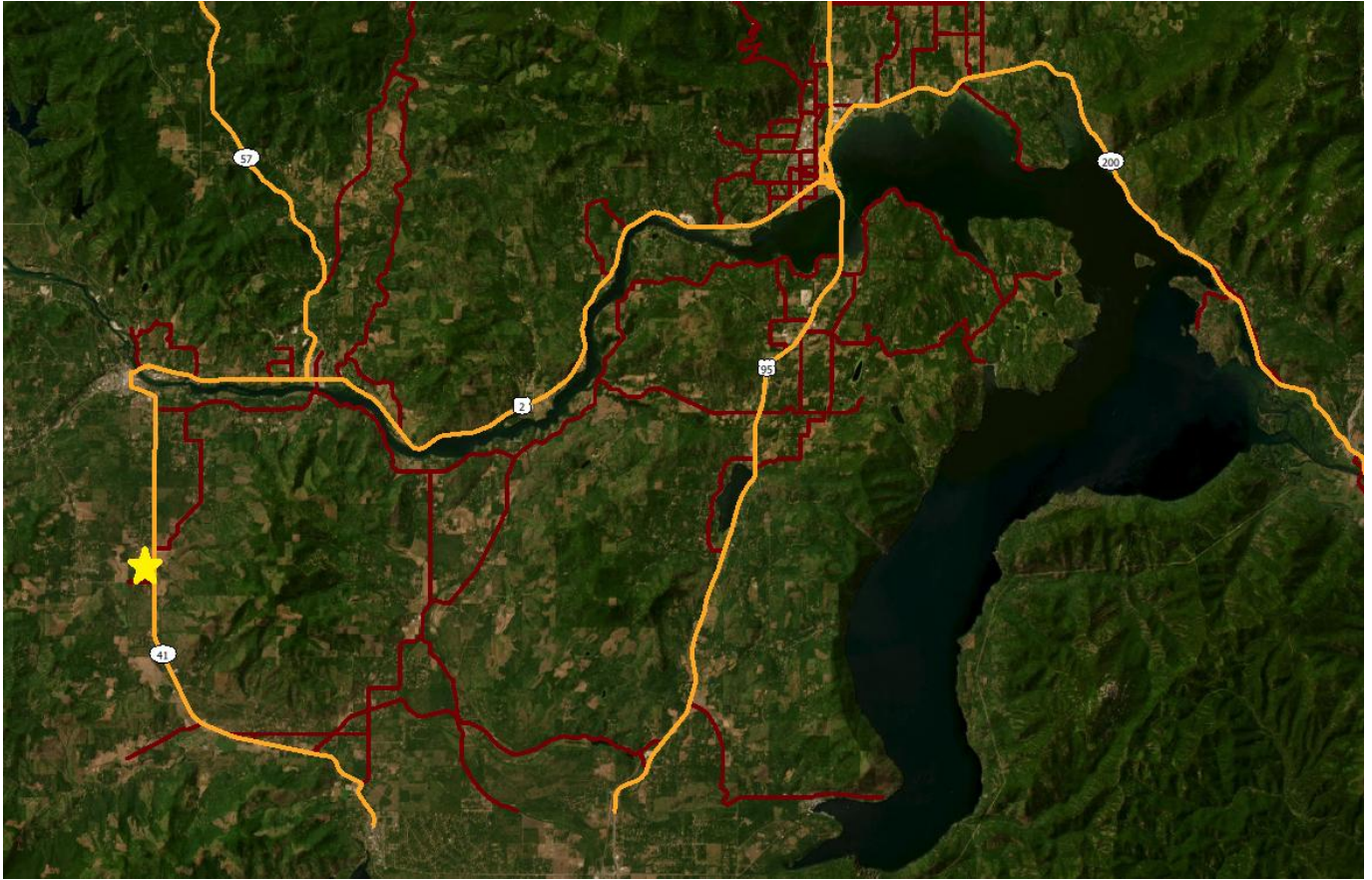
Property Owner: Same as applicant.

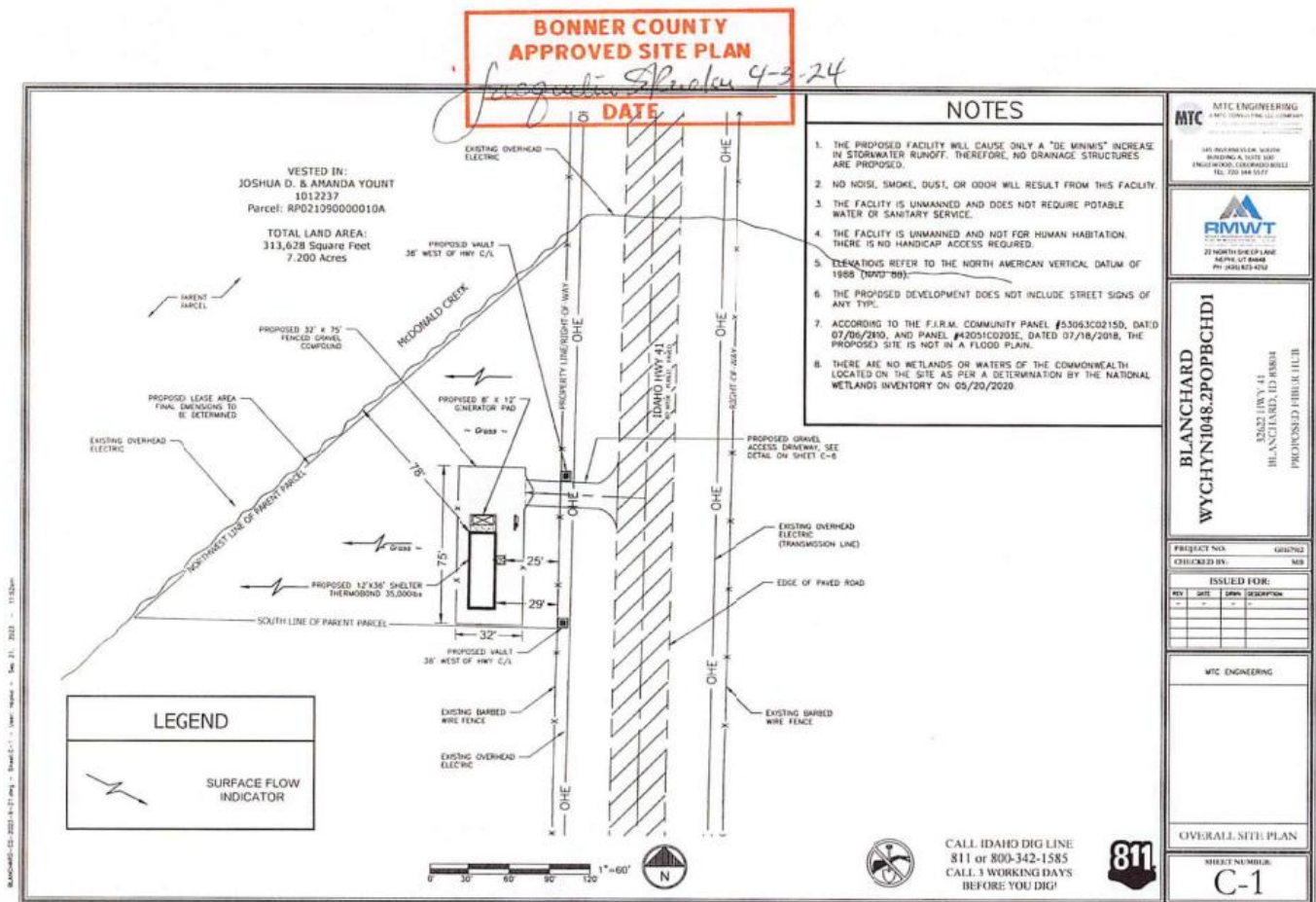
Application Filed: April 16, 2026

Notice Provided: Mail: September 1, 2026
Site Posting: September 1, 2026
Published in Newspaper: September 2, 2026

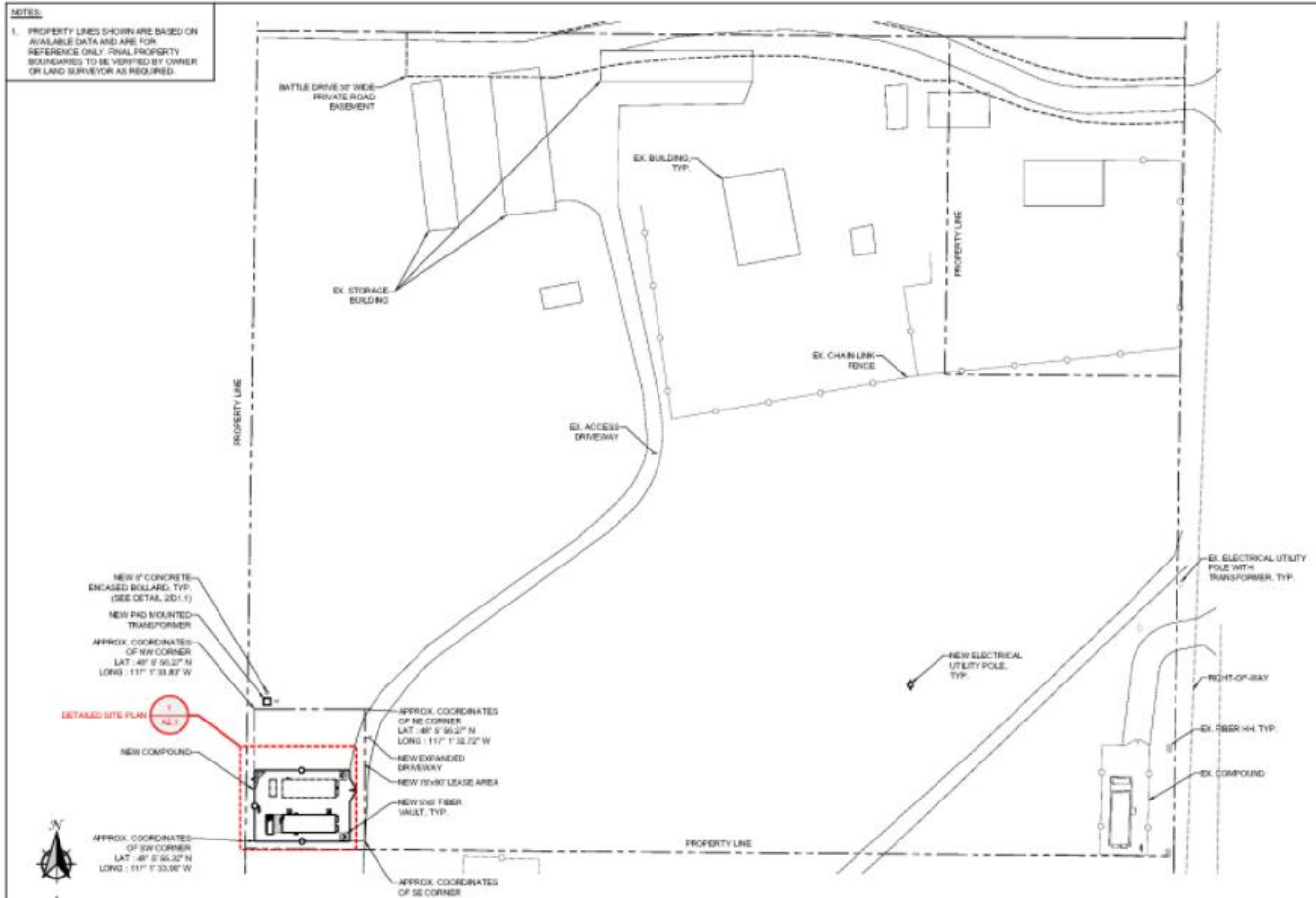
Appendices: Appendix A – Notice of Public Hearing Record of Mailing
Appendix B – Agency Comments

Vicinity Map:

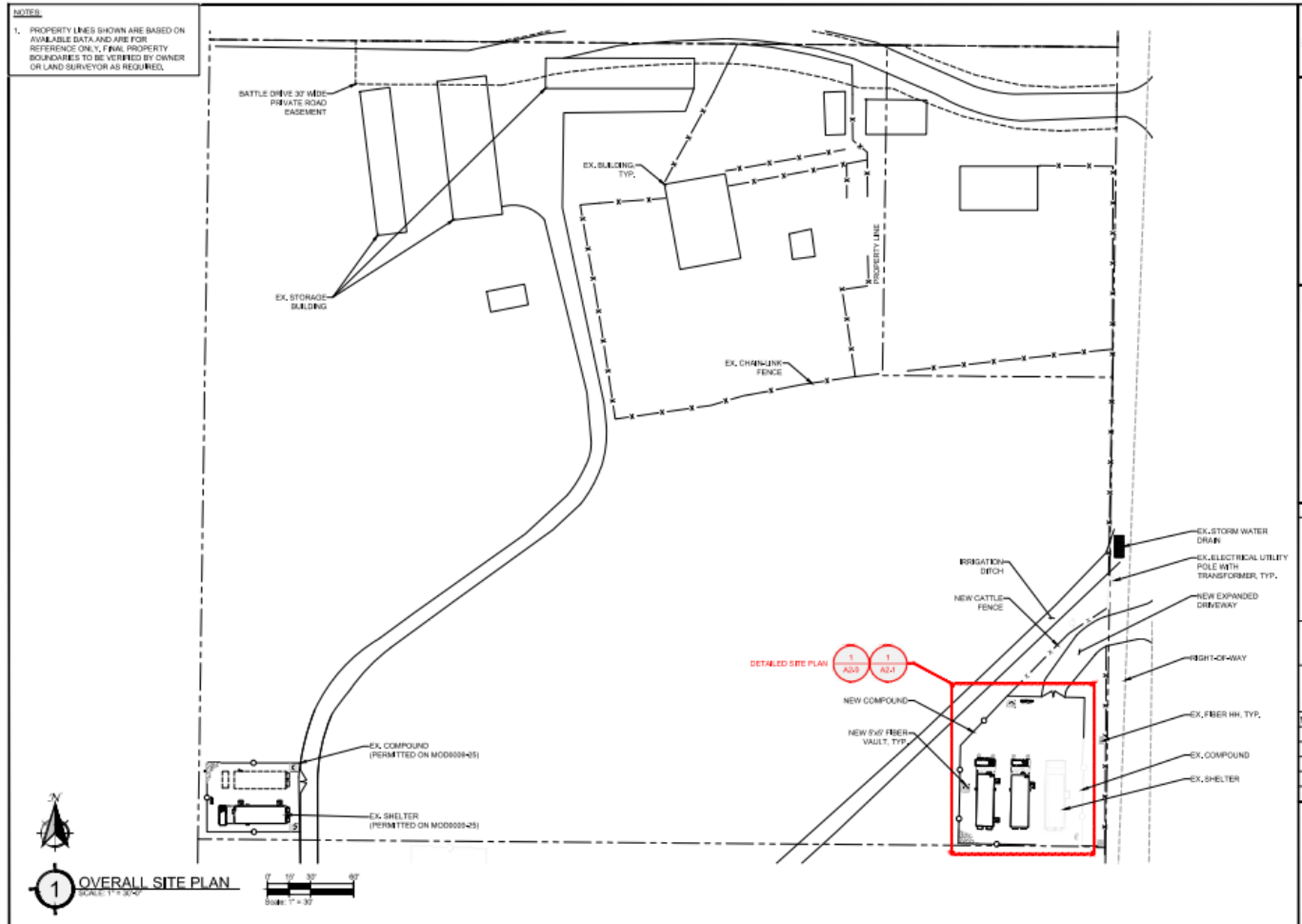




Modified MOD0009-25 Site Plan:



Proposed Site Plan:



Project Summary:

The applicants are requesting a modification of CUP0020-23 and MOD0009-25 to include two additional, new equipment structures, ancillary support equipment, emergency diesel generators, and a new chain-link fence enclosed compound. The 6.2-acre project site is zoned Commercial. The project site is located off State Highway 41 in Section 24, Township 55 North, Range 6 West, Boise-Meridian.

Applicable Laws:

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

BCRC 12-220, et seq, conditional use permit, application and standards
BCRC 12-266, Modification of Terms and Conditions of Permit Approval
BCRC 12-325, Commercial District
BCRC 12-335, Public Use Table

BCRC 12-412, Density and Dimensional Standards – Suburban, Commercial, Industrial, Rural Service Center, Recreation and Alpine Village zones
BCRC 12-4.2, Performance standards for all uses
BCRC 12-4.3, Parking standards
BCRC 12-4.4, Sign standards
BCRC 12-4.5, Design standards
BCRC 12-4.6, Landscaping and screening standards
BCRC 12-7.2, Grading, stormwater management and erosion control

Background:

A . Site Data:

- The site is currently approved to be used for two Public Utility Facilities (Fiber Optic Relay Facilities) and is operating with one facility in the SE corner of the subject lot, and one facility in the SW corner of the subject lot. The subject lot is also currently being used for other agricultural and commercial activities.
- Platted; Lot 1 of HooDoo View Acres
- Size: ~6.2-acres
- Zone: Commercial (C)
- Land Use: Neighborhood Commercial (0-2.5 AC)

B. Access:

- The site is accessed off of State Highway 41, an 80-foot wide State of Idaho owned and maintained, paved right of way.

C. Environmental Factors:

- Site contains minimal mapped slopes of 15-30%+. (USGS)
- Site does contain mapped wetlands. (USFWS)
- Site does not contain a river/stream/frontage on lake, but does contain a man-made irrigation ditch. (NHD)
- Parcel is within SFHA Zone X per FIRM Panel Number 16017C1075E Effective Date 11/18/2009. No further floodplain review is required on this proposal.

D. Services:

- Water: Not to be used for this project.
- Sewage: Not to be used for this project.
- Fire: Spirit Lake Fire District.
- Power: Avista Utilities, per applicant.
- School District: West Bonner School District #83.

E. Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Neighborhood Commercial (0-2.5 AC)	Commercial	Commercial/Public Utility Facility / 6.2 acres
North	Rural Residential (5-10 AC)	Rural 5	Residential / 5 acres

East	Rural Residential (5-10 AC) & Ag/Forest Land (10-20 AC)	Rural 5 & Agricultural/Forestry 20	Residential / 1 acre Residential/Forestry / 320.631 acres
South	Rural Residential (5-10 AC)	Rural 5	Residential / 6 acres
West	Rural Residential (5-10 AC)	Rural 5	Residential / 14.776 acres

F. Standards Review

BCRC 12-223 specifies that the Commission shall review the particular facts and circumstances of each proposal. To grant a conditional use permit, the Commission 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

ANALYSIS AGAINST THE COMPREHENSIVE PLAN OBJECTIVES:

1. Property Rights

a. Objective: Private property shall not be taken for public uses without just compensation or due process of law.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

b. Objective: Impacts to other properties shall be taken into account when considering land use proposals, policies and codes.

Analysis: The previous decision determined that the facility is unlikely to result in any significant noise, light, glare, smoke, odor, dust, particulate matter or vibrations as the facility will be designed in accordance with applicable state and federal standards. This proposal is for an expansion of the Public Utility Facility use and this same standard must therefore be applied to this decision.

2. Population

a. Objective: 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.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

3. School Facilities & Transportation

a. Objective: 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.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

b. Objective: The county should encourage school districts to proactively review development applications to determine particular school needs and concerns.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

c. Objective: Bonner County roads, trails and bicycle paths should be designed and maintained to allow safe passage of students to schools.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

d. Objective: Long-term consequences of land use proposals should be considered, including the adequacy of existing facilities and the siting of future schools.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

4. Economic Development

a. Objective: 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.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

b. Objective: Enable development of small scale cottage industries and home based occupations while protecting the surrounding areas from adverse impacts.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

c. Objective: 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.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

d. Objective: 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.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

e. Objective: Support local businesses by enabling development of workforce housing in proximity to commercial, industrial and agricultural uses.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

f. Objective: 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.

Analysis: Not applicable. This objective was not addressed in the previous approval, but this proposal is a Public Use, not a Commercial or Industrial Use.

5. Land Use

a. Objective: 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.

Analysis: Bonner County Revised Code was adopted in accordance with the Comprehensive Plan Land use objectives. The code permits Public Utility Facility as a Conditional Use in areas zoned Commercial. This request upholds the land use objectives of the Comprehensive Plan.

b. Objective: Encourage clustered development for medium and large scale commercial and industrial uses.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

c. Objective: 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.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

6. Natural Resources

a. Objective: 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.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

b. Objective: 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.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

c. Objective: 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.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

7. Hazardous Areas

a. Objective: 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.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

b. Objective: Future development should be designed to reduce exposure to wildland fire and to provide for emergency and escape routes for residents.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

c. Objective: Development within areas of excessive slopes, unstable areas and avalanche zones shall be discouraged.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

8. Public Services, Facilities & Utilities

a. Objective: 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.

Analysis: The application supports this objective by providing infrastructure for all of the above.

b. Objective: Require the developers to provide infrastructure, utilities or financial support to offset the capital costs of expansion of services, required by the proposed development.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

c. Objective: Bonner County shall require adequate provisions for future utility services in areas of commercial, industrial, residential or other similar uses.

Analysis: The application supports this objective by enhancing the backbone infrastructure available to provide services to county residents. Cellular and landline communications, as well as internet run on this backbone. This utility will enhance service for customers as well as enhancing emergency services communications.

9. Transportation

a. Objective: Future development shall not adversely impact the existing transportation system by reducing the quality or level of service or creating hazards or congestion.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

b. Objective: Roads within new development shall be built to county standards and at the expense of the developer.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

c. Objective: Roads within new development shall provide adequate access for fire and emergency vehicles and routes of escape.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

d. Objective: Future access roads shall be developed to integrate with the state and county system of roads without overburdening the transportation system.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

e. Objective: To reduce transportation costs, road building and environmental impacts, cluster development shall be encouraged.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

f. Objective: Bonner County intends for certain intense land use developments to provide paved roads.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

g. Objective: Bike ways and pedestrian paths shall be considered in development plans to provide an integrated community transportation system wherever possible.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

h. Objective: To communicate and work cooperatively with other jurisdictions within the county to ensure the best possible flow of traffic county-wide.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

10. Recreation

a. Objective: Ensure public legal recreational access and amenities are not obstructed or adversely impacted by future development.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

11. Special Areas or Sites

a. Objective: Future developments shall not adversely affect or destroy culturally or ecologically sensitive sites.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

12. Housing

a. Goal/Objective: Provide an environment that enables opportunities for diverse housing needs.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

13. Community Design

a. Objective: New development should be located in areas with similar densities and compatible uses.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

b. Objective: The adverse impacts of new development on adjacent areas should be minimized.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

c. Objective: Consider the protection of natural resources, rural features and surrounding uses of the community in the design and location of new development.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

14. Agriculture

a. Objective: Protect the rural character and agricultural heritage of Bonner County by retaining large and small scale commercial agriculture and hobby farms as viable uses.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

b. Objective: Support the local economy by encouraging production, distribution, and retail sales of locally grown food and other agricultural products.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

c. Objective: Develop policies to discourage fragmentation of very large productive agricultural lands.

Analysis: Not applicable. This was determined to be not applicable in the previous approval.

BCRC 12-266, Modification of Terms and Conditions of Permit Approval

BCRC 12-266 states that requests for modification of a conditional use should be reviewed and approved under the same requirements for the original permit application approval and shall confine the review to the proposed modification. As this is a modification request, BCRC 12-266 applies over BCRC 12-223 and this review cannot modify any portion of the previous approval. This review must be confined to new or modified proposals for the use of the site in question.

Staff: The application was considered complete on July 2, 2026. This section provides the standards for the modification of an approved conditional use permit. Notice has been given in accordance with this section. The governing body shall consider the proposed modification in accordance with the requirements for the original permit application and shall confine the review to the proposed modification. The governing body shall render a decision in writing on the proposed modification within five (5) working days after consideration of the proposal, and the decision shall conform to the procedures, standards and requirements pertaining to the original permit.

BCRC 12-325, Commercial District

The Commercial district was established to promote a range of commercial uses to serve the needs of the immediate area, surrounding rural communities and visitors without adversely affecting adjacent residential neighborhoods. The commercial district is also intended to provide opportunities for a variety of affordable housing types that are within walking distance of commercial services. Intensive large scale commercial development is not appropriate due to the limited density of surrounding unincorporated areas. Access to primary transportation routes and a system of hard surfaced roads are expected and consideration is given to the potential public transportation access. These purposes are accomplished by:

1. Providing for a wide range of small to medium scaled retail, professional, governmental and personal service uses.
2. Allowing for mixed use buildings (housing over office or retail) and a range of housing types, including cottage housing, townhouses, apartments and mobile home parks where sufficient services are provided.
3. Allowing for light industrial uses where activities are conducted primarily indoors and impacts to adjacent uses can be mitigated.
4. Excluding commercial uses with extensive outdoor storage.
5. Excluding large scale commercial uses that would be more effectively located in incorporated cities.
6. Applying simple design standards that enhance pedestrian access and improve the character of the area.

Staff: This proposal does not conflict with these purposes and intents.

BCRC 12-335, Public Use Table

Public Utility Facilities are conditionally permitted within the Commercial Zone.

TABLE 3-5

PUBLIC USE TABLE

Use	Zoning District								
	F	A/F	R	S	C	I	RSC	REC	AV
						(10)			
Park	P	P	P	P	P	P	P	P	P
<u>Public utility facility</u> (6), (11)	C	C (3)	C (3)	C	C	C	C	C	C
Sanitary landfills (12), (13)		C (3)	C (3)						
Schools, public and private (9)		C (3)	C (3)	C	C		C	C	C
Service center facilities					P	P	P		
Solid waste collection facilities (12)	C	C (3)	C (3)	C	C	C	C	C	C

(6) 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, as to be compatible with other applicable State and Federal standards.

Staff: There is no information in the record to indicate that the proposed use will create significant emissions, including noise (only sound from the occasional use of the backup generator). No light is planned to be produced by the use except from one external LED light between each structure and outdoor accessories, no glare, no smoke, no odor, no dust, particulate matter, or vibrations.

The facilities will be unmanned and will only be occupied for routine maintenance.

This is consistent with the standard that was applied in the previous approval.

(11) 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.

Staff: The added area of the Eastern enclosure is 5870 square feet and the area covered by the structures for the use is approximately 634 square feet each. The combined enclosure areas are 11,404 sq. ft. total. The site is 6.200 acres. Total lot coverage for all existing structures, existing enclosed compound, and proposed enclosed compound is approximately 24563 square feet. This equals 9.09% lot coverage. The Public Utility Facility is not required to meet the minimum lot/parcel size of the zoning district in which it is located.

The proposed use has already been approved under the above code requirements and as such this use should be presumed to continue to be a public convenience and a necessary facility. There have been no documented adverse effects from the facility on adjoining properties in the vicinity.

The site will not utilize any sewage facilities.

BCRC 12-412, Density and Dimensional Standards; Suburban, Commercial, Industrial, Rural Service Center, Recreation and Alpine Village Zones

Staff: The site is 6.2-acres, zoned Commercial. The site requires a 25-foot setback from the edge of right-of-way, and a 5-foot setback to all other property lines. There is a 35% lot coverage maximum. The proposed facilities in this modification meet this requirement, as the existing fenced enclosure is at the property line with the expansion moving further from it. The structures are 12' 4" from the fence along the property line, and the proposed lot coverage is approximately 9.09%, for all structures on the property.

BCRC 12-4.2, Performance Standards For All Uses

Staff: There is no evidence in the record to suggest that the expansion of the already approved use within the approved lease areas will result in fire hazards, radioactivity or electrical disturbance, noise, vibration, air pollution or water pollution. The proposed use and has already been approved under the previous decisions; CUP0020-23 and MOD0009-25.

BCRC 12-4.3, Parking Standards

Staff: There is no requirement of minimum off-street parking spaces for a Public Utility Facility. If required, the site has sufficient area to accommodate parking for the proposed use. This is consistent with the standard that was applied in the previous approval.

BCRC 12-4.4, Sign Standards

Staff: Per the submitted plans, the only signage proposed in this application is to protect life, health, and safety, or as required by government agencies.

BCRC 12-4.5, Design Standards

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

Staff: The standards of this subchapter are applicable to this proposal for a Public Utility Facility in the Commercial zoning district.

- **BCRC 12-452 Site and Buildings**

Staff: The proposed structures shall be required to obtain Building Location Permits from the Bonner County Planning Department. **See Conditions of Approval.**

- **BCRC 12-453.A. Sidewalk/Pathway Standards**

Staff: These standards are not applicable to this proposal per exemption BCRC 12-453.A.1 and BCRC 12-453.A.2. Adjacent properties or properties along the applicable street frontage are not zoned for commercial uses neither does the site include multiple buildings fronting the street. This standard was not applied in the previous approval.

- **BCRC 12-453.B. Pedestrian Connections**

Staff: This proposal is exempt from these standards as this is a proposal for unmanned Public Utility Facilities where no pedestrian traffic is anticipated. This standard was not applied in the previous approval.

- **BCRC 12-453.C. Parking Lot Pathways**

Staff: This is a proposal for Public Utility Facilities where little or no vehicular traffic is anticipated. As per BCRC 12-4.3 Parking Standards, there are no parking requirements for the proposed use and thus, no parking lot or parking lot pathways requirements either. No special parking standards were required in the previous approval.

- **BCRC 12-453.D. Parking Location Guidelines**

Staff: This is a proposal for Public Utility Facilities where little or no vehicular traffic is anticipated. As per BCRC 12-4.3 Parking Standards, there are no parking requirements for the proposed use and thus, no parking location requirements either. No special parking standards were required in the previous approval.

- **BCRC 12-453.E. Main Building Entry Standards for Commercial Uses**

Staff: This is a request for Public Utility Facilities which are considered a public use. These standards do not apply to this project. This standard was not applied in the previous approval.

BCRC 12-453.F. Lighting Standards

Staff: The applicant has proposed one small LED light on the side of each facility. This light will not create problems with glare or light pollution as the facilities are in a rural area, and the lighting fixture is shielded and downward projecting. Per BCRC 12-453.F.5, low wattage, light emitting diode devices (such as proposed here) and other lighting that reduce electrical use are encouraged.

- **BCRC 12-453.G. Blank Wall Treatment Standards**

Staff: This is a proposal for Public Utility Facilities. These standards do not apply to this project. This standard was not applied in the previous approval.

- **BCRC 12-453.H. Maximum Building Width**

Staff: The widths of the proposed buildings are 12 feet. The proposal meets these standards. These buildings have dimensions identical to the buildings previously approved.

- **BCRC 12-453.I. Recreational Space for Multi-family Developments**

Staff: This is a proposal for Public Utility Facilities. These standards do not apply to this project. This standard was not applied in the previous approval.

- **BCRC 12-453.J. Outdoor Storage**

Staff: No outdoor storage is proposed as part of this application. These standards do not apply to this project. This standard was not applied in the previous approval.

- **BCRC 12-453.K. Solid Waste, Recycling Collection Areas**

Staff: This is a proposal for Public Utility Facilities and does not include a solid waste or recycling collection area. These standards do not apply to this project. This standard was not applied in the previous approval.

BCRC 12-4.6, Landscaping and Screening Standards

Staff: The previous approval required a landscaping plan consisting of Type D vegetation. The applicants submitted a landscaping plan with this application, showing dryland grasses proposed. This meets the Type D standard, and the guidelines of BCRC 12-463 which states that native trees, shrubs and/or grasses are preferred. The site is behind the original approved location, and in a field of native grasses already.

BCRC 12-7.2, Grading, Stormwater Management and Erosion Control

Staff: A grading, stormwater management and erosion control plan was not required in the previous CUP application. A grading, stormwater management and erosion control plan was submitted with the Modification application and has been submitted with this application and shall be approved prior to the issuance of a Building Location Permit. **See Conditions of Approval.**

G. Comprehensive Plan Land Use Designation

The comprehensive plan designation of Neighborhood Commercial is designed to provide light commercial uses to serve the needs of the rural communities and tourist trade without adversely affecting residential neighborhoods. Urban services and primary transportation systems, such as the state highways or major/minor collector roads are required.

H. Agency Review

The application was routed to all required agencies and taxing districts on September 1, 2026. A full list of the agencies noticed for this file can be found in the attached Appendix A. Agency comments are enclosed with this staff report and have been forwarded to the decision making body.

The following agencies commented:

Idaho Transportation Department
Bonner County Planning – Floodplain Review

The following agencies replied “No Comment”:

Bonneville Power Administration
Idaho Department of Fish and Game
Idaho Department of Water Resources
Kootenai/Ponderay Sewer District

All other agencies did not reply.

I. Public Notice & Comments

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

Staff Analysis:

Planner’s Initials: __DF__ Date: 10/1/26

Note: The final decision rests with the governing body after the completion of the public hearing and consideration of all relevant oral and written testimony and evidence.

Decision by the Governing Body:

HEARING EXAMINER

DECISION TO APPROVE: I hereby approve this project, File MOD0002-26 for a modification of CUP0020-23 and MOD0009-25 to include two additional, new equipment structures, ancillary support equipment, emergency diesel generators, and a new chain-link fence enclosed compound, finding that it is not in conflict with the policies of the 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 the 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. I further adopt the reasoned statement as discussed in deliberation at this hearing, as stipulated in Idaho Code §67-6535, and adopt the analysis as presented in the Staff Report (or as amended during this hearing). The written findings and decision of this file will be rendered within 45 calendar days, as enumerated in BCRC 12-268. 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.

DECISION TO DENY: I hereby deny this project, File MOD0002-26 for a modification of CUP0020-23 and MOD0009-25 to include two additional, new equipment structures, ancillary support equipment, emergency diesel generators, and a new chain-link fence enclosed compound, finding that it is in conflict with the policies of the 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/is not** in accord with the 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 / is not** in accord with the Bonner County Revised Code.

Conclusion 3

The proposed modification **will/ 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. I further adopt the reasoned statement as discussed in deliberation at this hearing, as stipulated in Idaho Code §67-6535, and adopt the analysis as presented in the Staff Report (or as amended during this hearing). The written findings and decision of this file will be rendered within 45 calendar days, as enumerated in BCRC 12-268. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the Modification to the Conditional Use Permit is to:

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

Conditions of Approval:

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

- A-1** The modifications shall be developed and shall be operated in accordance with the approved site plan.
- A-2** The Conditional Use Permit and this modification shall not supersede deed restrictions.
- A-3** The modifications shall be developed and shall be operated in accordance with the previous decisions Conditional Use Permit CUP0020-23, and MOD0009-25, 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** Building Location Permits 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 generators 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.

- A-9** Encroachment permit with Idaho Transportation Department to be completed, and all requirements for removal of temporary approach and expanded driveway to be followed, per their submitted comment.

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

Appendix A:
Notice of Public Hearing Record of Mailing

RECORD OF MAILING

Page 1 of 1

File Number: File MOD0002-26

Record of Mailing Approved By: _____

Hearing Date: 10.8.26



I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **1st** day of **September 2026**.



Maya Johnson, Administrative Assistant III

Assessor - Email	Avista Utilities - Email
Bay Drive Recreation District - Email	Bayview Water & Sewer - Email
Bonner County Airport Manager - Email	BONNER COUNTY DAILY BEE - U.S. Mail
Bonner County EMS - Email	Bonner County Floodplain Review - Email
Bonner County Road & Bridge - Email	Bonner County Sheriff - Email
Bottle Bay Water & Sewer District - Email	City of Clark Fork - Email
City of Dover - Email	City of East Hope - Email
City of Hope - Email	City of Kootenai - Email
City of Oldtown - Email	City of Ponderay - Email
City of Priest River - Email	City of Sandpoint - Email
City of Spirit Lake - Email	Coolin Sewer District - Email
Coolin-Cavanaugh Bay Fire District - Email	Drainage District #7 - Email
East Bonner Library - Email	East Priest Lake Fire District - Email
Ellisport Bay Sewer - Email	Garfield Bay Water & Sewer District - Email
GEM STATE MINER - U.S. Mail	Granite Reeder Water & Sewer District - Email
Idaho Department of Environmental Quality (DEQ) - Email	Idaho Department of Fish & Game - Email
Idaho Department of Lands - CDA - U.S. Mail	Idaho Department of Lands - Coolin - Email
Idaho Department of Lands - Navigable Waters & Mining - Email	Idaho Department of Lands - Sandpoint - Email
Idaho Department of Water Resources - IDWR - Email	Idaho Transportation Department (Aeronautics) - U.S. Mail
Idaho Transportation Department- District I - Email	Independent Highway District - Email
Kalispel Bay Sewer & Water - U.S. Mail	Kootenai-Ponderay Sewer District - Email
KPBX-FM 91 SPOKANE PUBLIC RADIO - U.S. Mail	KSPT-KPND-KIBR RADIO - U.S. Mail
Laclede Water District - Email	Lake Pend Oreille School District, #84 (Admin Office) - Email
Lake Pend Oreille School District, #84 (Transportation) - Email	Lakeland Joint School District, #272 - Email
Little Blacktail Ranch Water Association - U.S. Mail	North of the Narrows Fire District - Email
Northern Lights, Inc. - Email	Northland/Vyve Cable Television - Email
Northside Fire District - Email	Outlet Bay Sewer District - Email
Panhandle Health District - Email	Pend Oreille Hospital District - Email
Priest Lake Public Library District - Email	Priest Lake Translator District - Email
Sagle Valley Water & Sewer - Email	Sam Owen Fire District - Email
Schweitzer Fire District - Email	SELKIRK ASSOCIATION OF REALTORS - U.S. Mail
Selkirk Fire, Rescue & EMS - Email	Selkirk Recreation District -Email
Southside Water & Sewer District - Email	Spirit Lake Fire District - Email
Spokesman-Review - U.S. Mail	Historical Society - Email
Swan Shores Sewer District - U.S. Mail	Syringa Heights Water Association - Email
Tamarack Village Water & Sewer - U.S. Mail	Timber Lake Fire District - Email
Trestle Creek Sewer District - Email	U.S. Army Corps of Engineers - Email
U.S. Fish & Wildlife Service - Email	U.S. Forest Service - U.S. Mail
West Bonner County Cemetery District - Email	West Bonner County School District, #83 - Email
West Bonner Library - Email	West Bonner Water & Sewer District - Email
West Pend Oreille Fire District - Email	West Priest Lake Fire District - Email

Appendix B:
Agency Comments

Maya Johnson

From: Farley,Alynette B (CONTR) - TERR-BELL-1 <abfarley@bpa.gov>
Sent: Tuesday, September 1, 2026 2:46 PM
To: Planning
Cc: Farley,Alynette B (CONTR) - TERR-BELL-1
Subject: MOD0002-26 RE: Request for Agency Review & Comment – Due by September 24, 2026
– File MOD0002-26 – Bonner County Planning

Follow Up Flag: Follow up
Flag Status: Flagged

No comment no BPA ROW at location.

Alynette Farley
BONNEVILLE POWER ADMINISTRATION
DEPARTMENT OF ENERGY
CONTR (Actalent)
Right-of-Way Agent | Real Property Services | TERR
abfarley@bpa.gov | O: 509-468-3083 | C: 971-710-6926

From: Planning <Planning@bonnercountyid.gov>
Sent: Tuesday, September 1, 2026 11:07 AM
To: Planning <Planning@bonnercountyid.gov>
Cc: Jeannie Welter <jeannie.welter@bonnercountyid.gov>; David Fisher <david.fisher@bonnercountyid.gov>
Subject: Request for Agency Review & Comment – Due by September 24, 2026 – File MOD0002-26 – Bonner County Planning

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by **5 p.m. September 24, 2026**. Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.

Please see attached for details.

Have a wonderful day!

Maya Johnson

Administrative Assistant III
Bonner County Planning Department
1500 Highway 2, Suite 208
Sandpoint, Idaho 83856
Phone: (208) 265-1458 ext. 1277

Janna Brown

From: Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>
Sent: Monday, September 21, 2026 11:37 AM
To: Planning
Subject: RE: Request for Agency Review & Comment – Due by September 24, 2026 – File MOD0002-26 – Bonner County Planning

The Idaho Department of Fish and Game does not have any comments to submit for this application.

Thank you for the opportunity to review and comment,

Merritt Horsmon

Regional Technical Assistance Manager
Panhandle Region
2885 W. Kathleen Ave.
Coeur d'Alene, ID 83815
208.769.1414 office
208.251.4509 mobile
merritt.horsmon@idfg.idaho.gov



From: Planning <Planning@bonnercountyid.gov>
Sent: Tuesday, September 01, 2026 11:07 AM
To: Planning <Planning@bonnercountyid.gov>
Cc: Jeannie Welter <jeannie.welter@bonnercountyid.gov>; David Fisher <david.fisher@bonnercountyid.gov>
Subject: Request for Agency Review & Comment – Due by September 24, 2026 – File MOD0002-26 – Bonner County Planning

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by **5 p.m. September 24, 2026**. Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.

Please see attached for details.

Have a wonderful day!

Maya Johnson

Administrative Assistant III
Bonner County Planning Department
1500 Highway 2, Suite 208
Sandpoint, Idaho 83856
Phone: (208) 265-1458 ext. 1277

Maya Johnson

From: Bates, Luke <Luke.Bates@idwr.idaho.gov>
Sent: Wednesday, September 9, 2026 7:23 AM
To: Planning
Subject: RE: Request for Agency Review & Comment – Due by September 24, 2026 – File MOD0002-26 – Bonner County Planning

REF: MOD0002-26

TO: Bonner County Planning Department

Good morning,

Idaho Department of Water Resources (IDWR) – Northern Regional Office doesn't have any comments for the proposed application.

Thank you for the opportunity to comment,

Luke Bates – Sr Water Resource Agent
Idaho Department of Water Resources
Northern Regional Office
208-762-2817
7600 N Mineral Dr Suite 100 Coeur D Alene ID 83815-7763

From: Planning <Planning@bonnercountyid.gov>
Sent: Tuesday, September 1, 2026 11:07 AM
To: Planning <Planning@bonnercountyid.gov>
Cc: Jeannie Welter <jeannie.welter@bonnercountyid.gov>; David Fisher <david.fisher@bonnercountyid.gov>
Subject: Request for Agency Review & Comment – Due by September 24, 2026 – File MOD0002-26 – Bonner County Planning

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by **5 p.m. September 24, 2026**. Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.



Please see attached for details.

Have a wonderful day!

Maya Johnson

Administrative Assistant III
Bonner County Planning Department
1500 Highway 2, Suite 208
Sandpoint, Idaho 83856
Phone: (208) 265-1458 ext. 1277

Maya Johnson

From: Symone Legg <Symone.Legg@itd.idaho.gov>
Sent: Wednesday, September 9, 2026 8:18 AM
To: Planning
Cc: Kimberly Hobson
Subject: Re: Request for Agency Review & Comment – Due by September 24, 2026 – File MOD0002-26 – Bonner County Planning

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

ITD would like to retract its statement about this approach at MP 32.6. This was a temporary approach that was to be removed by June 2025. The "new expanded driveway" marked on the plans needs to be removed per the condition in permit no. 1-24-377-A.

Thank you,

Symone Legg | Project Coordinator
Idaho Transportation Department | D1 Traffic
Work: 208.772.8073 | 208.772.1297
Email: symone.legg@itd.idaho.gov | itd.idaho.gov

Enhancing quality of life through transportation

From: Symone Legg <Symone.Legg@itd.idaho.gov>
Sent: Tuesday, September 1, 2026 1:05 PM
To: Planning <Planning@bonnercountyid.gov>
Cc: Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>
Subject: Re: Request for Agency Review & Comment – Due by September 24, 2026 – File MOD0002-26 – Bonner County Planning

As long as the approach does not exceed the average daily/hourly traffic listed in their ITD permit, ITD Permits has no objection. Permit no. 1-24-377-A.

Thank you,

Symone Legg | Project Coordinator
Idaho Transportation Department | D1 Traffic
Work: 208.772.8073 | 208.772.1297
Email: symone.legg@itd.idaho.gov | itd.idaho.gov

Enhancing quality of life through transportation

From: Planning <Planning@bonnercountyid.gov>
Sent: Tuesday, September 1, 2026 11:07 AM
To: Planning <Planning@bonnercountyid.gov>
Cc: Jeannie Welter <jeannie.welter@bonnercountyid.gov>; David Fisher <david.fisher@bonnercountyid.gov>

Subject: Request for Agency Review & Comment – Due by September 24, 2026 – File MOD0002-26 – Bonner County Planning

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments **BEFORE** you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by **5 p.m. September 24, 2026**. Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.

Please see attached for details.

Have a wonderful day!

Maya Johnson

Administrative Assistant III
Bonner County Planning Department
1500 Highway 2, Suite 208
Sandpoint, Idaho 83856
Phone: (208) 265-1458 ext. 1277

Janna Brown

From: Symone Legg <Symone.Legg@itd.idaho.gov>
Sent: Tuesday, September 1, 2026 1:06 PM
To: Planning
Cc: Kimberly Hobson
Subject: Re: Request for Agency Review & Comment – Due by September 24, 2026 – File MOD0002-26 – Bonner County Planning

As long as the approach does not exceed the average daily/hourly traffic listed in their ITD permit, ITD Permits has no objection. Permit no. 1-24-377-A.

Thank you,

Symone Legg | Project Coordinator
Idaho Transportation Department | D1 Traffic
Work: 208.772.8073 | 208.772.1297
Email: symone.legg@itd.idaho.gov | itd.idaho.gov

Enhancing quality of life through transportation

From: Planning <Planning@bonnercountyid.gov>
Sent: Tuesday, September 1, 2026 11:07 AM
To: Planning <Planning@bonnercountyid.gov>
Cc: Jeannie Welter <jeannie.welter@bonnercountyid.gov>; David Fisher <david.fisher@bonnercountyid.gov>
Subject: Request for Agency Review & Comment – Due by September 24, 2026 – File MOD0002-26 – Bonner County Planning

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments **BEFORE** you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by **5 p.m. September 24, 2026**. Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.

Please see attached for details.

Have a wonderful day!

Maya Johnson

Administrative Assistant III
Bonner County Planning Department
1500 Highway 2, Suite 208
Sandpoint, Idaho 83856
Phone: (208) 265-1458 ext. 1277

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **1st** day of **September 2026**.


Maya Johnson, Administrative Assistant III

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, September 1, 2026**.

NOTICE IS HEREBY GIVEN that the Bonner County Hearing Examiner will hold a public hearing at **10:00 am on Thursday, October 8, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following requests:

File MOD0002-26 – Modification of Conditional Use Permit – Public Utility Facility: Request to modify the approval of Conditional Use Permit CUP0020-23 and Modification MOD0009-25 to include two additional, new equipment structures, ancillary support equipment, emergency diesel generators, and a new chain-link fence enclosed compound. The subject property is located on State Highway 41 in Section 24, Township 55 North, Range 6 West, Boise Meridian, Bonner County Idaho.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than September 24, 2026, at 5:00 pm. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT Kootenai-Ponderay Sewer District
Name

September 3, 2026
Date

Out of boundaries.

111



OVERALL BITE PLAN

A1.0

WOLFGANG PETER from Leipzig, Germany
 www.137m.com/137m/137m.html

Final Notes

REPRODUCED BY



Journal of Management Education 36(7)>

8888 AIRPORT BLVD SUITE 400
EMERYVILLE, CA 94608

Entry Number:

— 332 БИРЖИ ИЛИНКА 4

Le

FORM 1041

Boyle

DATE	ENTRY
10/1/2010	10/1/2010
10/2/2010	10/2/2010
10/3/2010	10/3/2010
10/4/2010	10/4/2010
10/5/2010	10/5/2010
10/6/2010	10/6/2010
10/7/2010	10/7/2010
10/8/2010	10/8/2010
10/9/2010	10/9/2010
10/10/2010	10/10/2010
10/11/2010	10/11/2010
10/12/2010	10/12/2010
10/13/2010	10/13/2010
10/14/2010	10/14/2010
10/15/2010	10/15/2010
10/16/2010	10/16/2010
10/17/2010	10/17/2010
10/18/2010	10/18/2010
10/19/2010	10/19/2010
10/20/2010	10/20/2010
10/21/2010	10/21/2010
10/22/2010	10/22/2010
10/23/2010	10/23/2010
10/24/2010	10/24/2010
10/25/2010	10/25/2010
10/26/2010	10/26/2010
10/27/2010	10/27/2010
10/28/2010	10/28/2010
10/29/2010	10/29/2010
10/30/2010	10/30/2010
10/31/2010	10/31/2010

1001

--	--

--	--

1

OVERALL BITE PLAN

A1.0

WOLFGANG PETER from Leipzig, Germany
 www.137m.com/137m/137m.html