

BONNER COUNTY PLANNING DEPARTMENT
CORRECTED ADMINISTRATIVE STAFF REPORT



SS0001-19 Upland Acres – 1st Addition

August 22, 2019

BACKGROUND INFORMATION

APPLICANT: Upland Investments, LLC REPRESENTATIVE: Grant Dorman, PLS	
SUBDIVISION NAME/LOTS: Upland Acres 1 st Addition	
PARCEL NUMBER: RP038860000040A	
SUMMARY OF PROPOSAL: The applicant seeks to plat 4 lots ranging in size from 2.5 acres to 3.86 acres, prior to the end of the two (2) year Minor Land Division waiting period (BCRC 12-650C).	
ZONING DISTRICT BCRC 12-324: Suburban	
BCRC 12-412 Minimum lot size: 2 acres w/ urban water only	Compliant: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

DOES PROJECT CONFORM TO SUBDIVISION DESIGN CRITERIA?

<p>12-621 Lot Design: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A Comments: All proposed lots conform to the design criteria.</p>	<p>BCRC 12-623 Services and Utilities: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A Comments: Sewage: Individual tanks w/ pre-approved drain field Water: Syringa Water – Community System (existing) Fire Hazard Rating: Low - See conditions</p>
<p>BCRC 12-624 Roads and Access: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A Comments: Existing access provided by Baldy Mtn. Road (Public – County maintained) and Mount Baldy Lane (Public – privately maintained). See Condition 4.</p>	<p>12-626 Environmental Features: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A Comments: Slopes less than 15% per USGS. No hydrologic features present on site per NHD. No lots with waterfront are proposed.</p>
<p>BCRC 12-7.3 Wetlands: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A Comments: Reconnaissance and delineation not applicable per definition of “subdivision”.(BCRC 12-611) See Condition 5.</p>	<p>BCRC 12-720.2 (a) Stormwater & erosion control: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A Comments: SWEC not applicable per definition of “subdivision”.(BCRC 12-611).</p>

<p>REQUIRE PANHANDLE HEALTH MYLAR SIGNATURE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A</p>

Comments: Correspondence w/ PHD indicates that it will sign the mylar & sanitary restriction lift.

Agency Comment period:

- Opposed
- No Comment
- Support

City of Sandpoint – No comment.
IDEQ – The proposal shall comply with IDAPA Tile 58.
IDWR – No comment
Road and Bridge – additional 5ft of ROW is requested along Baldy Mtn. Road. New encroachments onto public ROW will need to be processed through public works.

Public comment:

- Concerned
- Opposed
- No Comment
- Support

William Krause (adjacent landowner at 169 Mount Baldy Lane) has concerns regarding the proposal as it relates to land development and the County’s short plat procedures. Specifically in regard to his pond. Furthermore, he expressed interest into the future development of the lots and how said developments would affect water supply, drainage, access and existing natural resources.

STAFF ANALYSIS: This project involves the division of an 11.36-acre lot of land into 4 lots. The existing lot is zoned suburban and was platted under the Minor Land Division in October 2018 (Inst. 929553). Further divisions of this lot require that it be reviewed for compliance with the Short Plat standards set forth in BCRC 12-6.5. The proposed lots and preliminary plat comply with the standards therein, as well as the requirements for the Suburban zone. Based on the information found in this report, and subject to the Conditions of Approval, the project is in conformance with Bonner County Revised Code and the Bonner County Comprehensive Plan.

FINDINGS:

1. This proposal was reviewed for compliance with the criteria and standards set forth at Section BCRC 12-621, Lot Design, BCRC 12-623, Services and utilities, BCRC 12-624, Roads and Access, BCRC 12-626, Environmental Features, BCRC 12-645, Standards for review of applications for preliminary plat, BCRC 12-65,653,654, Short plat procedures and approval processes, BCRC 12-730, et seq., Wetlands, BCRC 12-741, Wildlife protection standards for new subdivisions, Bonner County Revised Code.
2. The subject lots vary in size from 2.5 acres to 3.86 acres
3. Water will be supplied an existing community system, and sewage disposal will be supplied by individual systems.
4. The proposed location for the plat contains a small area of wetlands as mapped by the USFWS NWI.
5. No agencies have opposed the short plat.
6. Public comments have been received and addressed in satisfaction to Bonner County Code.

7. Access to the proposed lots is provided by Baldy Mountain Road, a County maintained road, and from Mount Baldy Lane, an existing public road that is privately maintained.
8. The subject property is located within the North Side Fire District.
9. The property does not feature Special Flood Hazard Area.

CONCLUSIONS: Based on the foregoing findings, the following conclusions are adopted. The proposed short plat is in accord with the purposes of Title 12 and of the Zone District in which it is located. This action does not result in a taking of private property. The action that could be taken to obtain the plat is to complete the Conditions of Approval as adopted.

CONDITIONS:

1. A Final Plat shall be recorded.
2. The preliminary plat shall be valid for a period not to exceed two (2) calendar years from the date of approval. Within two (2) years of the approval of the preliminary plat, the applicant shall submit the final plat to the Planning Director. At any time prior to the expiration date of the preliminary plat, an applicant may make a written request to the Planning Director for an extension of the preliminary plat for a period up to two (2) years. The Planning Director may consider such request for extension. The extension request must be approved or denied prior to the expiration date of the preliminary plat.
3. At least one of the following notes shall appear on the face of the plat per BCRC 12-623 (d):
 - a) Prior to final plat, an approved water and fire hydrant system capable of providing one thousand (1,000) gallons per minute for a minimum of two (2) hours where a community water system exists or is proposed as part of the development and is capable of delivering the pressurized water supply necessary for delivering fire flows as prescribed by the international fire code, as adopted by the state fire marshal, and such later editions as may be so published and adopted by the state fire marshal, or as amended, modified or superseded, and incorporated herein by reference with a copy on file with the office of the clerk of the board of county commissioners, and hereinafter referred to as IFC.
 - b) A note on the final subdivision plat stating: "At the time of building location permit or building permit, the lot owner shall install a minimum two thousand (2,000) gallon water storage system, meeting IFC standards". Refill on demand is not required to meet IFC standards.
 - c) A note on the final subdivision plat stating: "The installation of an approved IFC residential fire suppression sprinkler system is required in all newly constructed residences".
 - d) Prior to final plat, a manmade or natural water source with a dry hydrant capable of delivering adequate water supply as prescribed by IFC.
 - e) A note on the final subdivision plat stating: "At the time of building permit or building location permit, the lot owner shall install an approved fire suppression method to the satisfaction of Bonner County". (Ord. 501, 11-18-2008)
4. Mount Baldy Lane shall meet the standards and specifications set forth in BCRC Title 12 – Appendix A pursuant to BCRC 12-624.
5. Wetland boundaries and any proposed easements or easements of record for drainage, channels, overhead and underground utility lines, sanitary sewers and water systems within the tract shall be shown on the final plat pursuant to BCRC 12-646(M).
6. An additional 5-ft of public Right-of-Way shall be dedicated along Baldy Mountain Road.

NOTICE OF ADMINISTRATIVE DECISION:

Planning Director has determined that the above-cited application is in accord with Section 12-662, Bonner County Revised Code, as set forth in the findings and conclusions contained herein. This determination may be appealed to the Board of County Commissioners by notifying the Planning Director in writing of the intent to appeal within ten (10) calendar days from the date of the determination. Upon receipt of an appeal, the Planning Director will schedule a meeting with the Board within ten (10) working days to hear the appeal and will provide written notice to the appellant of the time and place of the meeting. The Planning Director and appellant will be provided an opportunity to present the relevant issues to the Board at that meeting. The Board's decision shall be final and further recourse of the appellant shall be to the Courts as provided by law. If no appeal is filed, the Planning Director's decision will be deemed effective.

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

Sincerely,

A handwritten signature in purple ink, appearing to read "A. M. Newton", is written over a horizontal line.

Planning Director