



PLANNING AND ZONING COMMISSION MEETING AMENDED* AGENDA

March 18, 2025 at 5:30 PM

Council Chambers at City Hall - 1123 W. Lake St. Sandpoint, Idaho

Call to Order, Roll Call and Pledge of Allegiance

Announcements

~~Meeting Minutes Approval~~ Consent Calendar – action item

1. Approval of the Minutes from the Commission's March 4, 2025, Meeting - **action item**
2. Approval of Written Decision: Ridley Village Court Planned Unit Development Preliminary Development Plan (City File #PPUD24-0002) – **action item**

Matters from the Public - General Comments

Public Hearings

23. Public Hearing/Recommendation Decision: Area of Impact Boundary Adjustment - **action item**

Old/Unfinished Business - none

- ~~3.~~ Report of Action: Ridley Village Court Planned Unit Development Preliminary Development Plan

New Business - none

Matters from City Staff

Commissioner Roundtable

Adjourn

Public Participation Options and Information

Before the meeting, comment in writing: Email cityclerk@sandpointidaho.gov or deliver to City Hall.
Attend in person: See above for meeting location. Seating available on first-come, first-served basis.
Attend remotely: Register at <https://www.sandpointidaho.gov/meetings>.
After the meeting, view the recording on YouTube: <https://www.youtube.com/c/CityofSandpoint>.
For questions or requests for special accommodation: At least 48 hours prior to the meeting, send a message to the email address above or call (208) 263-3310.

** Agenda amended and re-posted 3/18/25. Amendments reflected with strikeout and underline.*



PLANNING AND ZONING COMMISSION MEETING MINUTES

March 04, 2025 at 5:30 PM

Council Chambers at City Hall - 1123 W. Lake St. Sandpoint, Idaho

Call to Order, Roll Call and Pledge of Allegiance

Chair Mose Dunkel called the meeting of the Sandpoint Planning and Zoning Commission to order at 5:30 p.m. on Tuesday, March 4, 2025, in Council chambers at City Hall, 1123 W. Lake St., Sandpoint, Idaho.

PRESENT

Commissioner Mose Dunkel, Chair
 Commissioner Wayne Benner, Vice Chair
 Commissioner Ivan Rimar
 Commissioner Scott Torpie
 Commissioner Reid Weber
 Commissioner William Mitchell

ABSENT

Commissioner Grant Simmons

Under the City's adopted Code of Ethics and Civility, as the presiding officer, Chairman Dunkel identified law enforcement personnel serving as sergeant-at-arms for the meeting: Police Chief Corey Coon.

Chairman Dunkel led all present in the Pledge of Allegiance.

Announcements

Chairman Dunkel announced that, when those attending remotely registered to attend by Zoom, they were notified, as part of the registration process, that, except by prior arrangement and approval, testimony during a land use or other quasi-judicial public hearing is not taken remotely and that those who wish to testify on these types of matters need to attend the meeting in person. He further noted that there was both a quasi-judicial public hearing and a legislative public hearing on the agenda, that the first hearing, regarding the preliminary development plan for the Ridley Village Court Planned Unit Development, was a quasi-judicial hearing, and that those who wished to testify on that matter would need to be physically present in the room. The second hearing, regarding City-initiated proposed amendments to Sandpoint City Code 10-2-3-D and 7-3-10-H, related to the timing of infrastructure requirements for short plats, would be a legislative hearing, and those attending remotely would have an opportunity to testify on that matter if they wished.

Meeting Minutes Approval

1. The minutes from the Commission's February 4, 2025, meeting were approved as presented.

Motion made by Commissioner Benner, Seconded by Commissioner Weber.

Voting Yea: Commissioner Dunkel, Commissioner Benner, Commissioner Rimar, Commissioner Torpie, Commissioner Weber, Commissioner Mitchell

Matters from the Public - General Comments

Chairman Dunkel recited the rules and procedure for public comment during the meeting, followed by an opportunity for general comments from the public regarding topics not on the agenda relevant to the business of the City of Sandpoint. Information only; no Commission action.

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Public Hearings

2. Public Hearing/Recommendation Decision: Ridley Village Court Planned Unit Development - Approval of Preliminary Development Plan

Chairman Dunkel announced that the next item on the agenda was a public hearing and a decision on a recommendation to City Council regarding the preliminary development plan for the Ridley Village Court Planned Unit Development and recited the order and procedure for the public hearing. He then stated for the record that any written comments received were included in the meeting packet, or City staff had otherwise forwarded written comments to the Commission, if received in time to do so.

Commissioners Reid and Mitchell recused themselves, each citing a conflict of interest. All other Commissioners present confirmed no ex parte contact and no conflict of interest as pertained to this matter.

Sandpoint City Planner Bill Dean provided a staff presentation and, along with City Engineer Brandon Staglund, fielded questions from the Commissioners.

Aaron Qualls, Senior Project Manager with SCJ Alliance Consulting Services, representing applicant Affinity Real Estate Management, Inc., provided a presentation in support of his client's application and fielded questions from the Commissioners, with applicant Kirk Rector additionally providing some brief information regarding his project.

Following the applicant's presentation and Commissioner questions, Chairman Dunkel recited instructions for the public hearing, reminding all in attendance of the City's rules of civility and meeting decorum and providing for up to three (3) minutes of testimony from each speaker, with the option for those in the room to donate their time to another speaker, for a total of up to six (6) minutes for a speaker who received gifted time.

The Chairman then **opened the public hearing**.

Mary Jensen, Executive Director of Forrest Bird Charter School, testified in support of the application.

City of Sandpoint resident Barbara Little, as well as Donna Griffin, Executive Director of the Selkirks-Pend Oreille Transit Authority (SPOT Bus), testified as neutral to the application.

The following Sandpoint residents spoke in opposition: Tom Carroll (gifted additional time by Sandpoint resident Rod Crawford), Karen Hefley, Barbara Buchanan (gifted additional time by Sandpoint resident Rick Dalessio), Phil Dommies, Leona Christensen, and Curt Hagan.

Following public testimony, Mr. Qualls offered rebuttal testimony, with no additional questions from the Commission.

With confirmation that all who wished to speak had an opportunity to do so, Chairman Dunkel **closed the public hearing**.

Following closure of the public hearing, the Commissioners deliberated toward a decision, with City staff, including City Attorney Fonda Jovick, fielding questions regarding the application and the process.

Commissioner Torpie made a motion that the Sandpoint Planning and Zoning Commission recommend City Council **approve** the request by Affinity Real Estate Management, Inc., for a Planned Unit Development Preliminary Development Plan for Ridley Village Court, located on a 5-acre parcel between Ridley Village Road and S. Madison Avenue, south of the Forrest M. Bird Charter School, based on conditions of approval. (*See Conditions of Approval, below.*)

This motion is based on findings provided through the submittal materials, staff report and testimony that, as presented, the application establishes that, pursuant to Idaho Code 10-3-10-E:

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- a. The plan is consistent with the intent and purpose of Title 10 Chapter 3; and
- b. The proposed development advances the general welfare of the community and neighborhood; and
- c. The benefits, combination of various land uses and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations.

This motion is further based on the general standards applicable to Conditional Use Permits required by the PUD ordinance, City Code 10-3-10-F, as established in City Code 9-9-6:

1. Will, in fact, constitute a conditional use, as established on the official schedule of regulations for the zoning district involved.
2. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the comprehensive plan and/or applicable sections of the Sandpoint Code.
3. Will be designed, constructed, operated and maintained to be harmonious and appropriate with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
4. Will not be hazardous or disturbing to existing neighboring uses.
5. Will be served adequately by essential public services and utilities such as highways, streets, police and fire protection, drainage systems, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service or utility.
6. Will not create excessive additional requirements at public cost for public services and utilities and will not be detrimental to the economic welfare of the community.
7. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reasons of traffic, noise, smoke, fumes, glare or odors.
8. Will have vehicular approaches to the property which shall be designed so as not to create an interference with traffic on surrounding public roads.
9. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

And further, that staff has followed the notice procedures applicable to planned unit developments.

Conditions of Approval:

1. Revise development plan to show extension of both River Rock Road and Autumn Lane between Madison Avenue and Ridley Village Road, including water and sewer main extensions within the entire public right of way.
2. Revise the development plan to show all water and sewer main extensions either within a public right of way, or within an adequately sized public utility easement (20 feet for single pipe, 30 feet for two pipes in parallel), and all water and sewer mains located at least 10 feet from any proposed building.
3. Driveway for the townhouse units at the southeast corner of River Rock and Ridley Village, as shown on the submitted improvement plans, shall be located at least 35 feet from the proposed curb line along Ridley Village Road, pursuant to Sandpoint City Code 10-1-6-F.
4. Streetlights shall be installed at two intersections: Ridley Village / Autumn Lane, Ridley Village / River Rock Road.
5. Increase the setback along the properties abutting Cattail Ct. to be similar to the setbacks that are on the properties from Cattail Ct. to the common property line, and, further, that those buildings along Cattail Ct. are to be single story buildings. ***(Note for the record: This condition, as stated by Commissioner Torpie during his motion, was not ultimately approved. It was replaced with Condition #5 as recommended in the staff report. See amendment to motion, below.)***

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Commissioner Torpie's motion to recommend approval with conditions was seconded by Commissioner Benner.

Following discussion, Commissioner Benner moved to amend Commissioner Torpie's motion, replacing Commissioner Torpie's Condition #5 with the Condition #5 that was recommended in the staff report, along with two additional conditions:

5. The open space should be relocated to the eastern property to enable the 25-foot setback to remain and to create a buffer between the proposed development and Maplewood neighborhood (including along Madison Avenue and Cattail Court).
6. Require the installation of an adequate fence along Autumn Lane on the north boundary of the Forrest Bird Charter School property.
7. Require the applicant to coordinate with City staff to implement traffic calming measures for traffic flow through adjacent neighborhoods.

Commissioner Benner's motion to amend was seconded by Commissioner Rimar, with the resulting vote as follows:

Motion made by Commissioner Benner, Seconded by Commissioner Rimar.

Voting Yea: Commissioner Dunkel, Commissioner Benner, Commissioner Rimar, Commissioner Torpie

Recused and Abstaining: Commissioner Weber, Commissioner Mitchell

Following the vote on the motion to amend, approved unanimously by Commissioners present and voting, the result of the main motion to recommend approval of the application with conditions was as follows:

Motion made by Commissioner Torpie, Seconded by Commissioner Benner.

Voting Yea: Commissioner Dunkel, Commissioner Benner, Commissioner Rimar, Commissioner Torpie

Recused and Abstaining: Commissioner Weber, Commissioner Mitchell

The Commissioners present and voting unanimously voted to recommend that City Council **approve** the request by Affinity Real Estate Management, Inc., for a Planned Unit Development Preliminary Development Plan for Ridley Village Court, located on a 5-acre parcel between Ridley Village Road and S. Madison Avenue, south of the Forrest M. Bird Charter School, with the conditions as stated above.

Following conclusion of Agenda Item 2, Chairman Dunkel called for a brief recess at 8:24 p.m., with the meeting reconvening at 8:31 p.m., and Commissioners Reid and Mitchell rejoining the meeting and taking their seats on the dais.

3. Public Hearing/Recommendation Decision: Amendments to City Code 10-2-3-D and 7-3-10-H, related to Timing of Infrastructure Requirements for Short Plats

Chairman Dunkel announced that, for the second and final public hearing on the agenda, the Commission was asked to make a recommendation to City Council regarding City-initiated proposed amendments to Sandpoint City Code 10-2-3-D and 7-3-10-H, related to the timing of Infrastructure requirements for short plats, followed by a staff presentation from Mr. Staglund, who fielded questions from the Commissioners.

Following the staff presentation, Chairman Dunkel provided some brief instructions and then **opened the public hearing**. City resident Dan Rueckert was the sole testimony received regarding this matter, and, with confirmation that all who wished to speak had an opportunity to do so, Chairman Dunkel then **closed the public hearing**.

There was no deliberation and no additional questions from the Commissioners.

A recommendation to City Council that these **amendments should be adopted** passed by a unanimous vote of the Commissioners present, as shown below.

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Motion made by Commissioner Rimar, Seconded by Commissioner Benner.
Voting Yea: Commissioner Dunkel, Commissioner Benner, Commissioner Rimar,
Commissioner Torpie, Commissioner Weber, Commissioner Mitchell

Old/Unfinished Business - none

New Business - none

Matters from City Staff

There were no general matters from staff for the Commission.

Commissioner Roundtable

Chair Dunkel requested that any general roundtable type items from the Commissioners be saved for the Commissioner Roundtable at the next meeting.

Adjourn

With no further business before the Commission, the meeting was adjourned at 8:47 p.m.

I presided over this meeting and can confirm that these minutes, prepared by the City Clerk and Deputy City Clerk, were approved by the Sandpoint Planning and Zoning Commission during their meeting on _____, 2025.

Mose Dunkel, Chair

Attest: Hayley Keys, Deputy City Clerk

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WRITTEN DECISION

Item # 2.

PUD Preliminary Development Plan Request

PPUD24-0002 Ridely Village Court Planned Unit Development Preliminary Development Plan

The application of **Kirk Rector, Affinity Real Estate Management, Inc, on behalf of the property owners, Daniel C. Rueckert and Roxanne M. Rueckert**, requesting approval of a Planned Unit Development (PUD) Preliminary Development Plan was recommended by the Planning and Zoning Commission at the conclusion of a public hearing conducted on March 4, 2025 to the City Council to **APPROVE** the request with Conditions as Amended. The subject application was approximately 4-acres of an approximately 5-acre parcel RPS00000280320A located on the east side of Ridley Village Road, approximately 450 feet south of Highway 2.

At the conclusion of the hearing, the Planning and Zoning Commission deliberated the proposal and Commissioner Torpie moved and Commissioner Rimar seconded the motion, to recommend that City Council approve the application PPUD24-0002 for a Preliminary Development Plan with Planning and Zoning Commission's recommended conditions of approval, finding the request **IS** in accord with the standards of Sandpoint City Code, based upon the Planning and Zoning Commission's Written Recommendation, the testimony received at the Planning and Zoning Commission hearing and the record of the request. All Commission members who were present were in favor.

FINDINGS:

#1. The Planning and Zoning Commission finds that the submitted materials, staff report, and testimony at the hearing resulted in deliberations by the Planning and Zoning Commission yielding suggested improvements in the form of conditions of approval to ensure compatibility and appropriateness of development patterns that if implemented demonstrate that the Preliminary Development Plan:

- A. Is consistent with the intent and purpose of Title 10 Chapter 3; and
- B. The proposed development advances the general welfare of the community and neighborhood; and
- C. The benefits, combination of various land uses and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations.

Finding #1 is further explained by Planning and Zoning Commission consideration of the following agency written comments:

Independent Highway District: *Provided written comments with respect to construction of the project and suggested driveway/alley widths be revised; snow storage areas be evaluate;, garage setbacks be evaluated for functionality and potential conflicts with pedestrian usage of sidewalks; garage/driveway locations be evaluated for site distance compliance with adjacent roadways; and garbage collection facilities be reviewed for*

PPUD24-0002 Planning and Zoning Commission Report of Actions from 3-4-2025 Public Hearing

compliance for functionality and access as to prevent backing up into rights-of-way by collection vehicles.

Bonner County GIS: Provided comments related to addressing, and asks the applicant to contact the Bonner County GIS Department to discuss road naming options and the process for reserving names.

Finding #1 is further explained by Planning and Zoning Commission consideration of the following verbal comments provided at the hearing on March 4, 2025:

Finding #1 is further explained by Planning and Zoning Commission consideration of the following written comments:

Mary Jensen, Executive Director of Forrest Bird Charter School, testified in support of the application.

City of Sandpoint resident Barbara Little, as well as Donna Griffin, Executive Director of the Selkirks-Pend Oreille Transit Authority (SPOT Bus), testified as neutral to the application.

The following Sandpoint residents spoke in opposition: Tom Carroll (gifted additional time by Sandpoint resident Rod Crawford), Karen Hefley, Barbara Buchanan (gifted additional time by Sandpoint resident Rick Dalessio), Phil Dommies, Leona Christensen, and Curt Hagan.

Finding #1 is further explained by Planning and Zoning Commission consideration of the following resident and property owner written comments:

Commenter	Issue - summarized by staff
Conditional Support (1 response letter)	<p>Likes the density and location supports ability for the project to be a real neighborhood</p> <p>Homes adjacent to existing development should be single-story or have no windows looking into adjacent properties</p> <p>Speed should be limited in alley to 12-15 mph and use speedhumps</p> <p>Travel lanes should be reduced to 9 to 10’ max to help reduce travel speeds</p> <p>Straighten the pedestrian walkway for safety, convenience, appealability</p> <p>Sidewalks should have ramps and truncated domes</p> <p>Curb ramp crossing at River Rock should be provided to have direct access to the large common area – crossing should be inviting</p> <p>Dark Sky ordinance is important and amber LEDs should be used instead of Avista-provided blue-white LEDs</p>

	Solar panels should be installed in order to increase sustainability and reduce utility bills	Item # 2.
Neutral (1 response letter)	Increased traffic raises safety concerns as several developments off Highway 2 have a sole means of ingress/egress (Forest Park from Park Ave; Westwood/ID Dept of Lands/Homestead/ Ridley Village apts from Ridely Village) traffic signals, wider roadways and/or vehicle turn lanes would help mitigate the congestion and safety concerns.	
Opposed (40 response letters)	River Rock Rd extension is not necessary due to access from Ridley Village Rd	
	Privacy of Maplewood will be affected	
	Maplewood is private (not gated) but does not allow for pass-through traffic	
	Opposed because this development would hook into Maplewood's water and sewer lines, causing major inconvenience especially if water is lost or has to be boiled; better to get utility connections from Ridley Village Rd by the apartments	
	Scale of development will erode quality of life for Maplewood	
	Road safety concerns	
	Traffic congestion	
	Pedestrians and emergency vehicles traveling to and from the County building	
	Burden will be placed on utilities beyond reasonable capacity	
	Autumn Ln and River Rock cannot handle the cars and trucks from this development, accidents and mishaps will increase	
	All high-density development should have access to town via the highway, do not route townhouse traffic through River Rock, which is a less dense, single-family area	
	Safety concern for drivers' vision of the student walkway coming out of both River Rock and Autumn Ln	
	Walking path from Northshore to school – adding 100-300 cars crossing the bike/ped path is setting up a situation for more accidents as its very hard to see down the path from River Rock Rd or Autumn Ln. Send cars to Ridley Village instead	

	Extension of River Rock Rd will ruin the peaceful and quiet neighborhood, changing the lifestyle forever and for the worse.	Item # 2.
	Send traffic to Ridley Village Rd - less impact is needed on the large home lots in South Sandpoint	
	Opposed to increased traffic	
	Loss of scenic views, light, air, privacy, desirability of Maplewood homes on W Cattail Ct and River Rock Rd because of 2-story townhomes within 5' of the property line	
	Single family homes would be more harmonious	
	Maplewood is a stand-alone neighborhood with limited access	
	Traffic would triple, creating cut-through traffic	
	Traffic study doesn't consider construction traffic from 3-years of development	
	Setback from Cattail Ct should be 25'	
	Development will decrease property values of Maplewood	
	Concern about traffic on S Division	
	Halt or slowdown on development until infrastructure can catch up	
	Limited police resources to handle new development	
	Extreme safety hazard to S Division from traffic from the development – traffic should go to Ridley Village Rd	
	Development will impact parking in Maplewood neighborhood	
	Hauling of building materials will destroy the streets	
	Property values will be destroyed	
	Unlivable if development goes through	
	320 new cars will be on Division, isn't safe, developers don't follow rules	
	Outdated Sewage Disposal Plant is increasingly taxed by new development, new development is extremely irresponsible given its condition, failure would result in ecological disaster	
	Traffic increases from residents and construction will create potholes in Maplewood that won't get repaired	
	Backing out of driveways will become hazardous	

	Lack of parking creates problems related to plowing, additional cars parking in Maplewood as residents will fill their garages with other things aside from cars	Item # 2.
	Do not reduce the 25' setback from property line – creates too urban an environment that is not compatible with Maplewood	
	Highly intrusive development along Cattail Ct due to proximity and building height	
	Boulders at Madison and Autumn Lane should not be considered permanent and this development propagates a wasteful situation	
	River Rock extension will destroy the serenity of Maplewood	
	Maplewood Roads should be restored to their existing condition after construction	
	Traffic study doesn't account for development in new apartments (Homestead) cut through traffic through Maplewood neighborhood	
	Increased traffic will mean increased noise	
	Traffic will dump onto Highway 2, Division St is not striped at 4-way stop, traffic study needs to be done	
	Crosswalk at Ontario and Hwy 2 is dangerous	
	Loop roads or hammerheads have been used in this area supporting individual developments; that precedent has been set and should be followed here	
	Less street connections preserve the unique qualities of neighborhoods, new drivers would have no responsibilities to the homes they are passing	
	25' setback at perimeter should be maintained	
	Development would be harmful to the character of Maplewood	
	Loss of scenic views, privacy, 5' setback is extremely small and inadvisable	
	Font yards on Madison contribute to loss of qualities and nature of Maplewood	
	Loss of parking for Maplewood community mailboxes due to overflow because parking at development is inadequate	

	Development is in direct conflict with existing character of Maplewood, and would normally only contain 4 sf homes if it were developed similar to Maplewood	Item # 2.
	Development of this type is an infringement on the property rights of Maplewood owners	
	Traffic report is deficient and misleading because it neglects to account for enticing traffic from the west to cut through to the east	
	New vehicles would not respect the parking rules of Maplewood	
	Development does not state why road extension are necessary for public improvements, per City Code, River Rock Rd extension should be deleted	
	5' setback is a serious impact on desirability and value of homes, especially along Cattail Ct	
	All homes butting Cattail Ct should be single story	
	Entire east side of Madison should be designated no parking zone	
	The entire east side of Madison should be designated no RV parking zone	
	Any non-Maplewood vehicles parked on Autumn Ln, River Rock Rd or Cattail Ct should be impounded	
	The surrounding development suggests that a reduced setback to 5' is entirely unsupported and inconsistent with Comprehensive plan objectives to preserve openness and views	
	This encroachment into the setbacks amounts to a taking	
	Privacy would be shattered, especially for residents nearby the development due to the reduced setback and ability of new homes to look into existing Maplewood homes and yards	
	Setbacks should be uniformly enforced	
	River Rock extension is not supported by requirement that it be necessary for public requirements, as established in the Code	
	5' setback waiver for eastern side of Private Rd D is not compatible with four houses neighboring it, and should not be approved	
	0' setback along Madison would compromise the integrity of the Maplewood community	

	Houses along Cattail had to adhere to the 25' setback and this development should also have to adhere to it	Item # 2.
	Density is too much for its location, will ruin Maplewood	
	5' setback is totally unacceptable	
	Extend Autumn Ln instead of River Rock	
	This increase in traffic will be dangerous for children	
	The Comprehensive Plan calls for Medium Density (up to 10 units) and this development exceeds that with 14 units.	
	Zero ft setback is inappropriate	
	Access to River Roack is not needed due to Ridley Village Rd	
	Inadequate parking will lead to RVs, Boats, trailers, and trucks parking in Maplewood	
	Not enough info about limitations on development due to inadequate sewer treatment facilities	
	Should not have zero ft setbacks, or homes built within 5.5', increased density next to lower density development, no extension of River Rock Rd, no construction vehicles through Maplewood	
	Remove entire row of houses along Madison	
	Provide adequate parking within the development	
	Provide single story homes	
	Has increased traffic been considered?	
	Extra traffic will negatively affect S Division	
	Will Ridley Village Rd be widened, will there be a stop light or 3-way stop sign at Highway 2?	
	The setback waiver only benefits the developer, not anyone else	
	Homes should be smaller to have less impact on the South Division neighborhoods	
	No setback waiver and against through traffic through River Roack Rd	
	Can not think of one single good reason to allow a waiver from setbacks	

PZC Hearing: Applicant identified all constructed infrastructure will meet jurisdictional standards, thus promoting public health, safety and welfare. The plan provides pathways and sidewalks for pedestrians; streets will be constructed to meet traffic needs internally; and multiple points of connection will improve traffic flow. The Commission expressed concern that stormwater facilities should be finalized and that staff-presented concerns related to water and wastewater utilities in roadways required revision, and that such finalization of plans may result in the plan being revised potentially significantly altering the layout of the development, especially if the alleyways in the development may not be sufficiently sized to incorporate required utility separations. The Commission understood staff's position that whatever would be built had to meet required utility and infrastructure standards.

During PZC deliberation, the Commissioners recognized the frustration when a development builds next door to existing neighborhoods but iterated the connectivity and grid pattern of streets was an adopted standard that had partially been met but could be improved with additional extension of Autumn Lane through to Ridley Village Road. Six comments received at the hearing in opposition of the request were from adjacent residents concerned about traffic flow, and imposition of higher density development too proximate to the existing Maplewood neighborhood, specifically adjacent to S. Madison Ave and Cattail Ln. Commission was sensitive to the commenters, but also the private property rights of the applicants.

The applicant provided in rebuttal, the following: The housing type provided is desired by the community as established in the City's Comprehensive Plan and the zoning of the property already would allow taller, more dense development in the form of apartments at similar setbacks to what is proposed.

During PZC deliberation, the Commissioners recognized the value of setbacks in the PUD ordinance to establish a more appropriate transition and adjacency than the reduced setbacks requested by the applicant. Commission was sensitive to the commenters, which concluded with a discussion and ultimately a motion to restore the standard setbacks in part by relocating open space to better serve as a buffer to the Maplewood neighborhood.

The Commission, in its deliberations expressed interest and support for the specific housing type and weighed the relief from standard city development requirements against the development of such housing. The Commission concluded with a series of conditions of approval addressing both infrastructure improvements, project roadway connectivity, and perimeter fencing and setbacks as a means of finding that the project advances the general welfare of the City and satisfied the requirement to find that the interrelationships between land uses justified the deviation from zoning standards.

#2. The Planning and Zoning Commission finds that the submitted materials, staff report, and testimony at the hearing resulted in deliberations by the Planning and Zoning Commission yielding suggested improvements in the form of conditions of approval to ensure compatibility and appropriateness of development patterns that if implemented demonstrate that the Preliminary Development Plan:

Is based on the general standards applicable to Conditional Use Permits required by the PUD ordinance, City Code 10-3-10-F, as established in City Code 9-9-6:

- A. Will, in fact, constitute a conditional use, as established on the official schedule of regulations for the zoning district involved.
- B. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the comprehensive plan and/or applicable sections of the Sandpoint Code.
- C. Will be designed, constructed, operated and maintained to be harmonious and appropriate with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- D. Will not be hazardous or disturbing to existing neighboring uses.
- E. Will be served adequately by essential public services and utilities such as highways, streets, police and fire protection, drainage systems, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service or utility.
- F. Will not create excessive additional requirements at public cost for public services and utilities and will not be detrimental to the economic welfare of the community.
- G. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reasons of traffic, noise, smoke, fumes, glare or odors.
- H. Will have vehicular approaches to the property which shall be designed so as not to create an interference with traffic on surrounding public roads.
- I. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Finding #2 is further explained by Planning and Zoning Commission imposition of the following Conditions of Approval. These Conditions of Approval were introduced by motion of Commissioner Torpie, amended by Commissioner Benner which included a total of seven conditions as follows:

- 1. Revise development plan to show extension of both River Rock Road and Autumn Lane between Madison Avenue and Ridley Village Road, including water and sewer main extensions within the entire public right of way.
- 2. Revise the development plan to show all water and sewer main extensions either within a public right of way, or within an adequately sized public utility easement (20 feet for single pipe, 30 feet for two pipes in parallel), and all water and sewer mains located at least 10 feet from any proposed building.
- 3. Driveway for the townhouse units at the southeast corner of River Rock and Ridley Village, as shown on the submitted improvement plans, shall be located at least 35 feet from the proposed curb line along Ridley Village Road, pursuant to Sandpoint City Code 10-1-6-F.

- 4. Streetlights shall be installed at two intersections: Ridley Village / Autumn Lane, Ridley Village / River Rock Road.
- 5. The open space should be relocated to the eastern property to enable the 25-foot setback to remain and to create a buffer between the proposed development and Maplewood neighborhood (including along Madison Avenue and Cattail Court).
- 6. Require the installation of an adequate fence along Autumn Lane on the north boundary of the Forrest Bird Charter School property.
- 7. Require the applicant to coordinate with City staff to implement traffic calming measures for traffic flow through adjacent neighborhoods.

The Commissioners present and voting unanimously voted to recommend that City Council **approve** the request by Affinity Real Estate Management, Inc., for a Planned Unit Development Preliminary Development Plan for Ridley Village Court, located on a 5-acre parcel between Ridley Village Road and S. Madison Avenue, south of the Forrest M. Bird Charter School, with the conditions as stated above

Pursuant to Sandpoint City Code section 10-3-10, the Sandpoint City Council will review the recommendations and information presented by the Commission in order to render a final decision on the Preliminary Development Plan following a public hearing in front of that body.

FINDINGS AND CONCLUSIONS APPROVED on the _____ day of March, 2025

CITY OF SANDPOINT, IDAHO

By: _____

Mose Dunkle, Chair of the Planning and Zoning Commission

ATTEST: _____

Melissa Ward, City Clerk



AGENDA REPORT

Planning & Zoning Commission Meeting

TODAY'S DATE: February 14, 2025

MEETING DATE: March 18th, 2025

TO: Planning & Zoning Commission

FROM: Jason Welker, Planning & Community Development Director

SUBJECT: Public Hearing - Proposed Update to Sandpoint's Area of Impact

INTRODUCTION

The purpose of this staff report is to present to the Sandpoint Planning & Zoning Commission a proposed update to the City's Area of Impact (AI), formerly referred to as the Area of City Impact (ACI), in accordance with [Idaho State Code Section 67-6526](#). The proposed modification seeks to align the AI boundary with the guidelines set forth in the new state law, which limit such areas to regions that are highly likely to be annexed within five (5) years and generally within two (2) miles of existing city limits.

A public hearing will be held during the March 18, 2025, meeting to receive public comment on the proposed changes and for the Commission to deliberate on a recommendation to the City Council regarding adoption of the revised AI boundary.

DESCRIPTION/BACKGROUND:

Idaho State Law, Title 67, Chapter 65 establishes the Local Land Use Planning Act, otherwise known as LLUPA, which is the State enabling legislation and requirements for cities and counties to engage in land use planning at the local level. A component of land use planning involves the adoption of a Comprehensive Plan (§67-6508) that includes and plans for the entirety of property within the jurisdiction. Additionally, as established in §67-6526, cities plan for areas outside their jurisdictional boundaries that are anticipated to be annexed for growth and development in the future. These areas are called Areas of Impact (formerly Areas of City Impact) and are proposed by cities and adopted as legislative acts by counties as the counties retain land use planning authority over these areas until such time as annexation occurs. The City of Sandpoint's current Area of City Impact was created by the County on January 2nd, 2007. Through the City's recent Comprehensive Planning effort which culminated in the adoption of a new Comprehensive Plan in July of 2024, the City is proposing a reduction to the future annexation area (Area of Impact).

The current Area of City Impact encompasses approximately **12.3 square miles** of unincorporated land adjacent to Sandpoint's city limits. Historically, this area has included large sections of undeveloped foothills and forestry lands, which are unlikely to be annexed in the foreseeable future. Legislative changes enacted in 2024 require that areas of impact be limited to land that can feasibly be annexed and serviced within five years.

The 2024 Comprehensive Plan recommended reducing the AI to more closely align with the city's growth projections and serviceability, bringing it into compliance with the new state requirements.

PROPOSED AREA OF IMPACT

The revised AI boundary, as illustrated in Map 5 of the 2024 Comprehensive Plan, proposes a substantial reduction in the existing impact area, from its current 12.3 square miles to **3.4 square miles**. The proposed boundary is defined as follows:

- Extends southwest from city limits into vacant agricultural lands east of the slough between Ontario Street and the Pend Oreille River.
- Includes all properties between Sandpoint's western city limits north of Pine Street, incorporating both sides of Upland Drive up to Baldy Mountain Road.
- Follows Upland Drive north to Gooby Road, including properties along Gooby east of Upland.
- Encompasses properties along Mountain View Drive down to Leisure Lane, then north of Goodman to Woodland Drive, extending north to Schweitzer Mountain Road.
- Extends north from Schweitzer Mountain Road to Bronx Road and then east to Sand Creek. Includes all properties south of Bronx Road, east of Sand Creek, and north of City limits, including the neighborhoods of Sweetgrass Lane and Vedelwood Drive.

This proposed AI significantly reduces the footprint of the existing area, eliminating large portions of remote and undeveloped lands that are unlikely to be annexed or developed within the five-year planning horizon. No areas included in the proposed AI are not already in our existing Area of City Impact.

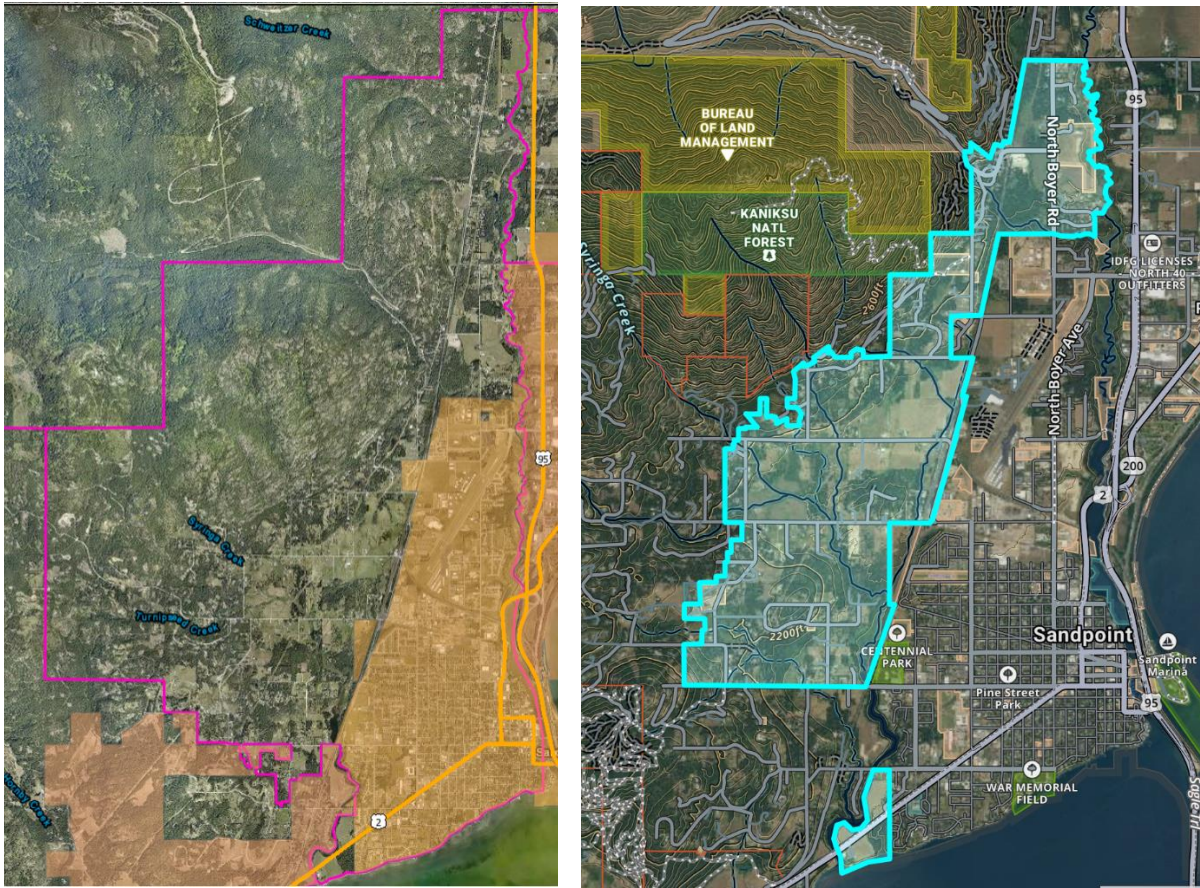


Figure 1: Existing Area of City Impact and Figure 2: Proposed Area of Impact

COMPLIANCE WITH IDAHO STATE CODE

Idaho State Code Section 67-6526 mandates that an area of impact:

- 1. Shall not exceed areas very likely to be annexed within the next five (5) years.
- 2. Shall not extend more than two (2) miles from existing city limits, except under special conditions.

The proposed AI reduction aligns with these statutory requirements by removing lands that are neither feasible nor intended for future annexation by the City of Sandpoint.

PUBLIC NOTIFICATION AND INPUT

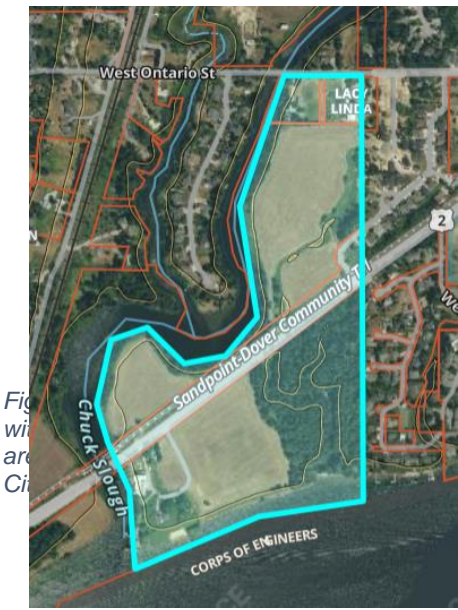
In accordance with state and local regulations, notice of this public hearing was published in the local newspaper on February 25, March 4, and March 11, 2025. The notice was also made available at City Hall and on the City’s website. Property owners and stakeholders were encouraged to submit written

comments by March 13, 2025, for inclusion in the meeting packet, with late comments distributed at the hearing.

OVERLAP WITH CITY OF DOVER

During joint planning meetings with the cities of Dover, Ponderay, and Kootenai, it emerged that Dover intends to include the area southwest of existing Sandpoint City limits, south of Ontario Street and east of the slough, in its own Area of Impact. The two cities' planning teams were unable to reach an agreement regarding which city should incorporate this land into its AI.

Sandpoint asserts that given the contiguous shared border with the City of Sandpoint's Northview subdivision, the ease of extending utilities into the contested area, and the natural geographical barrier created by the slough, the land in question is more logically included in Sandpoint's AI. Conversely, Dover argues that since they previously extended a sewer pipe over the bridge crossing the slough on Ontario Street, they have the capacity to serve the area with utilities and wish to include it in their AI.



Pursuant to Idaho State Code Section 67-6526, if the cities cannot reach an agreement, any or all involved cities may submit their requests to the board of county commissioners for consideration. Sandpoint Planning staff recommends including the contested area in Sandpoint's proposed AI boundary and allowing the County Commissioners to evaluate the merits of both cities' arguments before determining the appropriate AI designation.

STAFF RECOMMENDATION:

Planning staff recommends that the Sandpoint Planning & Zoning Commission approve the proposed update to the Area of Impact (AI) boundary and forward a recommendation to the City Council for adoption. The proposed AI boundary aligns with Idaho State Code Section 67-6526, ensuring that only areas likely to be annexed within the next five years are included.

Furthermore, given the unresolved boundary overlap with the City of Dover, staff recommends that the contested area be included in Sandpoint's proposed AI boundary and that the County Commissioners be given the opportunity to weigh the merits of both cities' claims before making a final determination. This approach ensures that the AI boundaries are established in a fair and lawful manner, in accordance with state regulations.

Staff further recommends that if the AI modification is approved by the City Council, negotiations with Bonner County proceed promptly to formalize the agreement and incorporate the changes into Sandpoint's planning framework.

NEXT STEPS

Upon recommendation by the Planning & Zoning Commission, the proposal will proceed to the Sandpoint City Council for review. If the City Council approves the proposal, the next step involves negotiation with Bonner County for formal adoption of the new AI boundary. In cases where disagreements exist between cities regarding overlapping AI boundaries, the board of county commissioners will consider the respective requests and determine the final boundary placement per Idaho State Code Section 67-6526(3).

Once approved, the revised AI boundary will be incorporated into Sandpoint's comprehensive planning framework and zoning regulations in coordination with Bonner County.

ACTION:

Motion to approve, deny, or modify the proposed Area of Impact Boundary for recommendation to City Council and subsequent presentation to the Bonner County Board of Commissioners for consideration and eventual adoption.

WILL THERE BE ANY FINANCIAL IMPACT? No

HAS THIS ITEM BEEN BUDGETED? N/A

ATTACHMENTS:

- 2024 Comprehensive Plan Area of Impact Description
- 2024 Comprehensive Plan Proposed Area of Impact Boundary
- Current Sandpoint & Bonner County AI Agreement
- Notice of Public Hearing

Parks and Open Space

As detailed in Chapter 7 Parks and Recreation, the city's parks are spread throughout the community and serve as gathering places in addition to buffering development from natural hazards such as flooding. Due to the high value placed on parks and open spaces, ensuring that future residential developments incorporate these amenities is essential. Protecting areas of open space along floodplains and wetland areas is important to provide the community with recreational trails and wildlife corridors, as well as protecting water quality. The 2020 Parks and Recreation Master Plan identifies needed updates and improvements to facilities and programming and will need periodic updating to ensure current needs are being addressed.

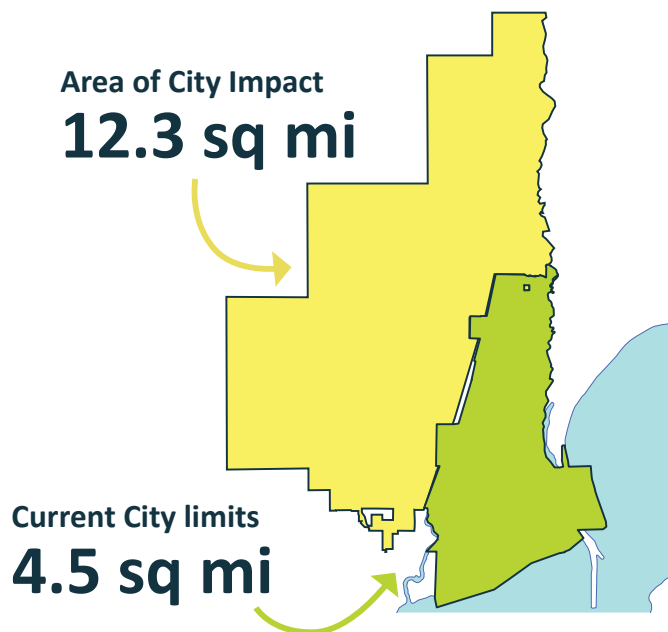
AREA OF CITY IMPACT (ACI)

Sandpoint's Area of City Impact (ACI) is unincorporated land adjacent to the city that is collaboratively designated by the City and County as land that may someday be considered for annexation into the city. As such, ACI lands are included in comprehensive planning to facilitate City goals and help coordinate development patterns between the city and the ACI. Under the current ACI ordinance, certain types of development within the ACI, while technically in unincorporated Bonner County, are subject to review and comment by the City of Sandpoint.

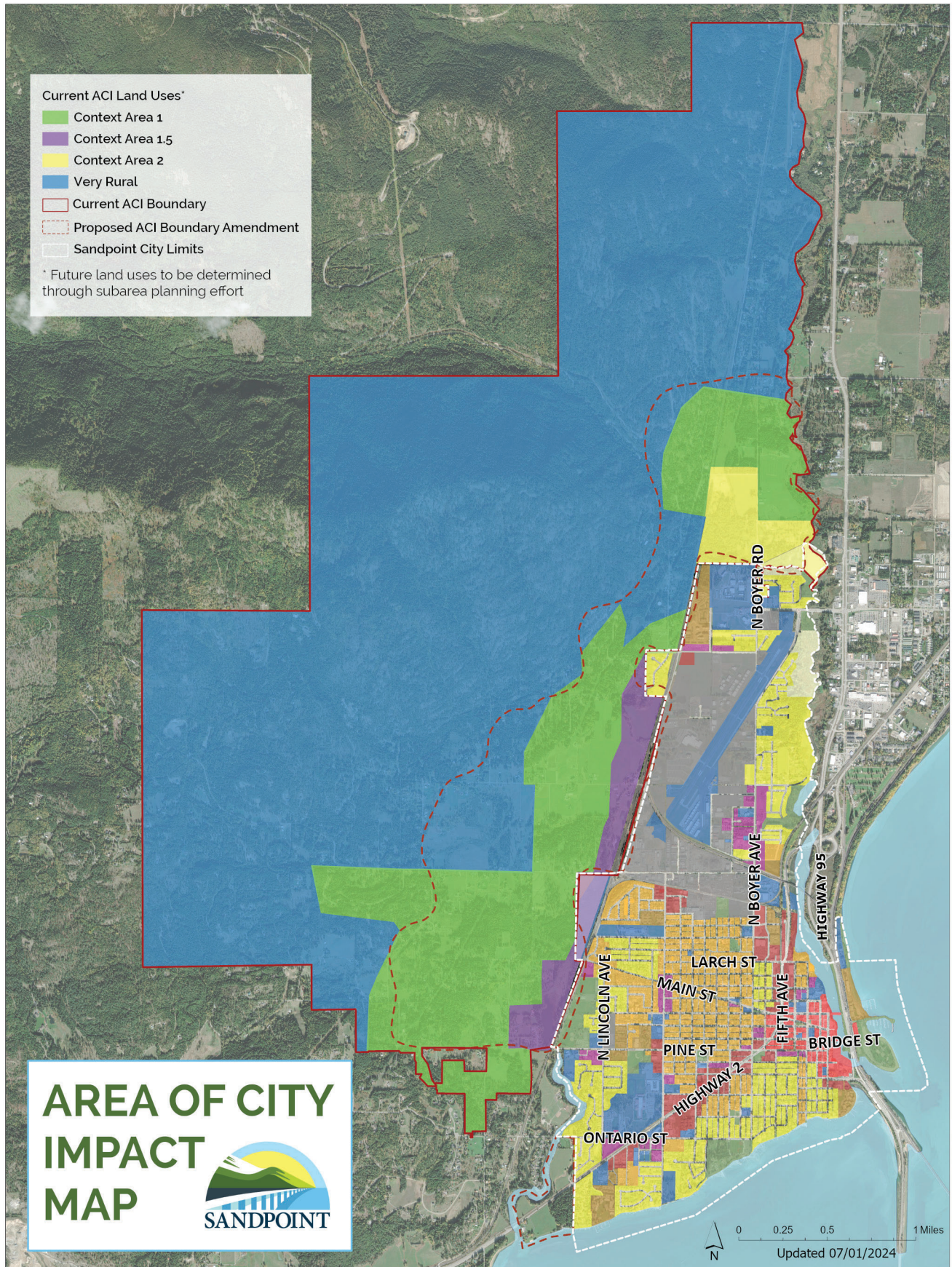
This Comprehensive Plan update considered the ACI as an area that could reasonably be served by the city within the next twenty years, specifically whether extension of city utilities would be economically and physically possible in the next 5-10 years. The City anticipates renegotiating the ACI boundary with Bonner County and would propose a boundary based on that analysis. As shown in Map 5 Area of City Impact, the boundary that the City would propose is significantly smaller than the currently adopted ACI. Due to legislative changes passed into Idaho law in 2024 that affected ACI requirements, the negotiation of a new boundary and agreement are included as implementation steps in Appendix A. Existing development in the ACI is predominantly low-density and rural. Where developed, some lands are utilized for farming, though most are homes on characteristically large-sized rural lots. Some isolated commercial uses exist in the ACI as well. As part of the ACI renegotiation, a sub-area plan will be developed that will detail future land uses, transportation, and utility corridors. It is anticipated that the predominant future land use in the ACI will be residential at densities that can support extension of utilities, but mixed-use areas and small commercial nodes consistent with the Neighborhood Mixed Use land use category may also be possible.

Quasi-Public/Institutional

The city serves as a regional service center with an abundance of health care, school, government, religious, and non-profit facilities present. This land use category encompasses approximately 29 percent of the City's land area that does not contribute to the tax base.



Map 5. Area of City Impact



NOTICE OF PUBLIC HEARING
CITY OF SANDPOINT PLANNING & ZONING COMMISSION

NOTICE IS HEREBY GIVEN that the Sandpoint Planning & Zoning Commission will hold a public hearing during their meeting on Tuesday, March 18, 2025, which begins at 5:30 p.m. in Council Chambers at Sandpoint City Hall, 1123 W. Lake St., Sandpoint, Idaho. The purpose of the hearing is to receive public comment and consider an update to the boundaries of Sandpoint's Area of Impact (AI) (formerly referred to as the "Area of City Impact" or ACI), which extends beyond Sandpoint City limits into Bonner County.

The Planning & Zoning Commission will review the proposed changes, hear public testimony, and deliberate on whether to recommend that the Sandpoint City Council adopt, modify, or reject the updated AI boundaries as presented by City Planning staff. The update to the AI boundary is pursuant to Idaho Code § 67-6526, which governs the establishment and amendment of areas of impact for cities in coordination with the county. A copy of the proposed boundary changes and relevant materials will be available for review at Sandpoint City Hall and on the City's website at www.sandpointidaho.gov prior to the hearing.

All interested persons are encouraged to attend and provide comments. Written comments may be submitted prior to the hearing by mailing or delivering them to the City of Sandpoint, 1123 W. Lake St., Sandpoint, Idaho 83864, or by emailing cityplanning@sandpointidaho.gov. Written comments received by 5:00 p.m. on March 13, 2025, will be included in the meeting packet. Late comments will be distributed to the Commission at the hearing.

For questions regarding this hearing, please contact the Sandpoint Planning & Community Development Department at (208) 263-3370 or via email at cityplanning@sandpointidaho.gov.

Newspaper publication: February 25, March 4, and March 11

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FILED BY
BC Planning
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Nata
 MARIE SCOTT
 BONNER COUNTY RECORDER

ORDINANCE NO. 485SANDPOINT AREA OF CITY IMPACT MAP *SR* DEPUTY

AN ORDINANCE OF BONNER COUNTY, IDAHO, CITING ITS AUTHORITY, AND PROVIDING FOR THE ADOPTION OF AN AMENDED MAP AND LEGAL DESCRIPTION FOR THE SANDPOINT AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF BONNER COUNTY, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREIN, PROVIDING FOR SEVERABILITY, PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the cities of Dover, Sandpoint and Bonner County desire to establish areas of city impact pursuant to the provisions of Idaho Code §67-6526; and

WHEREAS, the City of Dover, City of Sandpoint, and Bonner County were engaged in litigation to establish the City of Dover Area of City Impact (First District Court Civil Case No. CV 95-01111) due to overlapping interests; and

WHEREAS, the parties entered into a "Memorandum of Understanding and Settlement Agreement," dated May 24, 2001, to resolve the boundary lines of the areas of city impact; and

WHEREAS, the parties stipulated to certain maps designated as exhibits which are to govern the establishment of the boundaries of the disputed areas of the Areas of City Impact for Dover and Sandpoint; and

WHEREAS, the cities have delivered to Bonner County legal descriptions and maps depicting the stipulated boundaries of the areas of city impact and Bonner County desires to adopt ordinances creating the boundaries consistent with the settlement agreement.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners that the following be and is hereby adopted as an ordinance of Bonner County, Idaho:

SECTION 1: AUTHORITY

This ordinance is adopted pursuant to authority granted to Bonner County at Chapter 65 of Title 67, Idaho Code and pursuant to the provisions of the Areas of City Impact Negotiation Procedures of Idaho Code §67-6526(b) and the terms of the settlement agreement.

SECTION 2: AMENDING THE SANDPOINT AREA OF CITY IMPACT

The official Sandpoint Area of City Impact Map is hereby adopted, providing an amended area of city impact map to include within the unincorporated area of Bonner County the following described lands:

LEGAL DESCRIPTION OF SANDPOINT AREA OF CITY IMPACT:

The legal description of the Sandpoint Area of City Impact shall be:

Beginning at a point that is 50 feet north of the section line between Sections 10 and 3 and the thread of Sand Creek, Township 57 North, Range 2 West, Boise Meridian. This being the true point of beginning and the current intersection of the City limits of Sandpoint and Ponderay.

Thence northerly along said thread of Sand Creek to the north line of Section 3, Township 57 North, Range 2 West, Boise Meridian.

Thence continuing northerly along said thread of Sand Creek to the intersection of the north section line of Section 26, Township 58 North, Range 2 West, Boise Meridian.

Thence west along said north section line to the northwest corner of the east half of the northwest quarter of Section 26, Township 58 North, Range 2 West, Boise Meridian.

Thence south to the southwest corner of the east half of the northwest quarter.

Thence west to the center of Section 27, Township 58 North, Range 2 West, Boise Meridian.

Thence south to the south quarter corner of Section 34, Township 58 North, Range 2 West, Boise Meridian.

Thence west to the northwest corner of Section 5, Township 57 North, Range 2 West, Boise Meridian.

Thence south along the west line of said Section 5 to the southwest corner of Section 5.

Thence west along the north line of Section 7 to the northwest corner of Section 7, Township 57 North, Range 2 West, Boise Meridian.

Thence south along the west line of said Section 7 to the southwest corner of Section 18, Township 57 North, Range 2 West, Boise Meridian

Thence east along the south line of said Section 18 to the southeast corner of Section 18 and the northwest corner of Section 20, Township 57 North, Range 2 West, Boise Meridian.

Thence south along the west line of said Section 20 to the southwest corner of the northwest quarter of the northwest quarter of Section 20.

Thence east to the southeast corner of the northwest quarter of the northwest quarter.

Thence south to the southwest corner of the southeast quarter of the northwest quarter.

Thence south 25 feet more or less to the south right-of-way line of Pine Street.

Thence east 1,780 feet more or less along said right-of-way line to a point on the northwest corner of a lot described as a warranty deed dated May 9, 1974 recorded as Bonner County instrument #157391.

Thence south 0 degrees 5 minutes east 264.4 feet according to a warranty deed dated May 9, 1974 recorded as Bonner County instrument #157391.

Thence south 25 degrees 5 minutes east a distance of 81.3 feet, according to a warranty deed dated May 9, 1974 recorded as Bonner County instrument #157391.

Thence south 0 degrees 5 minutes east a distance of 50 feet according to a warranty deed dated May 9, 1974 recorded as Bonner County instrument #157391.

Thence south 0 degrees 5 minutes east a distance of 300 feet according to a warranty dated October 18, 1976 recorded as Bonner County instrument #180423.

Thence south 89 degrees 54 minutes east a distance of 182.6 feet according to a warranty deed dated October 18, 1976 recorded as Bonner County instrument #180423.

Thence south 0 degrees 5 minutes east a distance of 180 feet according to a warranty dated March 2, 1987 recorded as Bonner County instrument #331854.

Thence south 44 degrees 0 minutes east a distance of 250.8 feet according to a warranty dated Mach 2, 1987 recorded as Bonner County instrument #331854.

Thence south 89 degrees 54 minutes east a distance of 248.7 feet according to a warranty dated Mach 2, 1987 recorded as Bonner County instrument #331854.

Thence on a 500 foot radius curve to the right a distance of 314.6 feet. Thence north 13 degrees 13 minutes west a distance of 403.3 feet. Thence on a 400 foot radius curve to the left a distance of 224.9 feet. Thence North 45 degrees 26 minutes west a distance of 81.7 feet. Thence on a 90 foot radius curve to the right a distance of 139.1 feet. Thence north 43 degrees 9 minutes west 22.5 feet to the south right-of-way line of Pine Street.

Thence east along the south right-of-way line of Pine Street to a point 25 feet south of the northeast corner of the southeast quarter of Section 20, Township 57 North, Range 2 West, Boise Meridian.

Thence south along the east line of said Section 20 to the southeast corner of the northeast quarter of the northeast quarter of the southeast quarter of Section 20.

Thence west along the south line of the north half of the northeast quarter to the center of the northeast quarter of the southeast quarter of said Section 20.

Thence north to the northeast corner of the south half of the northwest quarter of the northeast quarter of the southeast quarter of said Section 20.

Thence west to the southwest corner of the north half of the northwest quarter of the northeast quarter of the southeast quarter according to a warranty deed dated March 12, 1998 instrument #520603.

Thence south along the north south centerline of the southeast quarter of said Section 20 approximately 690 feet to the northeast corner of the City of Sandpoint Water Tank property, according to a Correction Deed dated August 14, 1979 Instrument #218119.

Thence west 174.90 feet; thence south 200 feet; thence east 25 feet to the northwest corner of Syringa Heights Water Association property as recorded on Page 112, book 128 Deeds Bonner County, Idaho.

Thence south 100 feet to the east/west centerline of the southeast quarter of Section 20, Township 57 North, Range 2 West, Boise Meridian.

Thence east to the north/south centerline of the east half of the southeast quarter of said Section 20.

Thence south along said centerline to the northwest corner of Lot 1 of the Indian Ridge Subdivision to Bonner County according to a plat recorded March 27, 1973 as Instrument #147961, on Page 77 Book #3 of Plats.

Thence south 89 degrees 57 minutes 32 seconds east 180.1 feet along north line of said Lot 1 of the Indian Ridge Subdivision to the northeast corner of said Lot 1.

Thence south 0 degrees 18 minutes 26 seconds east 120.8 feet to the southeast corner of said Lot 1.

Thence north 89 degrees 57 minutes 32 seconds east 60.00 feet according to plat recorded as Bonner county Instrument #147961 to the southwest corner of Lot 2 of said Indian Ridge Subdivision.

Thence north 0 degrees 18 minutes 26 seconds west 181.5 feet to the northwest corner of said Lot 2.

Thence north 89 degrees 57 minutes 32 seconds east 420 feet to the east line of said Section 20.

Thence north along said section line to a point that is 200 feet south of the east/west centerline of the southwest quarter of Section 21, Township 57 North, Range 2 West, Boise Meridian.

Thence east 300 feet to a point which is 200 feet south of the of the east/west center line of the southwest quarter of said Section 21, according to a warranty deed dated August 13, 1981 recorded as Bonner county instrument #245990.

Thence north 200 feet to the east/west centerline of the southwest quarter of said Section 21, according to a warranty deed dated August 13, 1981 recorded as Bonner county instrument #245990.

Thence east along said line to the north /south centerline of the southwest quarter of said Section 21.

Thence north to a point which is 25 feet south of the east/west centerline of said Section 21, which is the south right-of-way line of Pine Street.

Thence east along said right-of-way line the intersection of the thread of Big Chuck's Slough.

Thence south along said thread of Big Chuck's Slough to the intersection of the existing City of Sandpoint limits.

And

Beginning at a point which is north 508 feet more or less from the south section line of Section 21, Township 57 North, Range 2 West, Boise Meridian and the intersection of the thread of Big Chuck's Slough and the existing City of Sandpoint limits.

Thence in a southerly direction along the thread of Big Chucks Slough to the meander line of the Pend Oreille River.

Thence along the meander line in an easterly direction to the north/south centerline of Section 28, Township 57 North, Range 2 West, Boise Meridian. This being the current City limits of Sandpoint.

SECTION 3. EFFECT OF ADOPTION OF MAP

That the Sandpoint Area of City Impact within the unincorporated area of Bonner County, Idaho as particularly described in Section 2 above and also set forth on the map attached as Exhibit A, "Sandpoint Area of City Impact," and incorporated herein by reference shall be in effect until amended or modified as allowed by law.

SECTION 4. ADMINISTRATIVE JURISDICTION

That the administrative jurisdiction of the plans and ordinances which apply to the Sandpoint Area of City Impact delineated by the map incorporated herein shall be the duty of Bonner County, Idaho, which shall apply the same plans and ordinances for the unincorporated areas of the County lying within the area of city impact as those areas lying outside the area of city impact, as set forth in Ordinance No. 261, adopted December 28, 1994 and recorded at Instrument #457823, records of Bonner County, Idaho, until amended or modified as allowed by law.

SECTION 5. REPEALER CLAUSE:

That Bonner County Ordinance No. 262 setting forth the geographic boundaries of the Sandpoint Area of City Impact, recorded December 28, 1994, at Instrument #457824, records of Bonner County, Idaho, is repealed in its entirety and all other ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. SEVERABILITY CLAUSE:

The provisions of this Ordinance are hereby declared to be individually severable. Should any provision of this ordinance be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining provisions.

SECTION 7. PUBLICATION EFFECTIVE DATE:

This Ordinance shall be in full force and effect upon its passage and publication in one (1) issue of the Bonner County Daily Bee newspaper.

Regularly considered, passed and approved as an ordinance of Bonner County, Idaho, done this 2nd day of January, 2007, upon the following roll call vote:

Chairman Joseph E. Young:

✓

Commissioner Karl J. Dye:

✓

Commissioner Marcia L. Phillips:

✓

BONNER COUNTY BOARD OF COMMISSIONERS

Joseph E. Young
Chairman Joseph E. Young

Karl J. Dye
Commissioner Karl J. Dye

Marcia L. Phillips
Commissioner Marcia L. Phillips

ATTEST:

Marie Scott, Deputy Clerk 1-2-07
Marie Scott, Clerk Date