



BOUNDARY COUNTY PLANNING AND ZONING

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STAFF REPORT
BOUNDARY COUNTY BOARD OF COMMISSIONERS
FILE #25-0127, BRISTLECONE ACRES
ZENON CHAVES
SHORT PLAT, RURAL SUBDIVISION

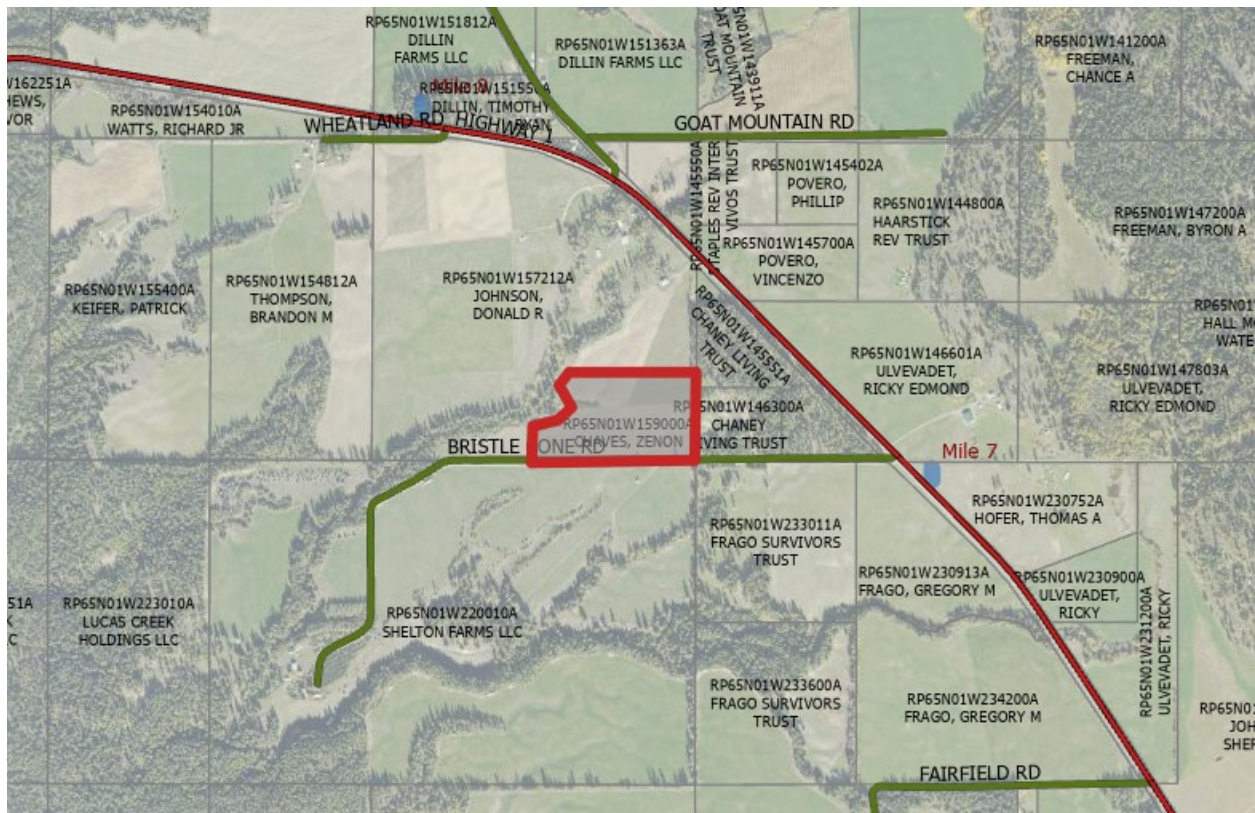
Prepared By:	Tess Vogel, Contract Planner Ruen-Yeager & Associates, Inc.
Project Description:	Requesting preliminary plat approval of Bristlecone Acres, a rural subdivision to divide a 20.15-acre parcel into a 10-acre lot and a 10.15-acre lot in the Agriculture/Forestry zone.
Project Location:	A tract of land located off Bristle Cone Road
Parcel Number:	RP65N01W159000A
Legal Description:	Tax 4 in Section 15, Township 65 North, Range 1 West, B.M.
Zoning Designation:	Agriculture/Forestry
Applicants: Representative:	Zenon Chaves JRS Surveying, Inc.
Date Application Completed:	03/18/2026
Hearing Date:	Board of County Commissioners: 04/28/2026
Legal Notice Provided:	Newspaper: 04/09/2026 Site Posting: 04/17/2026 Mailed to owners w/in 300' taxing districts & media: 04/08/2026
Staff Report Attachments	Legal notices, application, preliminary plat, agency comments, Ord. 2023-1

PROJECT SUMMARY

Zenon Chaves is requesting preliminary plat approval of Bristlecone Acres, a rural subdivision via short plat, to divide a 20.15-acre parcel into a 10-acre lot and a 10.15-acre lot in the Agriculture/Forestry zone. The Agriculture/Forestry zone has a lot size minimum of 10 acres. The parcel is located off Bristle Cone Road and is identified as Assessor’s Parcel RP65N01W159000A in Section 15, Township 65 North, Range 1 West, B.M. The sites are to be served by individual septic systems, wells, Northern Lights, Inc., and the Hall Mountain Fire District.

A Rural Subdivision is described at Section 11.3.6.1. of the County Code in Ordinance 2023-1 as a “subdivisions by short plat to create lots primarily intended for residential development where each lot meets or exceeds the density of the zone district in which it lies.” The code section does not provide the maximum number of lots that can be considered under a short plat process. Short plats are heard by the Board of County Commissioners only.

A rural subdivision via short plat is required due to the subject parcel having been created through the 20-acre exemption allowance of Sections 11.2. and 20.3. Any further division of a parcel created through this exemption allowance automatically requires platting per Sections 20.4.2. and 20.4.3. Neither simple nor primitive parcel divisions are permitted on parcels created through the 20-acre exemption allowance.

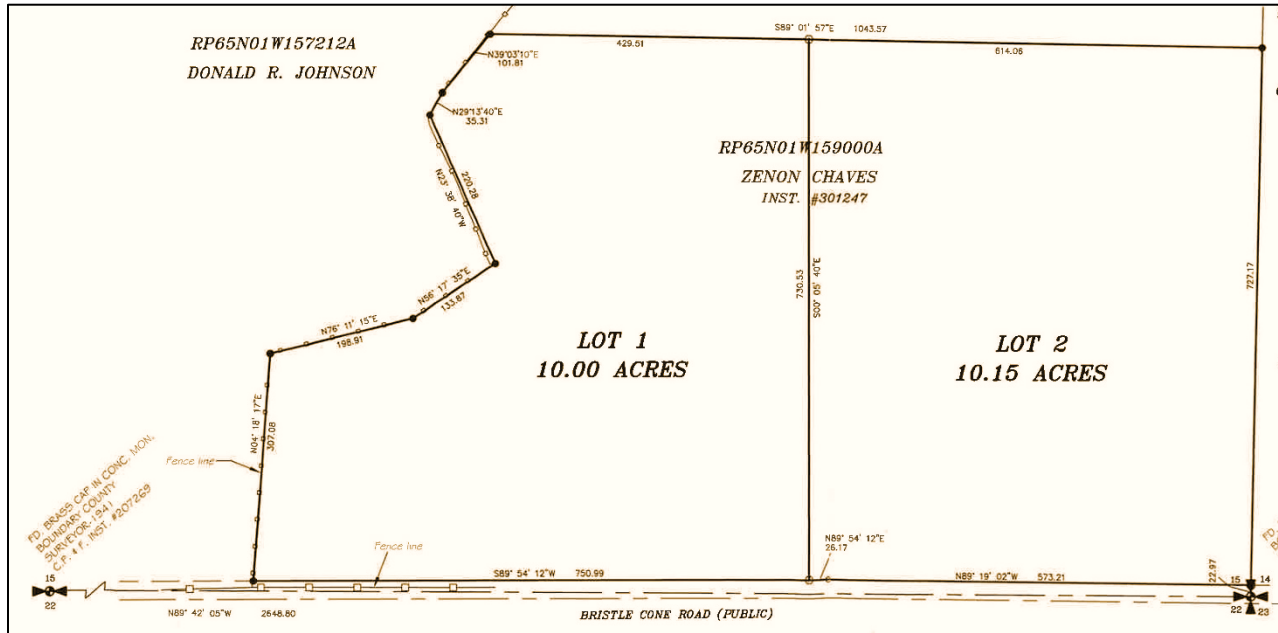


AERIAL VIEW OF PROPERTY

PROJECT SETTING	
Access	Bristle Cone Road (County/public)
Current & proposed uses	Vacant
Hazardous Areas	Special Flood Hazard Area Zone X, Panel 1602070150B no mapped floodplain/floodway.
Zoning overlays or special areas	None
Comprehensive Plan & Zoning designation of site	Agriculture/Forestry
Surrounding Comp Plan & Zoning designations	Agriculture/Forestry
Surrounding uses	Vacant; Residential; Timberland; Agricultural land

AUTHORITY

- Idaho Code §67-6513 authority of local subdivision ordinances and the processing of applications
- Idaho Code §50, Chapter 13, platting standards
- Boundary County Land Use Ordinance 9B18LOV2, Section 11.3.6.1; standards of rural subdivision
- Boundary County Land Use Ordinance 9B18LOV2, Section 11; platted subdivisions
- Boundary County Land Use Ordinance 9B18LOV2, Section 15.9.; Agriculture/Forestry zone



PRELIMINARY PLAT PROPOSED LOT CONFIGURATION

AGENCY/STAFF COMMENTS

The following agencies were routed for comment on March 18, 2026, & April 08, 2026: Boundary County Addressing, Ambulance, Assessor, Commissioners, Library, Road & Bridge, Boundary School #101, Hall Mountain Fire District, Idaho Department of Environmental Quality, Idaho Transportation Department, and Panhandle Health District.

Boundary Co. Addressing: *No addressing concerns.*

Idaho Transportation Dept.: *ITD has no comment.*

PUBLIC COMMENTS:

Landowners within 300’ of the site were mailed notices on April 08, 2026, and notice was published in the Bonners Ferry Herald on April 09, 2026. No written public comment was submitted to the record at the time of the completion of this staff report.

STANDARDS OF ANALYSIS & EVIDENCE OF APPLICABLE CODES AND COMPREHENSIVE PLAN
<p>I.C. §67-6513, Subdivision Ordinance <i>Provides authority for local ordinances to include mitigation measures for impacts of subdivision and for collection of fees. Denial of a subdivision permit or approval of a subdivision permit with conditions unacceptable to the landowner may be subject to the regulatory taking analysis provided for by section 67-8003, Idaho Code, consistent with the requirements established thereby.</i></p>
<p>Boundary County Land Use Ordinance, Section 11.3.6., Ord. 2023-1 <i>Rural subdivision by short plat to create lots primarily intended for residential development where each lots meets or exceeds the density of the zone district in which it lies.</i></p>
<p>Staff: The subject parcel is zoned Agriculture/Forestry, which has a minimum density requirement of 10 acres (15.9.1.). Both proposed lots will be 10 acres or greater in size with one proposed at the 10-acre minimum and the other proposed at 10.15 acres.</p>

Boundary County Land Use Ordinance, Section 11.3.6.1., Ord. 2023-1

Roads intended for adoption by Boundary County shall be built and surfaced to standards established by the current Boundary County Road Standards Manual to serve all lots created. Where roads are to remain under private ownership and maintenance, the subdivision created shall be served by defined access and utility easements to an existing public road, to meet width and slope requirements established by the current Boundary County Road Standards Manual. All lots shall be served by roads surfaced to a standard sufficient to allow all-weather access by emergency vehicles, actual surface notwithstanding. Where four or fewer lots are proposed, road width and slope requirements may be waived.

Staff: Bristle Cone Road is an existing public road within a public right-of-way that provides direct access to both proposed lots. The Boundary County Road & Bridge Department did not provide a comment on the file at the time of the completion of this staff report.

Boundary County Land Use Ordinance, Section 11.3.6.2., Ord. 2023-1

Each lot created is or can be served by a water district association, approved community water system, or by private well.

Staff: Per the application, the proposed lots are to be served by private well.

Boundary County Land Use Ordinance, Section 11.3.6.3., Ord. 2023-1

A sewer or a Panhandle Health District-approved septic system can serve each lot.

Staff: Per the application, the lots are proposed to be served by individual septic systems. The Health District did not provide a comment on the file at the time of the completion of this staff report.

Boundary County Land Use Ordinance, Section 11.6.3.4., Ord. 2023-1

Electrical service sufficient for residential use can be brought to each lot.

Staff: Per the application, the lots are proposed to be served by Northern Lights, Inc.

Boundary County Land Use Ordinance, Section 11.3.6.5., Ord. 2023-1

Will serve letters are required for each lot for water or sewer service, where required by the State of Idaho.

Staff: No will-serve letters are required due to the size of the proposed lots, 10 and 10.15 acres, and the zoning of the subject site. The Agriculture/Forestry zone does not require will-serve letters for a land division because municipal sewer or water services are not required. The applicants will be required to apply with Panhandle Health District for the proposed use of individual septic systems and the Idaho Department of Water Resources for any well permits.

Boundary County Land Use Ordinance, Section 11.6.1.3.

At the conclusion of the public hearing and based on materials included in the application, the staff analysis and comment received through public hearing, the board of county commissioners will hold discussion to reach a reasoned decision and consider terms and conditions sufficient to allow the administrator to prepare written findings and decision.

Boundary County Land Use Ordinance, Section 11.6.1.4.

When considering an application for a lot line adjustment or short plat, the Board of County Commissioners should determine, at minimum:

- **11.6.1.4.1.** *Whether the proposed plat is in accord with applicable provisions of this ordinance.*
- **11.6.1.4.2.** *Whether adequate public services are or can be made available.*
- **11.6.1.4.3.** *Whether the proposed subdivision is designed so as to reduce or eliminate adverse impact on adjacent properties or land uses.*
- **11.6.1.4.4.** *Whether the proposed subdivision is suited so as to avoid potentially hazardous or sensitive areas or sites.*
- **11.6.1.4.5.** *Whether access is sufficient to accommodate increase that might result from the subdivision proposed.*

Boundary County Land Use Ordinance, Section 11.6.1.5.

In considering approval of a lot line adjustment or short plat, the Board of County Commissioners may consider the imposition of terms and conditions as a means of addressing concerns, to mitigate potential adverse effects, to protect the public interest or to ensure that the burden of providing necessary infrastructure does not fall to the general public. Terms and conditions may include, but are not limited to:

- **11.6.1.5.1.** *Control the sequence and timing of development.*
- **11.6.1.5.2.** *Establish provisions for perpetual maintenance of public areas, facilities or utilities, to include roads.*

- **11.6.1.5.3.** *Require the installation of essential infrastructure, to include requiring a guarantee of installation and surety pursuant to Section 5 of the Boundary County Land Use Code.*
- **11.6.1.5.4.** *Require landscaping, fencing or other such measures to reduce potential adverse impacts or to maintain aesthetics.*
- **11.6.1.5.5.** *Require specific security measures, such as traffic signs, traffic and school bus turnouts, fencing, gating or lighting to protect the public safety.*
- **11.6.1.5.6.** *Require specific endorsement on the face of the plat sufficient to inform potential buyers of levels or lack of services to be provided, potential nuisances to expect or other information deemed appropriate to reasonably assure that buyers are aware of any limitations in what they are buying.*

Staff: Draft conditions of approval and proposed reasoned statements are listed at the end of this staff report for review, discussion and adoption/amendment by the Boundary County Board of Commissioners.

Staff Information Regarding Lot Layout/Design

Boundary County has no lot/parcel design criteria for parcel divisions and subdivisions.

DRAFT FINDINGS FOR DISCUSSION/ADOPTION:

1. The applicant is requesting preliminary plat approval of Bristlecone Acres to divide a 20.15-acre parcel into a 10-acre lot and a 10.15 lot.
2. A rural subdivision and its standards are found at Section 11.3.6.1. of the County Code and Ordinance 2023-1.
3. The site has a comprehensive plan land use and zoning designation of Agriculture/Forestry.
4. The Agriculture/Forestry zone has a lot size minimum of 10 acres (15.9).
5. The sites will be accessed off the existing Boundary County (public) road, Bristle Cone Road.
6. The sites are proposed to be served by private wells, private septic systems, Northern Lights, Inc., and the Hall Mountain Fire District.
7. The site is not located within the Airport Overlay Area.
8. The site is not located within any city’s Area of Impact.
9. No special flood hazard areas are located on-site per FEMA maps.
10. No mapped wetlands are present on-site per the National Wetland Inventory Map.
11. The TC Energy pipeline easement is not present on-site.
12. The land division does not qualify for a simple or primitive parcel division due to the subject parcel having been created through the 20-acre exemption allowance of Sections 11.2. and 20.3. Any further division of a parcel created through this exemption allowance automatically requires platting per Sections 20.4.2. and 20.4.3.

DRAFT CONDITIONS OF APPROVAL FOR DISCUSSION/ADOPTION:

1. A final plat shall be recorded within two (2) years of the issuance date of this short plat (11.6.1.6.1.1.2.) or the preliminary plat approval shall expire (11.6.1.6.1.1.2.2.2.).
2. In the event the final plat cannot be recorded within two (2) years from the issuance of this permit, a one (1) year extension may be requested by the developer no more than ninety (90) days prior to the established default date for recording the final plat. This extension, if granted, extends the original recording date by one (1) full year. (11.6.1.6.1.1.2.1.)
3. The final plat shall conform to all applicable final plat requirements of Section 11.7.
4. Prior to recording of the final plat, applicants shall reimburse Boundary County for first class mailings and advertisements required for public notification.
5. The final plat shall note the following:
 - a. The level of services for utilities, including electrical power, water service, sewer service and road access.
 - b. Special purpose districts, including the local fire district, which are within the subdivision boundaries.
6. All existing and proposed roads shall conform with the following:
 - a. Be correctly labeled as to status and shall be in accord with the official road name list, to the satisfaction of Boundary County Road and Bridge. Any required, new private road name shall be included prior to submitting for final plat approval.

- b. Include the lengths, widths, and bearings of all easements.
 - c. Be dedicated in the owner’s certificate, where newly created easements are proposed, and be properly labeled as to recorded easements where served by existing easements.
7. All requirements of Panhandle Health District for the approval of the proposed plat shall be provided to the Boundary County Planning & Zoning Department prior to the final plat.
 8. All requirements of the Boundary County Road & Bridge Department for the approval of the proposed plat shall be provided to the Boundary County Planning & Zoning Department prior to the final plat.

STANDARDS OF REVIEW FOR REASONED STATEMENT	
<i>Idaho Code §67-6535 (2): The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.</i>	
SECTION 11.6.1.4. & IC §67-6513, CONSIDERATIONS FOR LOT LINE ADJUSTMENTS & PLATS	
Prior to approving a lot line adjustment, <u>short plat</u> or long plat, the governing body shall review the particular facts and circumstances of each proposed rural subdivision in terms of the following standards and shall find adequate evidence showing that such use at the proposed location is consistent with these standards.	
IC §67-6513	Provide authority for local ordinances to include mitigation measures for impacts of subdivision and for collection of fees. Denial of a subdivision permit or approval of a subdivision permit with conditions unacceptable to the landowner may be subject to the regulatory taking analysis provided for by section 67-8003, Idaho Code, consistent with the requirements established thereby.
BC 11.6.1.3.	At the conclusion of the public hearing and based on materials included in the application, the staff analysis and comment received through public hearing, the board of county commissioners will hold discussion to reach a reasoned decision and consider terms and conditions sufficient to allow the administrator to prepare written findings and decision.
BC 11.6.1.4.1.	Is the proposed plat in accord with the applicable provisions of this ordinance?
Is this standard met? YES NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
BC 11.6.1.4.2.	Are adequate public services (water, sewer, power, roads, fire protection, etc.) available or can be made available?
Is this standard met? YES NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
BC 11.6.1.4.3.	Is the proposed subdivision designed so as to reduce or eliminate adverse impacts on adjacent properties or land uses?
Is this standard met? YES NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.

BC 11.6.1.4.4.	Is the proposed subdivision situated so as to avoid potentially hazardous or sensitive areas or sites?
Is this standard met? YES NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
BC 11.6.1.4.5.	Is access for the proposed subdivision sufficient to accommodate potential increases in traffic that might result from the proposed subdivision?
Is this standard met? YES NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.

FINAL DECISION OF THE BOARD OF COUNTY COMMISSIONERS	
MOTION TO APPROVE	I move to approve the preliminary plat for Bristlecone Acres, a proposed rural subdivision, File #25-0127, and direct staff to prepare written findings, a reasoned decision, and terms and conditions of approval, finding that the preliminary plat IS in accord with the applicable zoning and subdivision standards of the Boundary County Land Use Ordinance, based upon the findings and conditions as written [<i>or amended – state amendments</i>] and based upon the reasoned statements as read into the record during deliberation. This action does not result in a taking of private property.
MOTION TO TABLE	I move to table or continue the hearing to [<i>insert date, time and place</i>] to allow further consideration of the proposal or to allow review and approval of written findings and decision.
MOTION TO DENY	I move to deny the preliminary plat for Bristlecone Acres, a proposed rural subdivision, File #25-0127, and direct staff to prepare written findings and a reasoned decision, finding that the preliminary plat IS NOT in accord with the applicable zoning and subdivision standards of the Boundary County Land Use Ordinance, based upon the findings as written [<i>or amended – state amendments</i>] and based upon the reasoned statements as read into the record during deliberation. This action does not result in a taking of private property.