



AGENDA REPORT

City Council Meeting

TODAY'S DATE: November 20, 2025

MEETING DATE: December 3, 2025

TO: MAYOR AND CITY COUNCIL

FROM: Holly Ellis, Public Works Director; Bill Dean, Deputy Director Community Planning and Development Department/City Planner

SUBJECT: PS20-0003, PFP25-0001: University Place Subdivision, Phase 3 Final Plat

APPLICATION DESCRIPTION AND BACKGROUND:

The property owner Mort Construction, Inc. seeking final plat approval for University Park (Place), Phase 3, a 24-lot portion of the University Place subdivision, zoned Single-Family Residential (RS). The site is located on the east side of North Boyer Avenue, south of East Mountain View Drive.

On November 4, 2020, the City Council approved with conditions the preliminary plat for the University Place Subdivision (application number PS20-0003). On December 30, 2020, City Council approved and the City entered into a development agreement, formalizing the conditions of approval, including but not limited to Required Infrastructure Improvements.

The development agreement originally applied jointly to the two applicants/property owners. Subsequent to the approval of the development agreement, the property owners divided the development agreement into two development agreements, as applicable to each property owner, and their successors. The development agreement applicable to the property (Phase 3) was recorded on September 3, 2021 (instrument # 991045). The development agreement, together with the subdivision ordinance and conditions of approval, establish the required public infrastructure improvements for this final plat. The development agreement section 5 establishes the Required Infrastructure Improvements related to public infrastructure, and section 3 establishes the construction schedule (for public infrastructure), indicating a completion date no later than December 31, 2025.

PROCEDURAL REQUIREMENTS AND STANDARDS FOR FINAL PLATS:

The Local Land Use Planning Act (LLUPA) requires local governments to adopt local ordinances providing "for standards and for processing of applications for subdivision permits under Idaho Code Sections 50-1301 to 50-1329." In accordance with LLUPA, the City of Sandpoint's subdivision regulations are codified in Title 10 of Sandpoint City Code. The City follows a two-step subdivision review process - a preliminary plat review and a final plat review. This process ensures that proposed subdivisions comply with local, state, and federal standards and that all required public infrastructure is properly designed and constructed before new lots are created and sold.

Preliminary plats generally set forth the basic information (layout) to determine if the subdivision plan generally complies with the applicable requirements. Public comments and deliberation regarding a proposed project's layout occurs during the preliminary plat process and during public hearings. Once a preliminary plat is approved, apply for and obtain a Public Infrastructure Permit that details the engineering plans and specifications related to the conceptual infrastructure shown on the Preliminary Plat. Upon approval of the Public Infrastructure Permit, the developer may begin constructing required

public infrastructure, including streets, utilities, and drainage improvements, consistent with the approved plans.

Upon completion of constructing the required public infrastructure, the property owner engages a licensed professional surveyor to generate the final plat. The final plat serves as the legal document to be recorded with Bonner County and reflects the as-constructed conditions of the subdivision, including lot boundaries, easements, and dedications. Property owners are required to return to City Council for approval of the final plat which serves as a confirmation and verification step that the subdivision was constructed in accordance with the preliminary plat, including the conditions of approval. Upon approval by City Council a final plat can be recorded. Once approved, the streets and utilities are accepted by the City and become publicly-owned, and the developer may sell lots and property owners/contractors may apply for building permits on the new legal lots.

To be eligible for recordation, the final plat must contain the following certificates and approvals:

- Certification by owner, including a legal description, certification of ownership of the property, dedication of easements shown on the plat (if applicable), and reference describing and Conditions, Covenants, and Restrictions (CCRs)(if applicable).
- Certification by the professional land surveyor that the plat drawing is correct and in compliance with applicable state and local laws.
- Certification by the local health district describing sanitary restrictions on the new lots.
- Certification of approval from the local highway district of public streets, alleys and easements for public maintenance (the Independent Highway District retains jurisdiction over public rights-of-way within the City of Sandpoint, while the City is responsible for maintenance under a memorandum of understanding agreement).
- Certification of approval by the City Engineer and City Planner.
- Certification of approval by the Bonner County Surveyor.
- Certification by the Bonner County Treasurer of the tax status of the property.

Prior to bringing a final plat before City Council, City staff inspect the completed construction, review the surveyor's final plat, and verify compliance with the conditions of approval placed on the preliminary plat at the time of approval. City Code requires that the final plat be in substantial conformance with the preliminary plat. The legal definition of the term "substantial" means "*essentially; without material qualification; in the main; in substance, materially; in substantial manner. About, actually, competently, and essentially.*" As applicable to a final plat, it is reviewed against the preliminary plat to ensure that the number of lots, general size of the lots, right-of-widths, and similar standards are consistent with that proposed during the preliminary plat process.

Additionally, the public infrastructure must be substantially complete, as determined by the City Engineer. City staff review completeness to ensure that (a) City services (water, sewer, storm drainage, etc.) are fully functioning in conformance with the approved plans, and (b) the right-of-way is code and standards-compliant, providing adequate access for the public and emergency services. It is common that a portion of the work is not 100% complete by the City at time a property owner seeks approval of a final plat; such infrastructure typically includes sidewalks, removal of temporary erosion measures, planting of trees, etc. So long as the above criteria is met, as determined by the City Engineer, and the remaining work is bonded for in compliance with SCC Chapter 10, a final plat may be approved on the basis it is "substantially" conforming and complete.

The University Place project has a development agreement, which establishes additional requirements prior to approval of any final plat, as described in the staff report below

COMPLIANCE WITH CITY REQUIREMENTS:

The Required Infrastructure Improvements for Phase 3 have been substantially completed, as of September 8, 2025 (Attachment 5 – Certification Letter). The following Phase 3 items shall be completed, prior to the City releasing the Performance Bond and no later than December 31, 2025:

- street tree planting;
- reset manholes and,

- other minor punch list items.

The name of the preliminary plat and development agreement were approved as “University Park Subdivision.” Bonner County determined that this name is not available and therefore, the final plat (Attachment 6) has been renamed “University Place Subdivision, Phase 3.” Bonner County Surveyor review comments have been incorporated into the final plat.

The final plat has been reviewed by City staff and determined to be in substantial conformance with the approved preliminary plat. The substantial completion and acceptance of the Required Infrastructure Improvements enables final plat approval. Upon approval of the final plat by City Council and prior to recording of the final plat, the following shall be completed, as further described in the Development Agreement(s):

1. Obtain required signatures;
2. Record utility easement; and,
3. Acceptance of two-year warranty bond shall by the City;

STAFF RECOMMENDATION:

The applicant has followed the procedures required in City Code, Title 10, Chapter 1: Subdivision and New Development Standards and Regulations. The final plat is substantially in accordance with the preliminary plat approved by the City Council. Additionally, the conditions of approval have been satisfied and the applicable terms of the development agreement have been met.

ACTION:

Per City Code, Title 10, Chapter 1-8(E), “The council may hold a public hearing on a final plat if requested by the planning director, mayor or city council. The city council shall approve, approve with conditions, refer the matter back to the planning commission, or deny the final plat. A written reasoned decision shall be prepared reflecting the city council's decision.” The Phase 3 Final Plat conforms with all applicable standards of the Sandpoint City Code and the terms and conditions of the approved Preliminary Plat and the Development Agreement noted above and attached and is therefore approved without further comment or conditions.

WILL THERE BE ANY FINANCIAL IMPACT? Yes; the City of Sandpoint is responsible for the maintenance of the public infrastructure. The additional revenues associated with future development of the new lots will be incorporated into future annual budgets (revenue and expenses). **HAS THIS ITEM BEEN BUDGETED?** N/A

ATTACHMENTS:

1. City Council Meeting Minutes (Decision) 11/4/2020
2. City Council Meeting Staff Report 11/4/2020
3. City Council Resolution No. 20-056 – Approval of Development Agreement
4. Development Agreement (Instrument No. 991045)
5. Engineer of Record's Certification Letter
6. University Place, Phase 3 Final Plat