

**CITY OF SANDPOINT
AGENDA REPORT**

DATE: March 4, 2025
TO: Planning and Zoning Commission
FROM: Brandon Staglund, P.E., City Engineer
SUBJECT: Amendments to City Code 10-2-3-D and 7-3-10-H, related to timing of infrastructure requirements for short plats.

BACKGROUND:

Title 10 of city code, related to land subdivisions, includes separate chapters describing the process and requirements for “subdivisions” and “short plats.” A short plat is a subdivision of land that results in 4 or fewer lots, without dedication of a new public street, more fully described in 10-2-2.

Proposed Code Changes related to Timing of Infrastructure Requirements for Short Plats

10-2-3-D requires that all short plats complete the same public infrastructure requirements as standard subdivisions. Specifically, it requires that short plats either 1) complete the construction of sidewalk and curb along all existing public street frontages, before recordation of the final plat, as described in 10-1-7-P-1 or 2) post security in the amount of 150% of the improvements and enter into an agreement with the City assuring the completion of the infrastructure within 3-years, as more fully described in 10-1-2. This has resulted in challenges for property owners who wish to complete a short plat that results in one or more undeveloped lots, with the intent of deferring development or selling or transferring property. Requiring construction of frontage improvements when site development is unknown requires the owners to anticipate driveway locations and other frontage elements before they can create the lot. This can result in removal and reconstruction of infrastructure when future development occurs. Requiring frontage improvements up front delays the recording of the final plat until the improvements are physically constructed. The current code places a financial requirement on property owners (either to construct infrastructure or financially secure its completion via an agreement with a bond/security). Such financial requirements can deter the positioning of property for investment, sale, or transfer. Requiring frontage requirements in advance of development also encumber property owners with infrastructure requirements more typically associated with development.

The proposed code amendments do not eliminate the requirement for frontage improvements for short plats, they only modify the timing of when they need to be constructed (for new lots exceeding 1 acre). Specifically the proposed code amendments would accomplish the following:

- 1) Allow short plats resulting in lots greater than an acre to defer the frontage improvements until issuance of any building permit on the lot;
- 2) Requires that property owners seeking to divide their property via a short plat that results in lots larger than one acre to enter into a recorded agreement stipulating the specific requirements and ensuring their completion prior to any occupancy permit (i.e. prior to when the improvements would be necessitated by actual new development).

The proposed threshold of one-acre was derived from the idea that residential lots in Sandpoint have a minimum size of 5,000 square feet, suggesting short plats creating large lots are likely to be the subject of future development or subdivision applications.

Code Changes related to Sidewalk Requirements

Additionally, the proposed code amendments allow the payment of in-lieu fee for sidewalk, for lots created by short plat of any size. This would allow lots created by short plat to be created and sold without having to wait to actually construct the frontage improvements before final plat. Current code specifically excludes all short plats from paying the sidewalk in-lieu fee. Sidewalk in-lieu fee would still be at the discretion of staff, as described in 7-3-10-H-6, and typically only used where there is not nearby existing sidewalk.

The following pros and cons are anticipated by staff if the proposed code amendments are approved by City Council:

Pros

1. Allows short plats, in specific situations, to create lots without having to physically construct sidewalk and curb up front, which can sometimes take months depending on contractor availability and weather.
2. Allows the integration location of sidewalks, curb cuts, and driveways into actual site design, instead of requiring them at a point in time when access and site development configurations are often unknown.

Cons

1. Although unlikely, a property owner may create a lot greater than 1 acre containing an existing house with no intent to subdivide further or construct a new building, in which case the sidewalk and curb would not get constructed adjacent to that lot.

RECOMMENDED ACTION:

Move to:

Revise Sandpoint City Code sections 10-2-3-D and 7-3-10-H, as shown on the attached draft code amendments.

WILL THERE BE ANY FINANCIAL IMPACT? Additional potential for collection of sidewalk in-lieu fees.

HAS THIS ITEM BEEN BUDGETED? n/a

ATTACHMENTS:

1. Draft code amendments to Sandpoint City Code 10-2-3-D.
2. Draft code amendments to Sandpoint City Code 7-3-10-H.