



## Staff Report

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**To:** City Council  
**Prepared by:** Amy Tweeten, AICP, City Planner  
**Report:** August 26, 2022  
**Meeting:** September 7, 2022  
**Item:** PS22-0002: Boyer Farm Estates Phase II Preliminary Plat - Public Hearing

*Please Note: The Application and all materials related to this request are provided on the City's website at: [www.sandpointidaho.gov/PS22-0002](http://www.sandpointidaho.gov/PS22-0002)*

### 1) Introduction and Background

At its August 2<sup>nd</sup> meeting, the Planning and Zoning Commission held a public hearing on a request from Carousel Holdings, LLC for preliminary approval to subdivide an approximately 5-acre parcel into 25 single family lots in the RM Multiple Family Residential district. The property is east of N. Samuelson Ave., approximately 300' north of Woodland Avenue, south of the Bonner County Readiness Center, and west of Boyer Farm Estates Phase I. Based on finding the proposed subdivision was compliant with City codes and consistent with planning documents, the Commission recommended approval to City Council.

The subject parcel was created through the Boyer Farm Estates Phase I Subdivision, a 24-lot subdivision that received final plat approval by City Council on March 16, 2022. Boyer Farm Estates Phase II is an extension of Phase I, with lots that are predominately 50 feet in width and between 6,750 and 8,681 square feet in area.

Preliminary plats set forth the basic information for the Planning & Zoning Commission and the City Council to determine if the proposed subdivision generally complies with the applicable requirements of the Sandpoint City Code. Upon approval of a preliminary plat by City Council, a permit for public infrastructure improvements may be issued and once complete/accepted, a final plat may be approved by City Council and recorded. A final plat is necessary to create/sell new lots and no building permits may be issued prior to the final plat recording.

**Figure 1 Site Location**

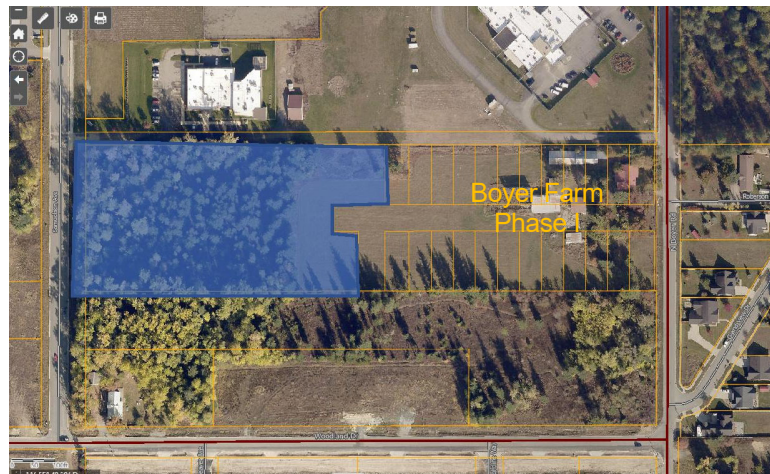


Figure 2 Zoning

- Commercial A - CA
- Commercial B - CB
- Commercial C - CC
- Industrial Business Park - IBP
- Industrial General - IG
- IBP uses also allowed (subject to design standards)
- Industrial Technical Park - ITP
- Residential Multifamily - RM
- Rural Residential - RR1
- Residential Single Family - RS
- Mixed Use Residential - MUR



Figure 3 - Preliminary Plat

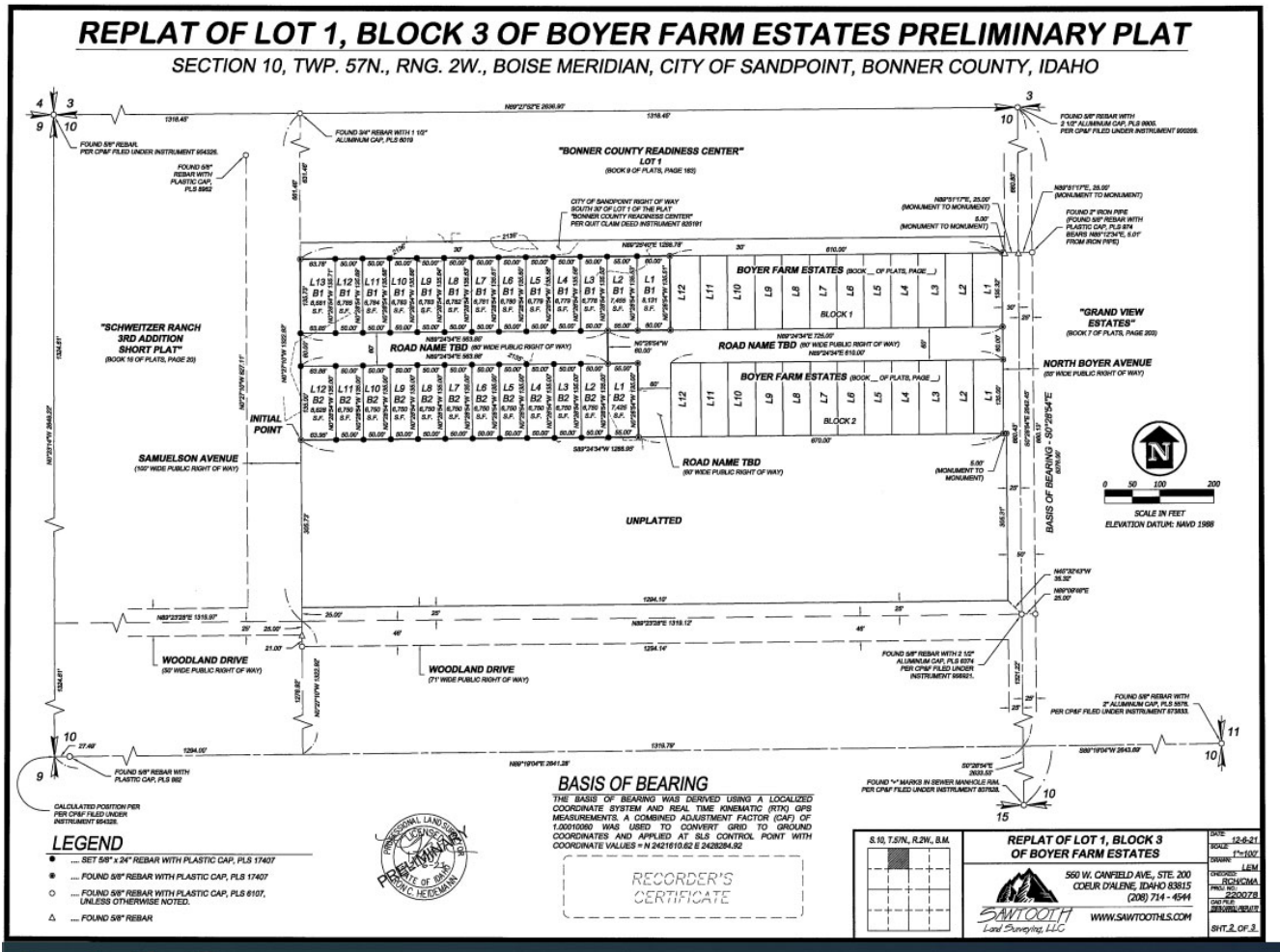


Figure 4 - Preliminary Plat Detail

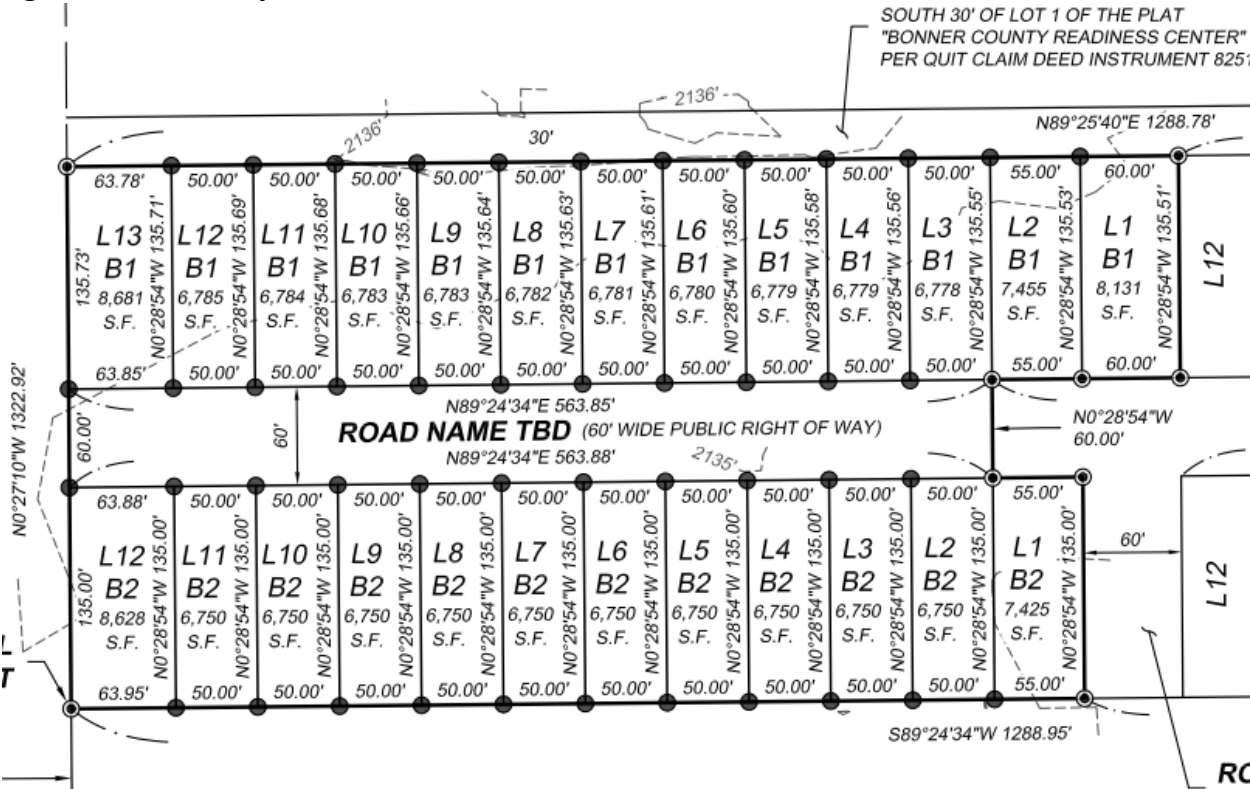
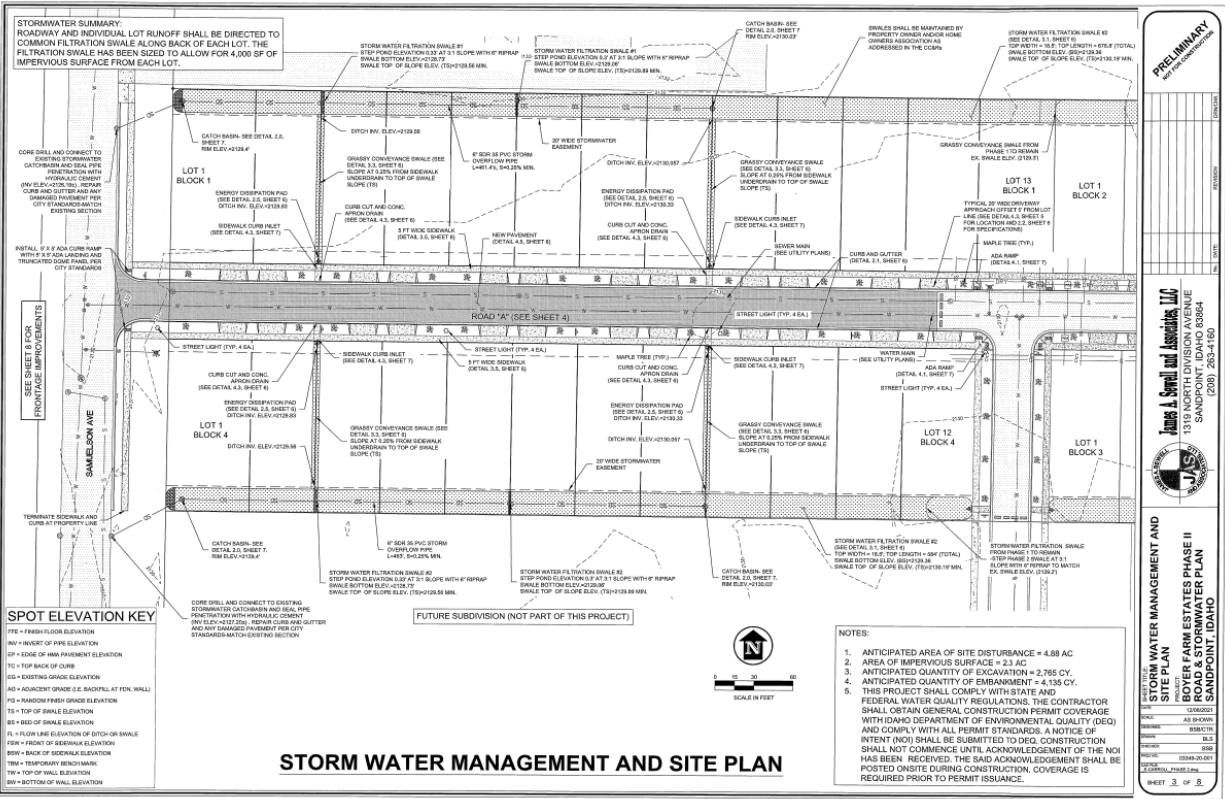


Figure 5 – Preliminary Improvement Plans



## 2) Agency Comments

Per Idaho Code and Sandpoint City Code, all applicable jurisdictions and agencies have been notified of the proposal including, but not limited to:

REVIEWING DEPARTMENTS & AGENCIES:				
City of Sandpoint	Local Agencies & Districts	State & Federal	Bonner County	Other
<input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Fire Marshall <input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> City Engineer <input checked="" type="checkbox"/> Operations	<input checked="" type="checkbox"/> Independent Highway District <input checked="" type="checkbox"/> Pend Oreille School District <input checked="" type="checkbox"/> Panhandle Health District <input checked="" type="checkbox"/> City of Dover <input checked="" type="checkbox"/> City of Ponderay	<input checked="" type="checkbox"/> ID Dept. Lands <input checked="" type="checkbox"/> Environmental Quality <input checked="" type="checkbox"/> ID Transportation Dept. (ITD) <input checked="" type="checkbox"/> USACE <input checked="" type="checkbox"/> ID Water Resources	<input checked="" type="checkbox"/> Surveyor <input checked="" type="checkbox"/> Sandpoint Airport <input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> BC EMS <input checked="" type="checkbox"/> Commission	<input checked="" type="checkbox"/> Avista Utilities <input checked="" type="checkbox"/> Northern Lights <input checked="" type="checkbox"/> Various Utility/Service Providers <input checked="" type="checkbox"/> BNSF Railroad
X = Request for review/comments sent to department or agency.				

At the time of this report draft, the city has received four (4) agency responses to the application. All comments received before the hearing will be forwarded to the Council and added to the application website

Commenter	Agency/Position	Issue
Mel Bailey	Independent Highway District	Public improvement, lot width, and ROW comments
Kristie May	ID Dept of Env. Quality	Idaho Environmental Guidelines provided
Andrea Ballard	Bonner County GIS	Legal description incomplete; signature block lists wrong year
Hannah Nishek	Bonner County GIS	Combination of plat name and lot/block numbering to be revised; owner's cert. incomplete
Monica Carash	Bonner County GIS	Add road name to plat
Stacy Simpkins	Idaho Transportation Dept.	No Comment

This plat has been reviewed for conformance with Sandpoint City Code, including review of right-of-way and lot width for conformance with standards. The Developer is required to maintain compliance with the United States Environmental Protection Agency's Construction General Permit (CGP) through the development, as noted in the Development Agreement. Bonner County GIS Department plat revisions are required to be incorporated prior to final plat.

## 3) Conformance with existing plans, policies, and regulations

### A. Multimodal Transportation Master Plan/Urban Area Transportation Plan

City Code, Title 10, Section 6 requires conformance with the Transportation Plan and provides that streets shall be designed in accordance with the development standards of the city of Sandpoint. The

Multimodal Transportation Master Plan (MTMP) adopted in 2021 provides vision, goals and objectives against which developments can be evaluated. The Urban Area Transportation Plan (UATP) serves as the current standards, specific to access management and traffic analysis. The relevant goals, objectives and standards for which a subdivision should be evaluated are noted below, with staff review **bolded**.

The development did have a full traffic impact study (TIS) completed and reviewed by the City's traffic engineer that is detailed later in this report.

MTMP Goal 1. Provide a balanced approach to mobility.

Objectives:

- Improve and enhance safety and traffic circulation and preserve an acceptable level of service (LOS) at intersections; strive to maintain a LOS of D or better for peak hour traffic at intersections on City streets.
- Limit the number of approaches onto collectors and arterials in order to minimize safety conflicts between modes and preserve the function of the multimodal corridor.
- Continue to require compliance with roadway access management standards as part of land use application approval process.

**The subdivision does not create any additional approaches onto collector streets and the TIS determined the development will not reduce any intersections to below a LOS D.**

MTMP Goal 2. Provide a walkable and bikeable network throughout the community

Objectives:

- Continue to enhance the walkability and bike-ability of not only Downtown, but also the entire community and improve walking and bicycling routes throughout the community.
- Continue to require development proposals to provide complete streets in a manner consistent with design standards, as applicable.

**The subdivision will have sidewalks on both sides of Jersey Street (east/west) and Holstein Place (north/south), as well as extend the existing sidewalk on Samuelson Avenue, creating a loop around the County property.**

MTMP Goal 4. Support a resilient, livable and sustainable multimodal system

Objectives:

- Consider the long-term functionality and maintenance obligations when developing right-of-way design standards and through the subdivision approval process.
- Require compliance with adopted street design standards.

**The subdivision will provide a 60-foot right-of-way, meeting City design standards.**

MTMP Goal 8. Proactively plan for an increase in demands

Objectives:

- Continue to implement requirements for traffic analyses and mitigation measures

resulting from private development and changes in use.

- With new development projects, encourage the design and construction of local streets to improve multimodal connectivity and safety; encourage well-connected, grid type street patterns with new development.

**As noted above and detailed further below, a traffic impact analysis was completed for Phase 1 and 2 of Boyer Farm, which resulted in no need for off-site mitigation measures.**

Applicable appendices of the UATP are reviewed below.

- Appendix E, Developer Packet  
Provides a checklist for ensuring design coherence with urban area development standards.

**Complete compliance with the UATP will occur with engineering review and permits for construction.**

- Appendix G, Access Management Policy

Access management is the proactive management of vehicular access points to land parcels adjacent to all manner of roadways to promote safe and efficient use of the transportation system. This local policy is consistent with national engineering best practices.

#### **Approach Location**

Approaches shall be located so as not to create undue interference with, or hazard to, the free movement of normal street or pedestrian traffic, or cause areas of congestion.

#### **Approach Spacing**

Spacing standards limit the number of driveways on a roadway by mandating a minimum separation distance between driveways. This reduces the potential for collisions as motorist enter or exit the roadway and encourages joint access, where appropriate. Table G-4 provides the Minimum Intersection and Approach Spacing Requirements, specifying that driveways on a collector street shall be a minimum of 150' apart and on Local (residential) streets allows for access to each lot. The UATP also provides that the spacing between intersections shall be no less than 250'.

**All elements applicable to the preliminary plat appear to conform with Appendix G.**

- Approach location – The distance between the intersection of Jersey Street at N. Samuelson Avenue will be approximately 440 feet north of Woodland Avenue and fifty (50) feet south of the Samuelson development driveway. Woodland Avenue, considered a Major Collector, will not be modified with this application. No additional approaches on the collector are proposed.**  
**Approach spacing – each residential lot will be served by an approach to Jersey Street, with no driveways onto N. Samuelson Avenue.**



**b. The proposed subdivision is substantially compliant with the goals and objectives of Appendix G of the Urban Area Transportation Plan, providing pedestrian and vehicular access while minimizing access to N. Samuelson Avenue and connecting to the existing Jersey Street with access to N. Boyer Road.**

- Appendix H, Traffic Impact Study

**The applicant submitted a full Traffic Impact Study to account for both Phase I and Phase II of Boyer Farm. The analysis indicated the development will result in 508 net new weekday trips, with 38 net new trips occurring during the AM peak hour and 50 net new trips during the PM peak hour. The analysis indicated that all intersections in the study area continue to operate at an acceptable level of service (LOS D or better), with minimal queuing at the stop-controlled intersections. Based on the analysis, no project-specific off-site transportation mitigation is required.**

### **C. Other Provisions (City Code Title 7)**

City Code, Title 7 provides various additional requirements related to utility and rights-of-way construction. Resolution 00-22 adopts a number of other manuals, standards, and specifications for public streets and rights-of-way. Conformance with these other provisions is thoroughly assessed during the construction permitting phase of the project whereby detailed engineered plans undergo a review process.

**Conformance with these provisions is thoroughly assessed during the construction permitting phase of the project when detailed, engineered plans are reviewed. Municipal utilities are available in proximity to the site.**

### **D. Zoning (City Code, Title 9)**

Zoning code regulates uses, setbacks, lot sizes, required frontages along streets, and may also contain certain design standards for resulting development.

- Residential Multi-Family (RM) Zone

The Multi-Family Zone is intended to preserve land for housing and to provide diversity in housing options. The RM zone requires a minimum lot area of 5,000 SF and minimum frontage of 37.5'.

**All proposed residential lots conform to these standards. Building setbacks will be checked and enforced at the building permit stage of development, as will design standards regulating the location and orientation of windows, entrances, and garages.**

### **E. Subdivision & Development Standards (City Code, Titles 10 & 11)**

Subdivision code section 10-1-6 regulates the required public improvements to serve a development, including the overall layout of blocks, streets, pathways, the provision of utilities, design standards and general procedures. The following table provides a snapshot of conformance to certain standards typically evaluated at the preliminary plat stage:

Right of Way Width	Yes – 60'
Transportation Plan Conformance	Yes
Right of Way Adjoining Undeveloped Property	Yes
16' Alley width	N/A
Block Length	No – See review below
Street Arrangement:	Yes
Double Frontage Lots	Yes
Public Utility Easement:	Yes
Property Corners	Yes
Curb Corners	Yes
5% Street Grade maximum	Yes
Parks, playgrounds & schools considered	No Comment from LPOSD.
Traffic Analysis	Yes
Private Streets	N/A
Interconnection/Street Intersections	Yes
Stormwater Management Ordinance	Yes; conceptual engineering appears to be compliant; complete code review of Title 11, Chapter 3 to be provided prior to issuance of a construction permit.

#### **A. Block length**

Section 10-1-6-A-5 states that block lengths shall be between 300 and 600 feet and the proposed block length is 619 feet. However, given the property orientation, if an additional cross street were created, the applicant would not be able to meet both the minimum and maximum block lengths. As the full length of the street is approximately 1,300 lineal feet, the acting city engineer finds the layout acceptable.

Title 11 standards for storm water management are reviewed through the public Infrastructure approval process, and impact fees are assessed at time of building permit.

#### **V. Action**

In accordance with §10-1-8-C and §10-1-8-D, “The city council shall consider the preliminary plat following receipt of action by the planning commission in a public hearing;” and, “The city council may approve, approve with conditions, deny or remand the preliminary plat back to the planning commission. A written reasoned decision shall be made to reflect the council's decision. If the preliminary plat application is denied, there will not be further consideration of the plat.”

In accordance with §9-9-9-B, “The city council shall review the recommendation and information presented by the planning commission at the first regular council meeting, or a special council meeting called for that purpose, following the planning commission's hearing. Public hearings in



the case of annexations, comprehensive plan changes, zone changes and subdivisions shall be held according to Idaho Code 67-6509(b) and as provided by this chapter. The city council shall then take one of the following actions:

1. Concur with the recommendation of the planning commission if said commission's finding is deemed accurate and correct and grant the application, and, where action requires an ordinance to be adopted by the city council, proceed according to Idaho Code section 50-902.
2. Postpone consideration of the application to consult with the planning commission and its advisors and staff so that, within forty (40) days, after hearing the planning commission's recommendation, the application shall be approved, conditionally approved, or denied.
3. Deny the application.

TEMPLATE MOTIONS: *(see next page)*

***If Approving:***

"I move that the Sandpoint City Council **APPROVE** the request by Carousel Holdings, LLC for approval of the Boyer Farm Estates Phase 2 Preliminary Plat for a 25-lot proposed subdivision located east of N. Samuelson Ave., approximately 300' north of Woodland Avenue, south of the Bonner County Readiness Center, and west of Boyer Farm Estates Phase I, parcel number RPS39500030010A, subject to the following conditions:

1. *Final plat shall make note that no driveway access is permitted onto Samuelson Avenue*
2. *Subject to an executed Development Agreement with standard terms and conditions associated with public infrastructure improvements*
3. \_\_\_\_\_
4. \_\_\_\_\_

*"This motion to approve is made based on the recommendation of the planning and zoning commission and the following Findings of Fact:*

1. *The preliminary plat was set for public hearing before the planning commission or a hearing examiner only after all required documents were received and fees were paid;*
2. *Notice of the public hearing was sent to the property owners within three hundred feet (300') of the development;*
3. *City Council conducted a public hearing.*
4. *The commission's findings as documented in the Meeting Minutes approved August 16, 2022 are deemed accurate and correct;*
5. *As presented in the staff report, the application is substantially compliant with the provisions of Sandpoint City Code."*

*\*\* Any council member who makes this motion has the express ability to add or remove any of these suggested findings of fact as the moving party deems appropriate. These are only suggested findings based on the result of the public hearing held by the planning and zoning commission.*

***If Denying:***

"I move that the Sandpoint City Council **DENY** the request by Carousel Holdings, LLC for approval of the Boyer Farm Estates Phase 2 Preliminary Plat for a 25-lot proposed subdivision located east of N. Samuelson Ave., approximately 300' north of Woodland Avenue, south of the Bonner County Readiness Center, and west of Boyer Farm Estates Phase I, parcel number RPS39500030010A.

*"This motion to deny is made on the grounds that one or more of the following requirements has not been met:"*

1. *The preliminary plat was set for public hearing before the planning commission or a hearing examiner only after all required documents were received and fees were paid;*
2. *Notice of the public hearing was sent to the property owners within three hundred feet (300') of the development;*
3. *The commission's findings as documented in the Meeting Minutes approved August 16, 2022 are/are not deemed accurate and correct;*
4. *As presented in the staff report, the application is/is not substantially compliant with the provisions of Sandpoint City Code, specifically \_\_\_\_\_ (e.g. block length is not compliant with Section 10-1-6-A-5).*

*\*\* Any council member who makes this motion has the express ability to add or remove any of these suggested findings of fact as the moving party deems appropriate. These are only potential findings that could lead to a denial of the application.*

## VI. Application History

2/2/2022	Application Submittal
6/7/2022	Application Complete
7/7/2022	Notice to applicant of next available public hearing date
7/12/2022	Hearing Notice published and mailed to property owners within 300 feet
7/25/2022	Hearing Notice posted on site
8/2/2022	Planning and Zoning Commission hearing and recommendation
9/7/2022	City Council public hearing and possible action

## VII. Attachments ( [www.sandpointidaho.gov/PS22-0002](http://www.sandpointidaho.gov/PS22-0002) )

1. Subdivision Application, Narrative and General Information
2. Preliminary Plat
3. Preliminary Improvement Plans
4. Traffic Impact Analysis and Review
5. Required Public Notices
6. Written Comments Received Prior to Agenda Posting