



Staff Report

To: Planning and Zoning Commission
From: Bill Dean, City Planner
Report: August 13, 2025
Hearing: August 19, 2025
Item: Sandpoint City Code Title 9 Chapter 9 and Title 10 proposed amendments
Applicant: City Initiated

Please Note: The Application and all materials related to this request are provided on the City's website at:
www.sandpointidaho.gov/currentprojects

1) Introduction and Background

The proposed ordinance amending Sandpoint City Code Title 9 (Zoning Administration) and Title 10 (Land Subdivisions, which also contains the PUD ordinance) stems from recent activity on the University Place project where a Planned Unit Development (PUD) expired. In an effort to provide additional clarity, the portions of both Title 9 Chapter 9 and Title 10 Chapter 3 related to permit and PUD lifespans and expirations are being clarified. Namely, the amendment addresses the effective dates of Conditional Use Permits, Variances, and PUDs and adds that extension requests need to be filed prior to the expiration dates.

In addition, staff's efforts resulted in reviewing the PUD ordinance holistically with the goal of adding clarity to existing regulations. As a result of staff review there are several proposed minor amendments throughout the ordinance clarifying requirements for preliminary and final development plans. Staff are suggesting modifying the size requirement of PUDs from 2-acres to 1/2 -acre as a means to open up the creative land use processes inherent in PUDs to more properties.

Overall, the ordinance amendments are a continuation of recent efforts to provide clarity and predictability in development procedures.

2) Relevant Comprehensive Plan Objectives

The City's 2024 Comprehensive Plan (Comp Plan) contains objectives and policies that serve to guide any proposed code amendment. Consideration and regulations for development processing are loosely identified in the City's Comp Plan, and encouragement for continued improvement in code clarity can be viewed as related to the following Comp Plan guidance:

Public Facilities, Services and Utilities:

Goal 8: The participation of community members in civic affairs is valued and representative.

Policy D: Continuously improve the overall performance and cost efficiency of city government.

Policy E: Explore opportunities to improve outcomes through intergovernmental cooperation.

3) Overview of Proposed Amendments

The following is a summary of the proposed amendments to Title 9, Chapter 9 Zoning Administration

- 1) 9-9-1 No proposed changes.
- 2) 9-9-2 No proposed changes.
- 3) 9-9-3 No proposed changes.
- 4) 9-9-4 No proposed changes.
- 5) 9-9-5 No proposed changes.
- 6) 9-5-6 Planning Commission Action and Notification: Adding clarifying language expressly stating that this code section refers to Conditional Use Permits and Variances; removes the word “special” in reference to use permits because the code otherwise refers to them as Conditional Use Permits. The use of the word “special” is used together with “conditional” in state law ([Idaho Code 67-6512](#)) and this edit is to provide clarity.
- 7) 9-9-6 A(6) Action by the Planning Commission: Because the zoning ordinance does not include a “special” use permit, the language is edited to refer solely to conditional use permits.
- 8) 9-9-6 A(7) Commencement of Work: This section is re-worded to refer to the “effective date” of the permit instead of generically referring to PZC action.
- 9) 9-9-6 A(8) Extension of Time: This is a new section added to establish the PZC may grant a time extension request to a prior approved conditional use permit, provided that the extension request is filed prior to expiration and work has been diligently pursued and establishes that no more than 2 extensions may be granted.
- 10) 9-9-6 B(5) Commencement of work: Added clarity on the when a variance begins its lifespan.
- 11) 9-9-6 B(6) This is a new section added to establish the PZC may grant a time extension request to a prior approved variance, provided that the extension request is filed prior to expiration and work has been diligently pursued and establishes that no more than 2 extensions may be granted.
- 12) 9-9-7 Time Limit for PZC Actions: Adding clarifying language expressly stating that this code section refers to Conditional Use Permits and Variances.
- 13) 9-9-8 Effective Date of PZC Decision: Clarifies that this code section refers to CUPs and variances. Additionally clarifies that the permits take effect upon approval of the written decision.

Clarifying the City’s Zoning Administration ordinance adds to the transparency and predictability of the development process, including:

- Provides that this section of the code refers solely to conditional use permits and variances
- Provides clarity on the lifespan of permits
- Clarified methods to extend the lifespan of permits
- Establishes clear effective dates for permits

The following is a summary of the proposed amendments to Title 10, Chapter 3 Planned Unit Developments

- 1) 10-3-1 Purpose: Clarifies that a Planned Unit Development is a special land use approval that is processed like a permit following the procedures set forth in the PUD chapter. Also, language is included that expressly states that PUDs are also intended to implement and further the goals of the city’s Comprehensive Plan.
- 2) 10-3-2 Application: This section has been modified to expressly state that a PUD is a permit comprised of two components: a preliminary development plan and a final development plan. The edit furthers the use of consistent terminology and clarify who is entitled to file an application for a final development plan.
- 3) 10-3-3 Minimum Area: no proposed changes.
- 4) 10-3-4 Uses Permitted: Clarified that the city has zoning districts, not “land use” districts; updated references to

Residential Multi-family zone and Residential single-family zone instead of prior names of zoning districts. Updated language to correctly refer to City Council authority instead of PZC in making final findings for land use allowances in a PUD.

- 5) 10-3-5 Increased Residential Density: This section was very confusing and has been clarified as to how the incentive for increased density. Prior (existing) language includes confusing parameters to link certain project amenities to an amount of density increase. For example, the language specifying that an increase in landscaping may allow for an increase in density (of up to 10%) yet doesn't specify how much additional landscaping is required. Similarly, the use of "focal points" or use of existing "wind orientation" may be justification for a 10% density increase, yet no measurable amount of amenity items is included. For the purposes of conversation and to create more measurable tradeoffs (density increase for amenities or desired items in a PUD) staff set a measurable increase in density tied directly to an increase in affordable housing. Discussion should ensure with PZC to ascertain if other site/development amenities can or should be used (and quantified) in such density increases/tradeoffs.
- 6) 10-3-6 Common Open Space: Clarifying language that council is the approval authority in PUD decisions.
- 7) 10-3-7 Performance Standards: Clarifying language that council is the approval authority in PUD decisions.
- 8) 10-3-8 Utility Requirements: Clarifying language that council is the approval authority in PUD decisions.
- 9) 10-3-9: No proposed changes
- 10) 10-3-10 Approval Procedure: This section has been updated to refer to the council as the approval authority and the PZC as a recommending authority. The draft removes reference to processing PUDs under the general standards for Conditional Use Permits. This is removed because it is redundant with findings already contained in the PUD ordinance, and there is no need to refer to different findings. The draft clarifies that one finding for approval relates to required utilities. This draft also clarifies expiration timeframes and PUD lifespans.

4) Planning Commission Action

On legislative matters, including rulemaking such as amendments to the zoning ordinance, the Planning and Zoning Commission act in an advisory capacity to the City Council. The action of the Planning and Zoning Commission can include the following:

Recommend City Council adopt the ordinance as drafted

Recommend City Council adopt the ordinance after making changes

Direct staff to revise the ordinance before taking action

Recommend City Council Deny the ordinance.

5) Attachments

1. Redline Version of Draft Proposed Amendments to Sandpoint City Code Title 9 Chapter 9 and Title 10 Chapter 3