



# BONNER COUNTY PLANNING DEPARTMENT

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## INFORMATION SHEET FOR BUILDING LOCATION PERMIT PROCESS

### WHEN IS A BUILDING LOCATION PERMIT REQUIRED?

A building location permit (BLP) is needed for erecting, constructing, reconstructing, setting, placing, installing, enlarging, extending, moving or converting a structure in unincorporated Bonner County. Application forms are available at the planning department. A separate permit is required for each structure. Construction or placement of a structure shall not commence until a permit has been issued. (For complete ordinance text, see BCRC §11-101)

### WHEN IS A BUILDING LOCATION PERMIT NOT REQUIRED?

#### A building location permit is not required for the following:

- Any structure designed or constructed solely for the purpose of storing or housing hay, grain, poultry, livestock, produce, horticultural products or agricultural equipment provided the floor area does not exceed 200 square feet.
- Single-story, detached accessory buildings or structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet.
- Fences not over eight feet in height.
- Walls not over four feet in height measured from the bottom of the footing to the top of the wall.

#### The following structures do not require a building location permit, but an Exemption Application must be filed with Bonner County Planning Department prior to construction:

- Accessory, non-residential structures that are detached structures used as a tool or storage shed, playhouse, carport, shop, agricultural structure or similar use, provided the floor area does not exceed one thousand (1000) square feet.
- Open shell structures such as an open shell lean-to addition, open shell deck addition to a residential structure or similar use where the addition shall not be added to a previously exempted structure that would cause the structure to exceed one thousand (1000) square feet.
- Such structures shall have no sewage disposal utilities.

**NOTE: These structures are subject to zoning standards such as setbacks, stormwater management, and floodplain requirements.** The listed structures shall not be inhabited; a place of employment; or a place where products are erected, constructed, enlarged, improved, converted, demolished, processed, treated, or packaged for sale; nor shall such structure be a place used by or accessible to the general public.

\* Please visit the planning department for a complete list of exceptions. (For complete ordinance text, see BCRC §11-103 and §11-104) No fee is required for filling an Exemption Application form.

### HOW MUCH DOES IT COST FOR A BUILDING LOCATION PERMIT?

A fee must be submitted along with the building location permit application. Fees are based on several criteria including the use (e.g. commercial or residential) and size of the structure; floodplain determination; stormwater/erosion control needs; and whether the subject site is in a subdivision. Planning staff will determine the fee based upon the adopted fee schedule. A permit application is not valid until all fees have been paid. **Acceptance of the fee does not constitute approval of a project.** (Fee schedules are available at the planning department.)

## **WHAT KIND OF PLANS DO I NEED FOR A BUILDING LOCATION PERMIT?**

An applicant for a building location permit needs to provide:

- Plot plan showing the proposed location of the structure or building, showing distances from the building's greatest architectural projections to the property lines;
- Copy of the recorded deed legally describing the property on which the structure or building is to be located;
- Description of the intended use of the building or structure;
- Diagrammatic floor plans and elevations of the structure in sufficient detail to identify the size and use of all components and floors of the structure.

Applicants for building location permits for commercial, industrial, public and residential structures or buildings (other than single-family or duplex residential) shall also provide a copy of building construction plans stamped by an architect or engineer licensed in the State of Idaho. Applicants for building location permits for commercial, industrial, public and residential structures or buildings, including single-family or duplex residential, where located in mapped flood plains, shall also provide building construction plans certified by an Idaho registered engineer or Idaho licensed architect as being in compliance with Bonner County's flood damage prevention ordinance.

Commercial, industrial, public and multi-family structures may also be subject to lighting, landscaping or pathway improvements. Contact the planning department for details. (For complete ordinance text, see BCRC §11-105)

## **WHO REVIEWS MY BUILDING LOCATION PERMIT?**

Before you submit your application to the planning department, you will need reviews and approvals from:

- Bonner County Road Department or Idaho Transportation Department for driveway approaches;
- Applicable fire district (except for single family homes).

After the above agencies have signed the application, it is ready to be submitted to the Bonner County Planning Department. The department will review the application for compliance with the county's building and land use laws. (For complete ordinance text, see BCRC §11-110 and §11-112)

## **WHAT HAPPENS IF MY BUILDING LOCATION PERMIT CAN'T BE APPROVED?**

If a building location permit application does not meet the application requirements, the planning department will provide written notice to the applicant identifying the actions that can be taken by the applicant to obtain the permit. (For complete ordinance text, see BCRC §11-114) Any decision or determination made by the planning director can be appealed to the Board of County Commissioners (Board) by paying a fee and notifying the planning department in writing no later than 30 days from the date of the written decision. The planning director will then schedule a meeting with the Board within 10 working days to consider the appeal and will provide written notice to the applicant of the time and place of the meeting. The applicant and the planning director will be provided an opportunity to present the relevant issues to the Board at that meeting. The Board's decision shall be final and further recourse for the affected persons shall be to the courts as provided by law. An appeal cannot be granted by the Board if it would function as a grant of special privilege or to provide an exception to the regulations contained within BCRC. (For complete ordinance text, see BCRC §11-116)

## **IS THERE AN EXPIRATION DATE FOR MY BUILDING LOCATION PERMIT?**

Every building location permit issued expires and becomes null and void if the building or work authorized:

- Is not commenced within one year from the issuance date of the building location permit;
- Authorized work is suspended or abandoned for a period of more than one year.

The planning department may extend the permit up to one year provided the applicant pays the appropriate filing fee and submits the request in writing explaining why construction could not be completed. No permit shall be extended more than once. A BLP application that has received a notice of incompleteness from the planning department and has remained incomplete a minimum of 120 days may be considered abandoned by the planning department. (For complete ordinance text, see BCRC §11-122)

## **WHAT HAPPENS IF I DON'T GET A BUILDING LOCATION PERMIT?**

It is unlawful for anybody to do or have done any construction requiring a building location permit without first procuring a permit from the Bonner County Planning Department. Code violations are a misdemeanor. A separate violation shall be deemed to have occurred for each occurrence not in compliance with BCRC. Each day a violation continues constitutes a separate offense. The prosecuting attorney may take whatever criminal or civil action necessary to remedy any violations. Civil remedies may be sought in addition to, or in lieu of, criminal penalties. Any person, whether acting as principal, agent, employee, landowner, tenant, builder, or any other person who commits, participates in, assists in or maintains such violation, may be found guilty of a separate offense. Nothing shall prevent the prosecuting attorney and/or the Board, or any other public official or private citizen, from taking such lawful action as is necessary to restrain or prevent any code violations. (For complete ordinance text, see BCRC §11-124 and §11-126)

#### **11-124, Penalties and remedies**

- a) It shall be unlawful for any person, firm or corporation to do, cause, or permit to be done, whether acting as principal, agent or employee, any construction, placement, installation, enlargement, extension, or occupancy of any building, residence or structure subject to the provisions of this title which is not in accord with an approved building location permit issued under the terms of this title or without first procuring a building location permit from the Bonner County planning department. (Ord. 449, 2-13-2004)
- b) Violations of any provision of this title, or failure to comply with any of the requirements of this title, shall be a misdemeanor and shall be punishable by imprisonment in a county jail not exceeding six (6) months, or by a fine not exceeding one thousand dollars (\$1,000.00), or by both. (Ord. 535, 4-9-2014)
- c) A separate violation shall be deemed to have occurred for each building, residence or structure subject to the provisions of this title erected, constructed, placed, installed, enlarged, extended, moved or converted not in compliance with this title. Each day such violation continues constitutes a separate offense. (Ord. 401, 4-6-2001)
- d) The prosecuting attorney may take whatever criminal action deemed necessary to enjoin any violation of this title. The prosecuting attorney may, with the consent of the county commissioners, bring whatever civil action deemed necessary to enjoin any violation of this title. Civil remedies may be sought in addition to, or in lieu of, criminal penalties, including the recovery of any costs, civil fines or penalties imposed by this title and the filing with the recorder's office of a notice to title of a building violation that has remained unresolved for forty five (45) days or more after the first notice of violation was sent by certified mail by Bonner County to the landowner at the address shown on the county assessor's tax rolls. The notice of violation shall identify the building violation, location and the actions required to resolve the violation. After the violation has been resolved, the landowner shall pay a fee as set forth in the official fee schedule established by this title to process and record a lifting of the notice to title. (Ord. 535, 4-9-2014)
- e) Any person, whether acting as principal, agent, employee, landowner, tenant, builder, or any other person who commits, participates in, assists in or maintains such violation, may be found guilty of a separate offense. Nothing herein contained shall prevent the Bonner County prosecuting attorney and/or the Bonner County commissioners, or any other public official or private citizen, from taking such lawful action as is necessary to restrain or prevent any violation of this title. (Ord. 401, 4-6-2001)

#### **11-126, Authority, issuance of stop work order, unlawful continuance.**

- a) Whenever the planning director finds any work regulated by this title being performed in a manner contrary to the provisions of this title, the planning director or his or her designee is authorized to issue a stop work order. (Ord. 449, 2-13-2004)
- b) The stop work order shall be in writing and shall be posted on the premises where the work is being conducted or given to the owner of the property involved, or to the owner's agent, or to the person or persons performing the work. Written notice shall also be provided by the planning department by certified mail to the landowner at the address shown on the county assessor's tax rolls. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume. (Ord. 449, 2-13-2004)
- c) Any person who shall continue to work in or about the structure after having been served with a stop work order, without the expressed written authorization of the planning director, or his or her designee, shall be subject to the penalties as prescribed by this title. (Ord. 449, 2-13-2004)

## WHAT OTHER PERMITS MIGHT I NEED TO BUILD?

An applicant for a building location permit must also comply with any other requirements contained within BCRC, Idaho Code, or state or federal regulations, such as obtaining sewage disposal, driveway, electrical and plumbing permits. (See “WHO REVIEWS MY BUILDING LOCATION PERMIT?”) (For complete ordinance text see BCRC §11-120) Other permits may include:

- State electrical and plumbing permits. [For more information contact the State of Idaho Division of Building Safety, 1250 Ironwood Drive, Suite 220, Coeur d'Alene, ID 83814 (800) 955-3044 or [www.dbs.idaho.gov](http://www.dbs.idaho.gov)]
- Bonner County Road Dept. encroachment permits. [1500 Highway 2, Suite 101, Sandpoint, ID 83864 (208) 255-5681]
- Local fire district approvals.
- Panhandle Health District (PHD) or sewer district approval. [PHD, 2101 Pine St, Sandpoint, ID 83864 (208) 265-6384]
- Idaho Department of Transportation encroachment permit or approval. [Telephone: (208) 265-4312]
- Idaho Division of Environmental Quality (DEQ) or water district approval. [DEQ Telephone: (208) 769-1422]

## BONNER COUNTY

### SITE PLAN REQUIREMENTS

**ALL ARCHITECTURAL PROJECTIONS (INCLUDES EAVES, CANOPIES, BALCONIES, CARPORTS, DECKS, COVERED PATIOS, ETC.) SHALL BE CONSIDERED PART OF THE BUILDING AND SHALL NOT PROJECT INTO ANY REQUIRED MINIMUM SETBACK.**

Standard	Zoning District				
	F	A/F-20	A/F-10	R-10	R-5
Minimum front yard setback (9)	25'	25'	25'	25'	25'
Minimum rear yard setback (11, 12, 13, 14)	40'	40'	40'	25' (14)	25' (14)
Minimum side yard setback (11, 12, 13, 14)	40'	40'	40'	25' (14)	25' (14)
Minimum side yard setback flanking street (9)	25'	25'	25'	25'	25'
On-premise sign front setback	25'	25'	25'	25'	25'
Maximum lot coverage	(15)	(15)	(15)	(15)	(15)
Lakes, sloughs, ponds, or similar basins, Clark Fork or Pend Oreille Rivers, or intermittent streams	40'	40'	40'	40'	40'
Rivers, streams, creeks, or similar flowing bodies of water	75'	75'	75'	75'	75'
Wetlands	40'	40'	40'	40'	40'

#### **Requirements or Exceptions:**

9. From property line or from ingress/egress easement boundaries, whichever distance is greater.
11. For legal nonconforming lots or parcels the following setback exceptions may be applied, provided snow storage and stormwater are accommodated on the subject site:
  - A) The minimum side setback may be reduced to 5 feet and the minimum rear setback may be reduced to 10 feet for lots/parcels of less than 20,000 square feet.
  - B) The minimum side setback may be reduced to 5 feet and the minimum rear setback may be reduced to 25 feet for lots/parcels between 20,000 square feet and 1 acre.
  - C) The minimum side setback may be reduced to 10 feet and the minimum rear setback may be reduced to 25 feet for lots/parcels larger than 1 acre but less than 5 acres.
12. For detached residential accessory structures, the minimum side and rear setbacks shall be five feet (5') and the minimum side setback flanking a street shall be fifteen (15) feet.
13. The minimum side and rear setbacks for agricultural buildings and other non-residential structures shall be at least forty feet (40'), the minimum yard requirements may be reduced to fifty percent (50%) of the requirement if acceptable landscaping or screening, approved by the Planning Director, is provided. Such screening shall be masonry or solid fence between four feet (4') and eight feet (8') in height, maintained in safe condition and free of all advertising or other signs on the residential side of lot. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than twenty feet (20') in width, planted with an evergreen hedge or dense planting of evergreen shrubs not less than four feet (4') in height at the time of planting. The yard requirement may be reduced to twenty five feet (25') from property line or ingress or egress easement when flanking a street or local road.
14. Minimum side and rear setbacks shall be increased to forty feet (40') where abutting land in the A/F district.
15. For legal non-conforming lots or parcels less than one (1) acre in size, the maximum lot coverage shall be thirty-five percent (35%).

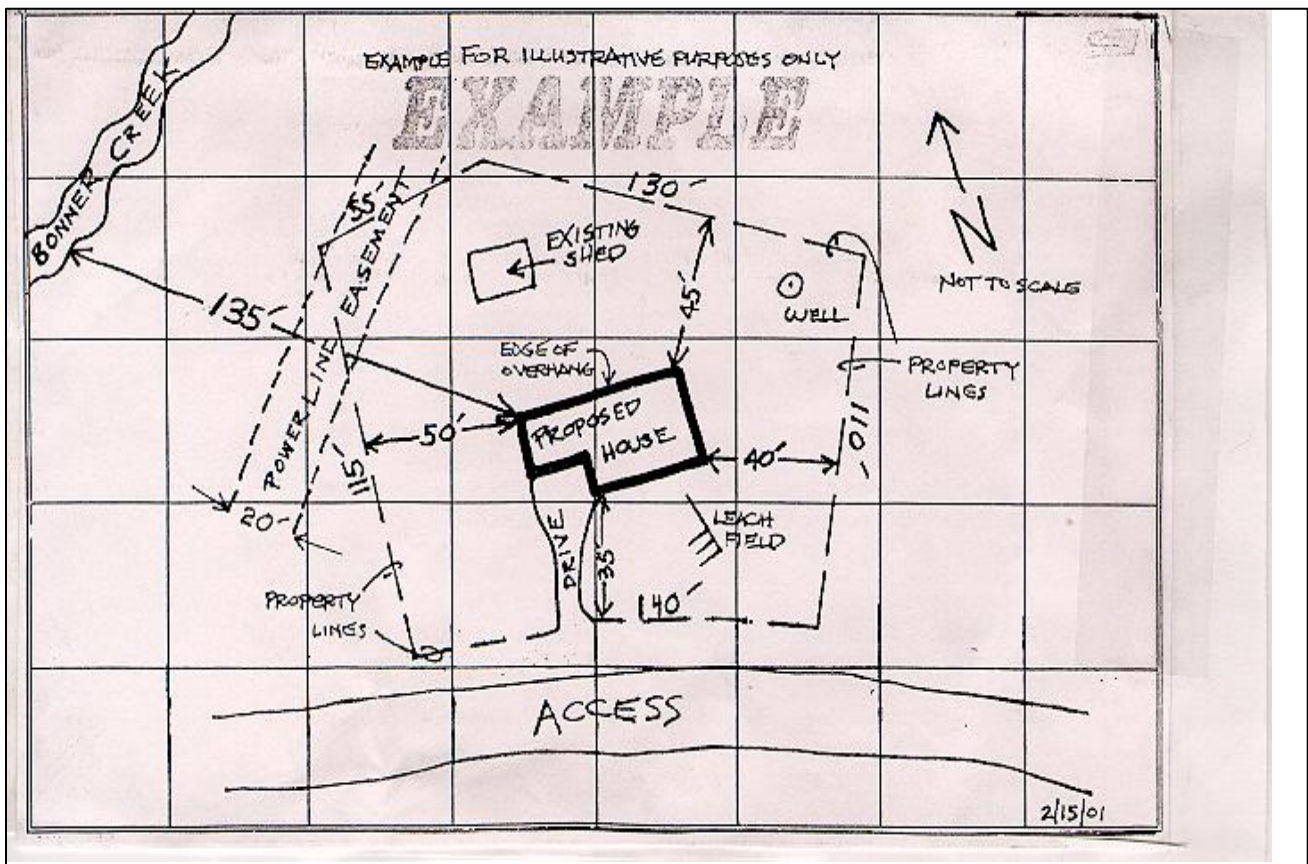
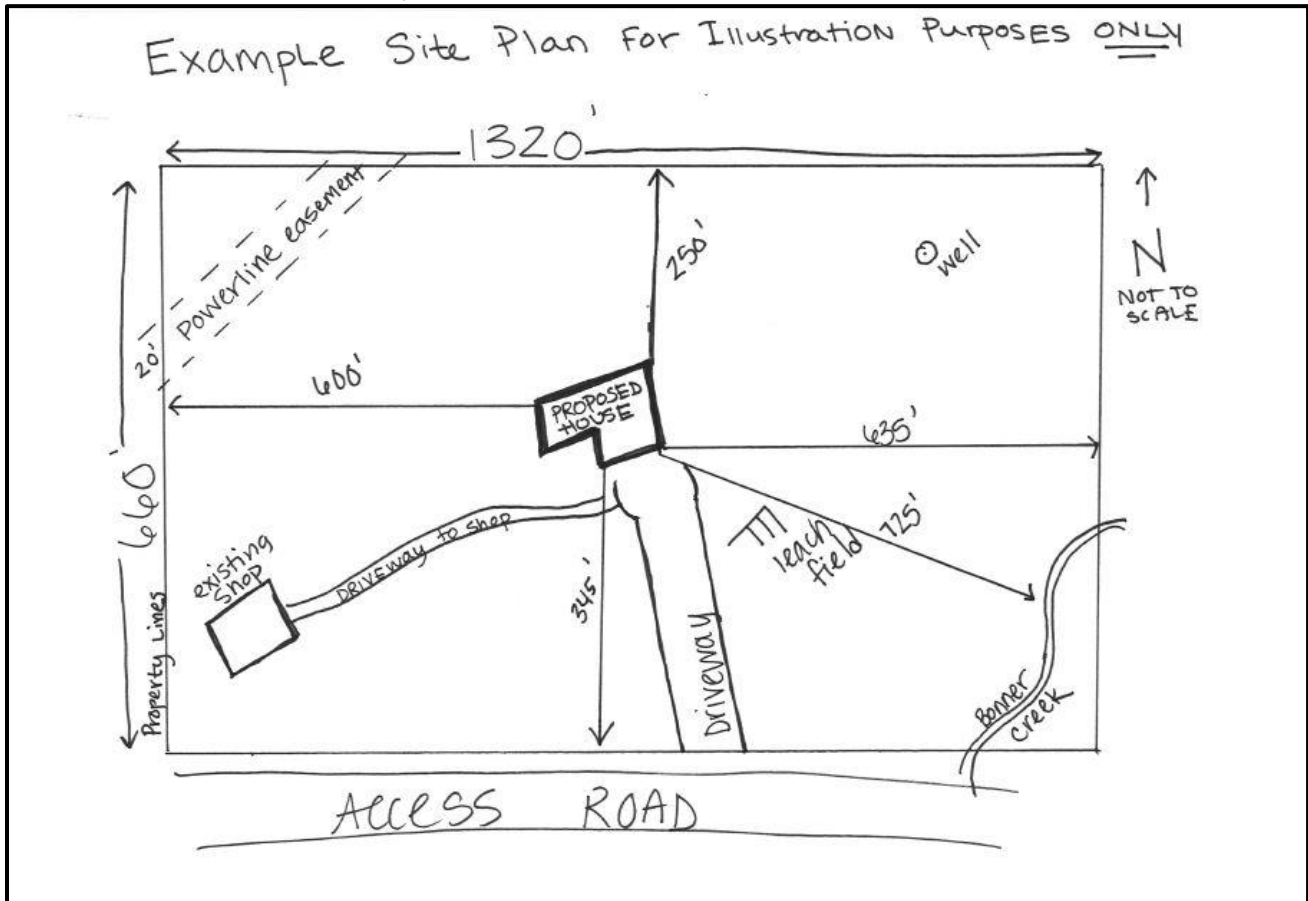
Standard	Zoning District					
	S	C	I	RSC	REC	AV
Minimum front yard setback (7)	25' (9)	25' (9, 10)	25' (9)	25' (9, 10)	25' (9, 10)	(11)
Minimum rear yard setback (12, 13, 18)	25' (14)	25' (14)	25' (14)	25' (14)	25' (14)	25'
Minimum side yard setback (15, 18)	5'	5'	5'	5'	5'	15' (16)
Minimum side yard setback flanking street (7)	15'	15' (10)	20'	15' (10)	15' (10)	
On-premise sign front setback (7)	25'	25'	25'	25'	25'	25'
Maximum lot coverage	35%	35%	50%	35%	35%	35%
Lakes, sloughs, ponds, or similar basins, Clark Fork or Pend Oreille Rivers, or intermittent streams	40'	40'	40'	40'	40'	40'
Rivers, streams, creeks, or similar flowing bodies of water	75'	75'	75'	75'	75'	75'
Wetlands	40'	40'	40'	40'	40'	40'

**Requirements or Exceptions:**

7. From property line or from ingress/egress easement boundaries, whichever distance is greater.
9. Front yard setbacks may be reduced where approved and indicated on the final plat of a conservation subdivision or PUD.
10. The minimum front yard or side yard flanking street setback may be reduced to zero for buildings containing ground floor commercial uses facing the street provided the following conditions are met:
  - a. A twelve-foot (12') wide sidewalk with street trees between the street and walkway is provided.
  - b. The street façade contains transparent windows and doors along at least fifty percent (50%) of the facade three feet (3') and eight feet (8') above the sidewalk grade.
  - c. There is a public building entrance off of the sidewalk.
  - d. Street façade features weather protection at least five feet (5') in width along at least fifty percent (50%) of the façade. Said weather protection could be a building overhang, permanent canopy or awning, or fabric awning, and must be at least eight feet (8') above the grade of the sidewalk.
  - e. Building location does not conflict with County or State roadway plans.
11. Structures shall be set back at least thirty-five feet (35') from the centerline of a paved road but not closer than 5 feet (5') setback from the property line fronting the right-of-way.
12. Minimum side and rear yards shall be increased to forty feet (40') where abutting land in the A/F district.
13. Rear yard setback is five feet (5') for detached, residential accessory buildings or structures, except where abutting land in the A/F district.
14. The minimum rear yard for detached, residential accessory buildings shall be five feet (5').
15. Side yard setbacks may be reduced to zero (only for lots internal to a subdivision) where indicated on the final plat of a conservation subdivision.
16. Structures, including roof overhangs, shall not take up more than sixty percent (60%) of lot street frontage.
18. The minimum side and rear setbacks for agricultural buildings and other non-residential structures shall be at least forty feet (40'), the minimum yard requirements may be reduced to fifty percent (50%) of the requirement if acceptable landscaping or screening, approved by the Planning Director, is provided. Such screening shall be masonry or solid fence between four feet (4') and eight feet (8') in height, maintained in safe condition and free of all advertising or other signs on the residential side of lot. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than twenty feet (20') in width, planted with an evergreen hedge or dense planting of evergreen shrubs not less than four feet (4') in height at the time of planting. The yard requirement may be reduced to twenty five feet (25') from property line or ingress or egress easement when flanking a street or local road.

# EXAMPLE OF A SITE PLAN

A SITE PLAN IS REQUIRED FOR A BUILDING LOCATION PERMIT SEE EXAMPLE BELOW

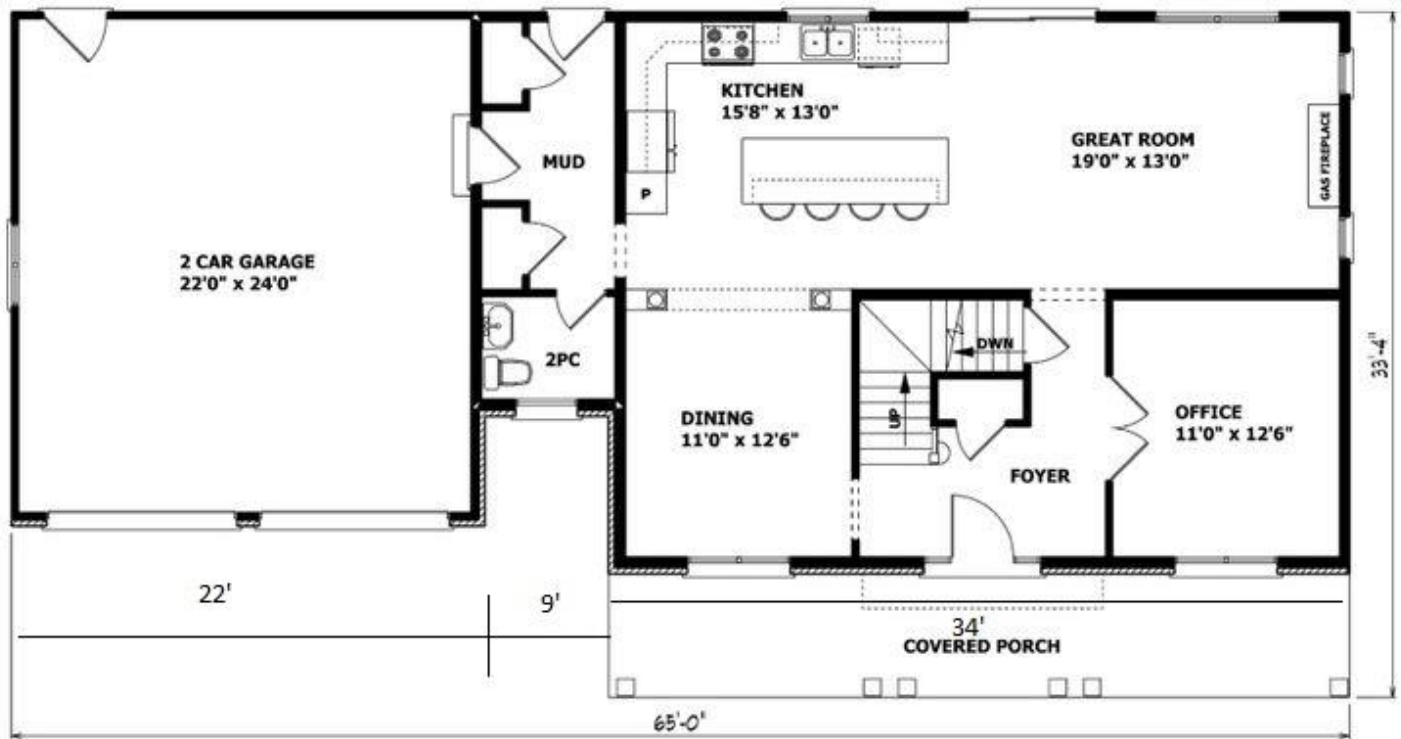




**DIAGRAMMATIC FLOOR PLAN SHOWING ALL LEVELS AND FRONT AND SIDE  
ELEVATION DRAWINGS OF THE PROPOSED STRUCTURE**

(NO LARGER THAN 11 X 17)

**DIAGRAMMATIC FLOOR PLAN**



**1ST FLOOR PLAN**

GROSS FLOOR AREA : 1115 SQ.FT.

34'



**2ND FLOOR PLAN**

GROSS FLOOR AREA : 1002 SQ.FT.

# FRONT AND SIDE ELEVATION DRAWINGS OF THE PROPOSED STRUCTURE

## Example Elevation Drawings

