

**Housing Component**  
**Bonner County Comprehensive Plan**

# Housing Component Bonner County Comprehensive Plan

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## **BONNER COUNTY PLANNING DEPARTMENT**

127 S. First Avenue  
Sandpoint, Idaho 83864  
(208) 265-1458

**Prepared with the assistance of**



**J-U-B ENGINEERS, Inc.**  
212 N. First Avenue, Ste. 307  
Sandpoint, ID 83864

# TABLE OF CONTENTS

CHAPTER 1 - HOUSING ASSESSMENT .....	CHAPTER 1 - 2
Section 1.1 - General .....	CHAPTER 1 - 2
Section 1.2 - Housing Types - Land Use .....	CHAPTER 1 - 2
Agricultural .....	CHAPTER 1 - 2
City .....	CHAPTER 1 - 2
Non-City .....	CHAPTER 1 - 2
Recreational/Seasonal .....	CHAPTER 1 - 2
Multi-Family .....	CHAPTER 1 - 3
Manufactured Homes .....	CHAPTER 1 - 3
Section 1.3 - Housing Stock .....	CHAPTER 1 - 3
Types - Structure .....	CHAPTER 1 - 3
Quality .....	CHAPTER 1 - 4
Household Status .....	CHAPTER 1 - 5
Vacancy Rates .....	CHAPTER 1 - 5
Costs .....	CHAPTER 1 - 6
 CHAPTER 2 - HOUSING NEEDS .....	 CHAPTER 2 - 1
Section 2.1 - Affordable Housing .....	CHAPTER 2 - 1
Manufactured/Mobile Home Housing .....	CHAPTER 2 - 1
Housing Programs .....	CHAPTER 2 - 2
Section 2.2 - Elderly/handicapped housing .....	CHAPTER 2 - 2
Section 2.3 - Homelessness .....	CHAPTER 2 - 3
 CHAPTER 3 - HOUSING MARKET/TRENDS .....	 CHAPTER 3 - 1
Section 3.1 - Historical Trends .....	CHAPTER 3 - 1
Section 3.2 - Recent Trends .....	CHAPTER 3 - 1
 CHAPTER 4 - HOMESITE DEVELOPMENT .....	 CHAPTER 4 - 1
Section 4.1 - Historical Overview .....	CHAPTER 4 - 1
Section 4.2 - Inventory .....	CHAPTER 4 - 1
Section 4.3 - Trends .....	CHAPTER 4 - 1
Section 4.4 - Demand .....	CHAPTER 4 - 1
Section 4.5 - Location .....	CHAPTER 4 - 1
 CHAPTER 5 - HOUSING STANDARDS .....	 CHAPTER 5 - 1
Section 5.1 - Building Permit Process History .....	CHAPTER 5 - 1
Section 5.2 - Idaho Code Requirements .....	CHAPTER 5 - 3
Section 5.3 - Bonner County Revised Code Requirements .....	CHAPTER 5 - 3
Floodplain Construction Standards .....	CHAPTER 5 - 4

BIBLIOGRAPHY .....	Bibliography - 1
--------------------	------------------

MAPS .....

*Base Map of Bonner County, Idaho*

*Household Density in Bonner County, Idaho*

*Housing Distribution by Census Block in Bonner County, Idaho*

# **HOUSING COMPONENT**

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This component of the Bonner County Comprehensive Plan includes an analysis of housing conditions and needs; plans for improvement of housing standards; and plans for the provision of safe, sanitary, and adequate housing, including the provision for low-cost conventional housing, the siting of manufactured housing and mobile homes in subdivisions and parks and on individual lots which are sufficient to maintain a competitive market for each of those housing types and to address the needs of the community.

# CHAPTER 1 - HOUSING ASSESSMENT

## **Section 1.1 - General**

Bonner County is made up of many housing types including single-family dwellings, mobile homes, and apartments. As the county's population grows, the demand for housing will increase, which in turn will raise purchase and rental prices.

The continued rapid construction of homes will offset some demand. However, rehabilitation of existing dwellings is essential in order to meet the needs of low- and middle-income residents.

## **Section 1.2 - Housing Types - Land Use**

There are 19,646 housing units in Bonner County, according to the 2000 Census. Of that total, 14,693 or nearly 75 percent are occupied; the remaining 25 percent are listed as vacant. Bonner County's high vacancy rate is attributed to seasonal and recreational uses. Of the 14,693 occupied housing units, 77.9% are owner-occupied, while the remaining 22.1 are rentals, compared to 72.4 percent owner-occupied homes statewide and 66 percent nationwide. The average household size of owner-occupied units is 2.53; the average household size for rentals is 2.34 (U.S. Census 2000).

The following shows the number of housing units according to each land use category. This information was obtained from the Bonner County Assessor's office in April 2001, and was taken from the 2000 tax roll (Goughnour).

### **Agricultural**

There are approximately 1,989 housing units with agriculture and timber exemptions in the county. These units are identified as category 31 on the county tax roll.

### **City**

Bonner County has 4,275 housing units in category 34, city housing units.

### **Non-City**

There are 12,009 housing units in the suburban land use category. Bonner County tax roll categories included in this land use type include: category 37, out-of-city subdivisions; category 61, leased; category 62, state leased; category 26, condominiums; and categories 46 and 47, mobile homes.

### **Recreational/Seasonal**

The Bonner County Assessor's office does not have a category to track seasonal homes. However, according to the 2000 Census count, 3,764 homes or nearly 19% of the housing stock totals are used for

seasonal, recreational or occasional use. The totals for agricultural, rural, and suburban include recreational/seasonal homes.

### **Multi-Family**

The Bonner County Assessor’s office does not have a category for multi-family homes. However, according to the 2000 U.S. Census, there were 962 structures with five or more residential units. The 2000 figure represents an increase of about 120 residential units over the past decade. Bonner County Revised Code, Title 12, Chapter 2, defines multi-family dwellings as being residential structures containing three or more dwelling units. The totals for agricultural, rural, and suburban include multi-family units.

### **Manufactured Homes**

There are 4,081 housing units classified as manufactured homes in Bonner County. This includes 3,460 manufactured homes that are classified as real property and 621 that are not.

## **Section 1.3 - Housing Stock**

### **Types - Structure**

Table 1.3a

<i>Bonner County Types of Structures (1990 and 2000)</i>		
<i>Units</i>	<i>1990</i>	<i>2000</i>
1, detached	10,745	13,711
1, attached	215	248
2	223	432
3 or 4	309	443
5 to 9	355	338
10 to 19	196	238
20 to 49	196	386
50 or more	0	0
Mobile home or trailer	2,638	3,600
Other construction	275	250

(U.S. Census Bureau, 1990 and 2000)

According to the 2000 U.S. Census, the majority (71 percent) of homes in Bonner County were single-family wood-framed homes, both attached and detached. Duplexes represented 1.1% of the housing stock totals, while multi-family homes comprised 7 percent of all housing units. Mobile homes comprised 18 percent of all housing units. Units of other or alternative construction, including housing units that consisted of RVs, boats and vans comprised only 1.2 percent of all housing units.

### **Quality**

## Age

Table 1.3b

<b>Bonner County Age of Structures (2000)</b>		
<b>Year Built</b>	<b>Number of Structures</b>	<b>Percent of Housing Stock</b>
1999 to 2000	785	4.00%
1995 to 1998	2,593	13.02%
1990 to 1994	2,204	11.20%
1980 to 1989	3,344	17.00%
1970 to 1979	4,839	24.60%
1960 to 1969	1,727	8.80%
1940 to 1959	2,453	12.50%
1939 or earlier	1,701	8.70%
Total	19,646	100.00%

(U.S. Census Bureau)

## Condition

The age of the County's existing housing stock is an indication of overall housing conditions. The 2000 Census shows that 45% of the County's housing inventory was built since 1980.

According to the *Draft 1999 Five Year Strategic Plan for Housing and Community Development by the Idaho Housing and Finance Association*, the housing conditions in Region 1 of Idaho are about average for the State. Region 1 consists of Benewah, Bonner, Boundary, Kootenai, and Shoshone counties (Idaho Housing and Finance Association, pg 42).

In the 2000 Census count, 1.4 percent of Bonner County's housing units were considered overcrowded, meaning 1.51 or more occupants per room in a housing unit. A total of 454 homes, or 3.1 percent, lacked some or all plumbing, compared to only 0.6 percent statewide (U.S. Census Bureau, 2000).

## Services Available

In 1990, approximately 35 percent of all Bonner County housing units were connected to a public sewage disposal system. Sixty-two (62) percent of all housing units used a septic tank or cesspool. The remaining 3 percent used other means of sewage disposal (U.S. Census Bureau). The 2000 count shows that 454 homes or 3.1 percent of the housing stock lacks complete plumbing facilities. About 2.5 percent lack complete kitchen facilities. A total of 523 or 3.6 percent of the homes are without telephones.

In 1990, approximately 46 percent of all Bonner County housing units obtained drinking water from a public system or private company. Individual wells provided drinking water for approximately 43 percent

of all Bonner County housing units. The remaining 11 percent obtained drinking water from another source, according to the 1990 U.S. Census. This other source is most likely from surface water bodies (U.S. Census Bureau).

While the majority of the homes in Bonner County are heated with conventional fuel sources, such as electricity or gas, the 2000 Census revealed, wood remains a main source of heat for many homes. The housing profile shows the following heating sources: Utility gas: 2,869 households (19.5%); bottled, tank or LP gas: 1,853 (12.6%); electricity: 3,940 (26.8%); fuel oil, kerosene, etc.: 958 (6.5%); coal or coke: 6 (rounds to 0%); wood: 4,888 (33.3%); solar energy: (rounds to zero); other fuel: 155 (1.1%) and no fuel used: 24 (0.2%). Statewide, wood is a minor source of heating fuel, at 7.7 percent of households. Utility gas and electricity are the major sources at 45.4 percent and 34.4 percent, respectively. Bottled or LP gas heats 5.8 percent of the homes, solar rounds to less than 0 percent and kerosene heating represents 5.4 percent of the total. Coal usage is rare at 0.3 percent statewide (U.S. Census Bureau, Census 2000).

### Household Status

Table 1.3c

<i>Bonner County Household Status (1980-2000)</i>				
	<i>1980</i>	<i>1990</i>	<i>2000</i>	<i>Percent Change (1990- 2000)</i>
Owner occupied	6,941	7,780	11,442	47.06%
Renter occupied	1,873	2,489	3,251	30.61%

(U.S. Census Bureau)

#### Owner Occupied, Renter Occupied

The number of owner-occupied households increased significantly (47.06 percent) between 1990 and 2000. The previous decade, the number of owner-occupied homes climbed by only 12% over the 1980 Census total. The number of renter-occupied homes climbed by 30.61% between 1990 and 2000. The Census figures indicate the number of homes now owner-occupied in Bonner County is approaching 80%.

### Vacancy Rates

Table 1.3d

<i>Bonner County Vacancy Data 2000</i>	
	<i>2000</i>
Homeowner vacancy rate	2.4%
Rental vacancy rate	7.7%

(U.S. Census Bureau)

The number of vacant units in Bonner County increased by 56.66 percent between the 1980 and 1990 and again by 59 percent between 1990 and 2000. Accounting for a larger portion of this increase is the increase in the number of seasonal homes in Bonner County. Vacant seasonal homes represents about

76 percent of the total number of vacant housing units, according to the U.S. Census for 2000 (U.S. Census Bureau).

**Costs**

General

A profile of selected housing characteristics (data based on samples) from the 2000 Census shows the median value of a home in Bonner County was \$124,500 in 2000. The sampling from the long-form Census tally also revealed the following:

Table 1.3e

<i>Census 2000 Select Housing Characteristics - Home Value Bonner County</i>		
<i>Value</i>	<i>Number</i>	<i>Percent</i>
Less than \$50,000	301	4.8
\$50,000 to \$99,999	1,883	30.3
\$100,000 to \$149,999	1,815	29.2
\$150,000 to \$199,999	1,133	18.2
\$200,000 to \$299,999	723	11.6
\$300,000 to \$499,999	270	4.3
\$500,000 to \$999,999	59	0.9
\$1,000,000 or more	34	0.5

U.S. Census Bureau, 2000

Similar samples of housing values, conducted in the 1990 Census count, revealed the following data for Bonner County:

Table 1.3f

<i>Bonner County Housing Value (1990)</i>	
<i>Value</i>	<i>1990</i>
Less than \$15,000	72
\$15,000 to \$19,999	48
\$20,000 to \$24,999	98
\$25,000 to \$29,999	154
\$30,000 to \$34,999	191
\$35,000 to \$39,999	227
\$40,000 to \$44,999	352
\$45,000 to \$49,999	286
\$50,000 to \$59,999	562
\$60,000 to \$74,999	697
\$75,000to \$99,999	701
\$100,000 to \$124,999	214
\$125,000 to \$149,999	155
\$150,000 to \$174,999	113
\$175,000 to \$199,999	40
\$200,000 to \$249,999	81
\$250,000 to \$299,999	32
\$300,000 to \$399,999	22
\$400,000 to \$499,999	7
\$500,000 or more	6

(U.S. Census Bureau)

Census data on housing values for low-, middle- and upper-income median value has not yet been developed from the 2000 Census figures. The following was developed from the 1990 Census:

### Low Income Housing

Housing valued at \$43,200 or less comprised the lowest 25 percent of all housing values in Bonner County in 1990 (Porter).

### Middle Income Housing

The median home value was \$60,500 in 1990 (Idaho Department of Commerce).

### Upper Income Housing

Housing valued at \$85,000 or more comprised the upper 25 percent of all housing values in Bonner County in 1990 (Porter).

## CHAPTER 2 - HOUSING NEEDS

### **Section 2.1 - Affordable Housing**

Affordability is a difficult housing variable to measure. The federal government considers a unit “affordable” if the household living in that unit is paying no more than 30 percent of the total household income toward housing costs. Utility costs are included as a housing cost in this standard. This definition for housing affordability has become widely accepted by housing practitioners and is an underlying assumption for the discussion of housing needs (Idaho Housing and Finance, pg 11). This definition does not consider household preference. Some households are willing to bear a higher cost burden if in exchange they receive more space; other households must bear costs in excess of 30 percent of their incomes out of necessity, rather than choice.

In 1989, 1,465 households (14.27 percent of all households) in Bonner County were paying greater than 30 percent of their total household income for housing costs, according to the 1990 U.S. Census. Seven hundred (700) of these households were renters, 608 were owners with a mortgage, and 157 were owners without a mortgage. In 1989, according to the 1990 U.S. Census, 14.3 percent of Bonner County’s 10,269 households were paying more than 30 percent of their household income toward housing costs (U.S. Census Bureau). This is lower than the state of Idaho. In 1989, 21.7 percent of Idaho residents were paying more than 30 percent of their household income toward housing costs (U.S. Census Bureau).

A selected study of monthly homeowner costs conducted in the 2000 Census, showed 67.8 percent carried a mortgage on their homes; the remainder had homes that were not mortgaged. Of those still paying off the home mortgage, about one-third paid a monthly mortgage between \$700 and \$999 and another third paid between \$1,000 and \$1,499 per month. About 20 percent of the mortgage payers paid \$500 to \$699 a month. About 27.3 percent of the sample study paid 30 percent or more of the monthly household income in 1999 toward the mortgage. A similar study of rental costs revealed that 29.1 percent paid \$300 to \$499 per month for rent; 36 percent paid between \$500 to \$749 a month in rent and 13.4 percent paid more than \$750 monthly in rental fees. Those paying 30 percent or more of their monthly household income in 1999 toward rent represented 40.7 percent of the sample group. A similar study statewide revealed 35.5 percent are paying 30 percent or more of their monthly income toward rent (U.S. Census Bureau).

### **Manufactured/Mobile Home Housing**

Idaho Code §67-6509A, required governing boards to amend their comprehensive plans and land use regulations for all land zoned for single-family residential uses to allow for siting of manufactured homes. Manufactured homes on individual lots zoned for single-family residential uses shall be in addition to manufactured homes on lots within designated mobile home parks or manufactured home subdivisions. The code includes certain optional standards which governing bodies may adopt for the manufactured home, such as a minimum square footage of 1,000, placement on a permanent foundation, a requirement to have a pitched roof, exterior roofing and siding similar to the colors and materials commonly used on residential structures and construction of a garage or carport. None of the standards, however, may "discourage needed housing through unreasonable cost or delay," the law reads (Idaho Code).

Bonner County ordinance currently provides for mobile, manufactured and site-built homes in all districts designated for residential development without discrimination between types of housing construction. Mobile home parks are conditionally permitted in the Rural Service Center and High Density districts. The planned unit development standards also provide for mobile home dwellings within planned mobile home subdivisions or mobile home parks (BCRC).

## **Housing Programs**

### Habitat for Humanity

To address housing needs for low-income individuals in the community, an affiliate of the international "Habitat for Humanity" was formed in Bonner County in the early 1990s. Idaho Panhandle Habitat for Humanity was founded by local contractor Mike Schissler, who saw a need for adequate, affordable housing in his local community after working on a Mexico housing mission. Habitat for Humanity houses are built with the "sweat equity" of the future homeowner, the help of local volunteers and the donations of private individuals, professionals and suppliers. The houses are sold at no-profit and with a no-interest mortgage to low-income individuals. The future homeowner must have the ability to meet a monthly mortgage but must also be below the Idaho poverty line. With the donation of labor, professional services, and other private donations, monthly mortgages averaged about \$250 in 2002. The non-denominational, faith-based organization has built six homes in Bonner County as of mid-2002, and has a goal of constructing one to two homes per year. Idaho Habitat for Humanity is working on a 15-lot housing development north of the City of Kootenai which could provide future affordable homesites. The services of local professionals, such as engineers, surveyors and real estate agents, have been donated to the community project (Hagan).

### **Section 2.2 - Elderly/handicapped housing**

Bonner County's population is aging. According to the 2000 Census, the median age is now 40.8 years. Ten years ago, the median age was 36.3; in 1980 it stood at 30.8 and in 1970, 32.5. A total of 13.1 percent of Bonner County's population was age 65 or older in 2000 (U.S. Census Bureau).

With an aging community comes special housing needs that range from full nursing home care to assisted living.

There are basically three levels of residential care for the elderly or handicapped which the State of Idaho oversees: "certified family homes;" "residential assisted living facilities;" and nursing homes. The certified family homes are private homes where up to four persons who are elderly or mentally or physically handicapped may be cared for in a family home setting. The residential assisted living facility could serve from six to an unlimited number of persons. However, by state standards, the facility cannot have more than two residents who have nursing home-level needs. There were 31 certified family homes in Bonner County in 2002, and seven residential assisted living facilities serving a population of 165. (Holstein). Bonner County has four large, full-care retirement and/or nursing home centers.

The Idaho Legislature declared it a policy of the state that mentally and/or physically handicapped or elderly persons are entitled to live in "normal residential surroundings" and should not be excluded from certain neighborhoods or residential areas because of their disabilities or advanced age. As a result of that policy finding, the Legislature enacted a law that declares any home in which eight or fewer unrelated mentally and/or physically handicapped or elderly persons reside to be a "single-family dwelling." No more than two staff persons may reside in the dwelling at any one time. As a result, any zoning district which permits single-family residential housing would permit homes developed for the care of mentally or physically handicapped or elderly persons where eight or fewer reside in the home (Idaho Code §67-6530 and §67-6531).

Currently, nursing or retirement homes serving more than eight persons are conditionally permitted in the Suburban and Rural Service Center districts and are permitted outright in the High Density District in Bonner County. There are four main nursing homes/assisted living apartment complexes serving the general Bonner County area (see Public Services Component of the Comprehensive Plan).

Ordinance also provides for additional housing allowances for the care of aged or handicapped family members through a "temporary dwelling agreement." The agreement allows for the placement of a mobile home or in-house apartment, subject to certain standards (BCRC).

### **Section 2.3 - Homelessness**

Census data do not reflect the estimated number of people in Bonner County who are homeless, and local resource agencies cannot provide a good estimate of the numbers who are without homes at any given time. However, homelessness in Bonner County was a sufficient enough need that the Bonner County Homeless Task Force, a private, non-profit organization, was formed in about 1995. As a result of private donations, "Blue Haven," a homeless shelter in Sandpoint, was opened in 1995. As of 2002, Blue Haven has been home to 119 families, representing 264 adults and 367 children. The need exceeds the resources, according to the Homeless Task Force records, which show that 51 homeless families applied for housing in the first six months of 2002, and only 14 families were able to be served by the local group. An entire planned unit development was created at Trestle Creek in unincorporated Bonner County to provide housing and a program to return families to self-sufficiency. The development consists of one four-bedroom dwelling for single women, three, three-bedroom homes and one two-bedroom cabin. A domestic violence shelter has also been created and has served 275 women and 314 children since opening in 1997. A separate facility, Bonner Gospel Mission, located in the City of Ponderay, provides shelter to homeless men. The majority of homeless are not transients, but are local residents who are "one emergency away" from being homeless (Baptist). Because of high rental costs and low wages, families have little cushion in their monthly budgets. The Bonner County Homeless Task Force is seeking additional grants to develop an emergency shelter home to aid those in need of immediate, short-term housing. Funding is grant based, with local matching money required (Baptist).

## CHAPTER 3 - HOUSING MARKET/TRENDS

### Section 3.1 - Historical Trends

General market conditions for real estate have been good in Bonner County. From 1997 to 2000, the number of residential listings generally rose and sales remained steady. The average selling price of homes rose by 32.5 percent during the period from November 1997 to May 2000 (MLS and Vanhorne).

### Section 3.2 - Recent Trends

(See above)

Table 3.2a

<i>Bonner County</i>			
<i>Housing Transactions and Average Sell Price 1997-2000</i>			
	<i>Listings</i>	<i>Percentage Closed</i>	<i>Average Sell Price</i>
1/00 - 5/00	150	40.2	\$145,106
1/99 - 12/99	537	39.8	\$137,048
1/98 - 12/99	557	41.2	\$121,797
1/97 - 12/97	449	34.6	\$109,527

(MLS)

## CHAPTER 4 - HOMESITE DEVELOPMENT

### **Section 4.1 - Historical Overview**

Bonner County adopted Subdivision Ordinance 136, effective October 20, 1978. This ordinance defined “subdivision,” provided for certain exemptions, and set forth standards for the review of divisions of land. The definition of “subdivision” was amended with the adoption of Ordinance 293, effective August 12, 1995. The amendment clarified numerous ambiguities in former Ordinance 136. Divisions of land in the unincorporated areas of Bonner County remain governed by the provisions of Ordinance 293, or as amended, now codified at Bonner County Revised Code, Title 12, Chapter 23.

### **Section 4.2 - Inventory**

According to Bonner County Assessor records, 31,186 land parcels exist in Bonner County as of April, 2002. Of these parcels, 13,542 remain “vacant,” while 17,644 are categorized as “improved.” Data were not available for the 1970s, 1980s or 1990s. Assessor records indicate that 25,398 parcels were categorized “rural,” totaling 446,700 acres for a mean “rural” parcel size of 17.6 acres.

According to April, 2002 Assessor records, of the 32,198 parcels in Bonner County (including 1,012 “condo” parcels), 19,658 parcels, or 61 percent, are owned by Bonner County residents, leaving a balance of 12,540 parcels, or 31 percent, owned by nonresidents. These data were computed using ZIP codes.

Assessor records also reveal that 4,359 “rural” subdivision parcels exist, totaling 8,810 acres, for a mean subdivision parcel size of 2.02 acres.

### **Section 4.3 - Trends**

Data were not available for the 1970s, 1980s or 1990s regarding the numbers of “vacant” and “improved” land parcels for comparison with 2002 Bonner County Assessor records.

### **Section 4.4 - Demand**

According to the Bonner County Association of Realtors Market Survey Report, 932 vacant land parcels were listed in 1999, with an average listing price of \$83,000, and an average selling price of \$47,000; 1082 vacant land parcels were listed in 2000, with an average listing price of \$79,000, and an average selling price of \$67,000; and 1111 vacant land parcels were listed in 2001, with an average listing price of \$98,000, and an average selling price of \$63,000.

### **Section 4.5 - Location**

Historically, subdivisions occurred more readily along the shores of Bonner County’s waterways, principally Lake Pend Oreille, the Pend Oreille River and Priest River, and Priest Lake. Many of these subdivisions resulted in one-quarter acre to one-half acre lots typically containing 100 feet of water frontage. These subdivisions were recorded from the early 1900s into the 1970s. With the adoption of Bonner County Zoning Ordinance 140, effective January 11, 1980, lot size minimums were established

in an attempt to provide larger, more functional lots with bigger building areas, together with sites to dispose of sewage on-site through the installation of septic tanks and “drain fields.”

Bonner County’s “rural” landscape has also been extensively subdivided, primarily into 5 acre to 20 acre tracts. These divisions have occurred throughout Bonner County. Many of these exempt divisions occurred by gift or sale to family members (“family splits”), or by exempt divisions of land wherein no resulting parcels contained less than 20 acres. Bonner County Planning Department records indicate that since August 1995, approximately 800 parcels have been created through the “family split” process. Records were not kept prior to that time. Statistics have never been compiled on the number of parcels created via the “20 acre exemption” provision in effect since 1978, since these divisions are not subject to review by Bonner County.

Divisions of land have not been restricted to the “easy” land. Divisions have occurred within and along the numerous drainages tributary to the Pend Oreille, Priest, Pack and Clark Fork Rivers. These parcels tend to be 5 acres or larger due to excessive slopes, limited access and zoning district parcel size minimums.

Bonner County’s “farm land,” located in what is commonly referred to as the “Selle” and “Hoodoo” Valleys has been predominantly divided into 10 acre tracts consistent with the Agricultural Zoning District 10 acre lot size minimum, though larger tracts do exist containing 20 or more acres.

## CHAPTER 5 - HOUSING STANDARDS

### **Section 5.1 - Building Permit Process History**

Bonner County adopted Building Code Ordinance 139 May 21, 1979, establishing the need for building permits in the unincorporated areas of Bonner County. (Instrument 214380, Bonner County Records) Building inspections were necessary, and the positions of building official and code inspector were created. Ordinance 139 adopted the 1979 Uniform Building Code (“UBC”).

Subsequently, Bonner County Building Code Ordinance 149 was enacted April 21, 1982, setting forth a fee schedule, and repealing Ordinance 149. (Instrument 254604, Bonner County Records) This ordinance, though adopted, was never published. Accordingly, Ordinance 150 was adopted July 27, 1982, “re-adopting” the text set forth in Ordinance 149. This ordinance was published August 4, 1982.

Because of revisions to the 1979 Uniform Building Code, Bonner County adopted Ordinance 155 June 6, 1983, thereby updating Ordinance 150 with the adoption of the 1982 UBC. (Instrument 270612, Bonner County Records) Ordinance 155 also added a penalty clause for failure to obtain a building permit, and amended the fee schedule consistent with the 1982 UBC. Ordinance 155 was published June 8, 1983.

Ordinance 160, adopted February 12, 1985, recognized the importance of assuring sewage disposal suitability by requiring Panhandle Health District septic approval prior to issuing building permits. (Instrument 299036, Bonner County Records)

Upon publication of the 1988 UBC, Bonner County approved Ordinance 188 April 10, 1989, updating Ordinance 155. (Instrument 360339, Bonner County Records) Ordinance 188 also specified the need to permit manufactured homes, obtain sewage disposal approval, and obtain building permits prior to energizing structures. Ordinance 188 was published May 5, 1989.

To promote energy conservation, Bonner County adopted Ordinance 193, the “Northwest Energy Code,” May 30, 1990. (Instrument 375841, Bonner County Records) This ordinance was “re-adopted” November 14, 1990, and was published November 22, 1990, presumably because Ordinance 193 was not published as required. (Instrument 383226, Bonner County Records)

Ordinance 213 was approved March 18, 1992, adopting the 1991 UBC, the latest edition. (Instrument 403045, Bonner County Records) Ordinance 213 was published March 27, 1992.

The County Commissioners April 7, 1993, approved Ordinance 226, effective April 21, 1993, concluding that it was not necessary to obtain a building permit for “garages.” (Instrument 423579, Bonner County Records)

To confirm that former Ordinance 149 was officially repealed, the County Commissioners adopted Ordinance 235 December 29, 1993, formally repealing Ordinance 149. (Instrument 438531, Bonner County Records) No proof of publication is in the records.

The 1994 UBC was adopted November 22, 1995, through the enactment of Ordinance 298, and Ordinances 213 and 226 were repealed. In addition, outbuildings were no longer exempt from obtaining building permits due primarily to the construction of “exempt” garages within front yard setbacks. Citizens presumed erroneously that because a building permit was not necessary, setbacks also did not apply.

The County Commissioners repealed Ordinance 298 and all related prior building code ordinances January 15, 1997, and adopted “Building Location Permit” Ordinance 328 (Instrument 497859, Bonner County Records). Ordinance 328, effective January 22, 1997, eliminated Bonner County’s adoption of the UBC, and resulted in the disbandment of the Bonner County Department of Building and Safety. The County Commissioners concluded, in part, that “building codes are not a warranty of safe structures.” (Ordinance 328)

Due to procedural deficiencies in the adoption of Ordinance 328, the building location permit ordinance was adopted anew May 22, 1997 (Ordinance 332, effective May 28, 1997; Instrument 504068, Bonner County Records). Ordinance 338, adopted November 13, 1997, and effective November 18, 1997, set forth a \$25.00 filing fee for “building location permits” (Instrument 514003, Bonner County Records). Lastly, the building location permit process was amended by Ordinance 369 January 21, 1999, effective January 28, 1999, specifying plan examinations and inspections for flood plain development consistent with Bonner County’s flood damage prevention ordinance, codified at Bonner County Revised Code, Title 12, Chapter 16 (Instrument 538753, Bonner County Records).

The building location permit process, as adopted originally in 1997, and as amended in 1999, did not provide for “sign-offs” from the sewer municipalities (Panhandle Health District and various sewer districts), from road districts (Bonner County Road Department and Idaho Transportation Department), nor from fire districts for commercial structures. This lack of coordinating construction activities between service providers resulted in requests from these agencies to amend the building location permit process. Accordingly, the County Commissioners adopted Ordinances 401 and 402 April 3, 2001, and April 24, 2001, effective April 6, 2001, and May 1, 2001, respectively, requiring agency approval of building location permits (Instruments 579564 and 580509, respectively).

Historically, Bonner County processed about 1,100 building permits annually, with about 100 of those annual permits being within various Bonner County cities where the County offered inspection services (Bonner County Building Department records). Since the January 1997 elimination of the building permit process and adoption of the “building location permit” procedure, permit counts are: 1997, 900; 1998, 596; 1999, 659; 2000, 617; 2001, 675 (Bonner County Planning Department data base).

Idaho adopted a mobile home rehabilitation act in 1998 to require that mobile homes constructed before June 15, 1976 meet certain life/safety standards. Known as "pre-HUD" mobile homes, the older mobile homes often did not provide safe window exits in the event of fire or other emergencies, did not have smoke detectors or may not have had safe electrical wiring, gas furnace fire walls or other safety factors. Because Bonner County did not have a Building Department in 2002, and was not included in the Idaho Code provisions for that reason, Bonner County adopted its own mobile home rehabilitation ordinance in June of 2002 (Ordinance #425). The ordinance requires the pre-HUD mobile homes be rehabilitated to meet specified fire and safety standards prior to placement in Bonner County.

## **Section 5.2 - Idaho Code Requirements**

The State of Idaho has adopted, with certain modifications, the latest editions of the Uniform Building Code, Uniform Mechanical Code, Safety Code for Elevators and Escalators, Life Safety Code, and Uniform Code for Building Conservation.

In adopting the “Idaho Building Code Advisory Act of 1975,” the State found that the “uniformity of building codes and uniformity in procedures for enforcing building codes throughout the nation and state are matters of nationwide and statewide concern and interest...” With the adoption of the law, the state government noted its intent to:

- “Promote the health, safety and welfare of the occupants or users of buildings and structures and the general public;
- “Require minimum performance standards and requirements for construction and construction materials, consistent with accepted standards of engineering, fire and life safety;
- “Require standards and requirements in terms of performance, energy efficiency, effect upon construction costs and consistency with nationally accepted standards;
- “Permit the use of modern technical methods, devices and improvements, and
- “Provide for a uniform interpretation of the building and safety codes for the state of Idaho.”

Counties not wishing to conduct inspections and administer the building safety program on their own, may opt to contract with the State to administer the program (Idaho Code). Bonner County has not opted to have the State perform inspections.

## **Section 5.3 - Bonner County Revised Code Requirements**

As noted in Section 5.1, the Bonner County Commissioners amended the “building location permit” process in April, 2001 through the adoption of Ordinances 401 and 402. These revisions are codified at Bonner County Revised Code, Title 11. In summary, the permit process articulates: when building location permits are necessary; activities exempt from the permit process; the contents of a building location permit application; which agencies must approve a building location permit; what staff examines when reviewing a building location permit application; application denial procedures; application appeal procedures; notification of the Bonner County Assessor; the need to comply with other codes, such as electrical and plumbing codes; expiration dates; and penalties for failing to obtain a permit (Bonner County Revised Code, Title 11).

Though “building location permits” are required for most construction activities in unincorporated Bonner County, Bonner County has not adopted the Uniform Building Code, does not provide plans examinations, does not conduct construction inspections, and does not have a “building department.”

## **Floodplain Construction Standards**

In 1987, Bonner County adopted a flood damage prevention ordinance to minimize public and private losses due to flood conditions in specific areas identified as special flood hazard areas. The ordinance, now codified at Chapter 16 of Title 12, Bonner County Revised Code, requires new and substantial improvements of residential structures be elevated to or above base flood elevation. Manufactured homes are to be anchored and shall be elevated on a permanent foundation so that the lowest floor is at or above base flood elevation. Electrical, heating, ventilation, plumbing and air-conditioning components are to be designed and located to prevent flood waters from entering or accumulating in the service equipment. New construction and substantial structural improvements within the regulated floodway are prohibited unless certain detailed engineering studies confirm construction will not increase flood levels during the a flood event. A floodway is an extremely hazardous portion of a special flood hazard area where the velocity of flood waters carries debris, potential projectiles and causes potential erosion (Chapter 16, Title 12, BCRC).

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