

**Terms of Modification of Conditional Use Permit Narrative Amendment**

**for**

**Riser Creek Marina**

**Part 1**

**Riser Creek Marina submits this modification request for two key reasons.**

**First, Riser Creek recognizes that its current operations no longer align with its original conditional use permit. The permit was issued based on assumptions and plans that are no longer applicable. As the Bonner County Planning Department is aware, the original permit reflected the marina's intent to support charter boat operations. However, when the operators of the charter boats (who were independent of Riser Creek) were unable to sustain their business and abandoned the venture, Riser Creek adapted its operations accordingly, shifting to seasonal moorage rentals for a small number of private, non-commercial boats. Riser Creek assures Bonner County that this change was not due to any intentional non-compliance or deceit. Rather, the marina's use evolved naturally as circumstances changed. We are committed to resolving this issue and ensuring that our operations are fully compliant with the conditional use permit.**

**Second, Riser Creek is committed to collaborating with Bonner County and relevant state agencies to establish a sustainable operational plan for the marina. Since the original permit was issued, population growth in the surrounding area (particularly Bonner and Kootenai Counties) has increased demand for access to Lake Pend Oreille. With limited public access to the lake, Riser Creek hopes to help meet this need by continuing to offer moorage and by modestly expanding its dock capacity by adding five additional moorings. We understand that this expansion requires updates and improvements to our current facilities, and we have already secured necessary permits from the Idaho Department of Lands, the Idaho Transportation Department, and the Panhandle Health District. Additionally, we are working with the Army Corps of Engineers and Fish and Wildlife on a biological assessment, pending the County's approval of this modification. Riser Creek has also collaborated extensively with the Bonner County Planning Department to address floodplain concerns and has developed a plan to implement required safeguards. Furthermore, we are committed to installing, operating, and maintaining a waste pump-out facility for marina tenants, as required by IDAPA 41.01.01, in consultation with the Department of Environmental Quality.**

Regarding parking, Riser Creek has faced challenges in the past due to limited availability on the lakeside portion of the parcel. To address this, we successfully obtained a zoning change for the eastern portion of our property, now fully zoned as Recreational, which allows for expanded marina operations, including additional parking. An updated parking plan is attached to this application, demonstrating that there is now ample parking to support our marina activities.

In conclusion, Riser Creek is fully committed to bringing its operations into compliance with County regulations. We have worked closely with the Bonner County Planning Department to develop a feasible and realistic plan to achieve this, as detailed in this application.

**Terms of Modification of Conditional Use Permit Narrative Amendment**

**for**

**Riser Creek Marina**

**Part 2**

#### **Availability of Restroom Facilities:**

For now and since before the first docks were built, there were and are restroom facilities available in the RV. Although of a worthy standard, we would like to improve the situation by adding a 6' x 9' bath house that has a bathtub with a larger shower than the RV. It also has a washer/dryer combo, toilet and lavatory. (See photo). To add this convenience, we need approval as the site for it would lie in the 40' setback zone from the lake where there is a shallow inlet near the terminus of the intermittent Riser Creek. (The creek may have a 75' setback, but it terminates into the lake at summer pool and is contained inside the highway 200 culvert) The bath house site at the North end of the RV is 32'+ from the High Water Mark of the lake. As has been discussed with the Bonner County Floodplain Specialist, if approved, it will meet floodplain standards as required by the County, as will all lakeside appurtenances.

#### **Caretaker Quarters:**

The proposed caretaker's quarters involve remodeling the existing garage and carport by adding a second story with an exterior stairway for access. The percent of non-conforming increase in variance of deviation from the existing structure is 103%. The addition proposes using the same footprint with an exception of an added stairway. It is the stairway and cantilevered deck/floor space on the second story that puts the percentage of deviation above 100%. It all meets setback requirements and otherwise meets codes.

Thus, as part of this application for a modification of terms for the Conditional Use Permit, we ask for consideration of variance(s) from setbacks for the bath house and percent of non-conforming use for the caretaker's quarters/garage remodel.

Please see included floor plan and elevations.