

**Parcel Information**

Comprehensive plan designation: Urban 0-2.5 Acres

**Additional Project Details**

- 1) *Size of buildings:* (total area of building coverage approximately 9,180 sq. ft.
  - a. Single Family Residence (former restaurant) = approximately 7,775 sq. ft.
  - b. Two rental cabins = approximately 530 sq. ft. each (1060 sq. ft. total)
  - c. Boat Rental Shack = approximately 345 sf. ft.

6) *Phasing plans, expected start-up and completion dates;*

The applicant has an approved encroachment permit (permit #L96S0884G) from the Idaho Department of Lands (IDL) for a commercial dock with a total of 268 slips. The applicant submitted a Department of the Army (DA) Joint Application for Permit for the marina expansion on March 6, 2025. This CUP will only permit the first phase of the IDL permit which will allow for a total of 92 slips shown as “fingers A, B and C” as depicted on the Dock Layout exhibit. If demand for additional “fingers” arises then the applicant will submit a new CUP application to expand the Marina in the future.

The property owner plans to begin development as soon as the possible if/when the conditional use permit is approved.

The property owner is hoping to lease the new boat slips in the summer of 2026.

7) *Number of people on site (employees, residents, visitors, etc).*

- a. Single Family Residence = currently occupied by one individual (2 parking spaces required)
- b. Two rental cabins = (3 parking spaces required)
- c. Boat Rental Shack = 1-2 employees (2 parking space required)
- d. Vehicles = the proposed parking lot includes 53 stalls, with 7 reserved for the single-family residence, two rental cabins and boat rental shack, leaving 46 stalls available for marina users.

15) *Complete detail of scope/process:*

The applicant has obtained an encroachment permit (permit #L96S0884G) from the Idaho Department of Lands (IDL) for a commercial dock with a total of 268 slips. The applicant submitted a DA Joint Application for Permit for the marina expansion on March 6, 2025. This CUP will only permit the first phase of the IDL permit which will allow for a total of 93 slips shown as “fingers A, B and C” as depicted on the Dock Layout exhibit. If demand for additional “fingers” arises then the applicant will submit a new CUP application to expand the Marina in the future.

The upland improvements needed to accommodate the 92 boat slips include 46 parking stalls. The single-family residence requires 2 parking stalls, the two rental cabins require a

total of 3 parking stalls (1.5 per dwelling unit). Additionally, there is a boat rental shack located on the property that requires 2 parking spaces (1/250 sq ft. of floor area). The total number of parking stalls required is 53. Of these 53 stalls 3 need to be ADA compliant; two for standard vehicles, and one that is van accessible.

Bonner County Code 12-432 Table 4-3 requires that community docks and marinas provide 25% of the total number of required parking stalls to be tandem spaces to accommodate vehicles with trailers. The applicant would like to request a deviation from this standard as there is not a boat launch/ramp at this facility. Boats will be launched or removed at other regional boat launches, therefore no tandem spaces will be needed or used if provided.

In addition to the parking lot, previously permitted single family residence (former restaurant) and two permitted rental cabins, the property owner will provide a trip generation and distribution letter (included with this application), a stormwater plan, and a landscape plan, as well as obtain a building location permit for the commercial boat rental shack.

**Narrative Statement (Additional documents, if necessary)**

*How will the conditional use be designed to avoid creating hazards or dangers to persons on or adjacent to the property?*

The conditional use will allow for the continued use and expansion of the commercial marina and associated upland uses. By bringing the parking area up to the general design standards of the Bonner County Code the conditional use will reduce hazards associated with stormwater runoff, vehicular and pedestrian circulation, and will increase the outdoor aesthetic of the property by complying with the landscape standards of the Bonner County Code.

*Explain the effects of elements such as noise, light glare, odor, fumes and vibrations on adjoining property:*

*Noise:* The additional vehicles, visitors and boats on the property may increase noise levels on the property. However, the "objectionable noise" should not be more than that of a typical commercial property located in Bonner County. Per BCC 12-421 commercial land use resulting in greater than 65 decibels at the property line of a lot or parcel with the commercial land use is considered "objectionable noise".

*Light Glare:* There will be minimal security/safety lighting on the site as depicted on the parking plan, and it will comply with illumination standards set forth in section 12-442 of the Bonner County Code.

*Odor:* Typical odors associated with commercial use in Bonner County are expected and it is not anticipated to be above normal.

*Fumes:* Potential fumes could be the same as other commercial uses in Bonner County are not expected to exceed the norm.

*Vibrations:* There are no anticipated vibrations associated with the proposed conditional use.

*How is the proposed use compatible with the adjoining land uses?*

North – N/A the property lies directly adjacent to Lake Pend Oreille on the north boundary.

East – US 95 directly abuts the eastern boundary. The proposed development is compatible with this adjacent use. Commercial uses are typically located adjacent to higher traffic roadways.

South – The southern property line abuts Lakeshore Drive where the primary access to the site is located. South of the Lakeshore Drive right-of-way is a vacant lot also under the ownership of Long Bridge Holding Company, LLC. This lot is anticipated to be rezoned as Recreation and being reserved by the owner for possible future development.

West – The property to the west is also zoned Recreation which was originally developed as a 20-unit Inn via a Commercial Resort CUP (C659-99). The original CUP included the 20-unit inn (western property), and Swans Landing Restaurant, two cabins and lakeshore amenities (subject property). The uses have since been abandoned and the property was divided through a 2017 replat of Lot 1A, Block 10, Lakeside Place.

**Other Pertinent information.**

Requested deviations from Bonner County Code.

1. Bonner County Code 12-432, Table 4-3, requires that community docks and marinas provide 25% of the total required parking stalls as tandem spaces to accommodate vehicles with trailers. The applicant requests a variance from this standard because the facility does not include a boat launch or ramp. Boats will be launched and removed at other regional boat launches, so tandem spaces will not be needed or utilized at this location.
2. Bonner County Code 12-465, Table 4-5, requires a twenty-five-foot (25') Type C landscape buffer for parking areas adjacent to state highways, specifically along the eastern property line adjacent to Highway 95. The existing parking lot already encroaches into this required buffer. The applicant is requesting a variance to reduce the width of the Type C landscape buffer accounting for existing parking area encroachments due to the steep slopes from the site eastern boundary down to the ITD ROW. While the Type C buffer will be maintained, the width is proposed to vary along the eastern property line, with the narrowest section approximately 10 feet wide. The Type C buffer will be adhered to the greatest extent possible while accommodating the existing ITD swale and slopes.
3. Bonner County Code 12-713 limits impervious surface coverage within designated "shore lands"—defined as land extending 200 feet landward in all directions from any shoreline—to a maximum of 35%. The subject property currently exceeds this standard, with 50.8% impervious surface coverage under existing conditions. The proposed



development will reduce impervious coverage to 48.7%, thereby lessening the nonconformity. The applicant is requesting a deviation to allow this reduction while acknowledging that the coverage will remain above the 35% threshold established by code.

4. Per Bonner County Code 12-443 the maximum height for a sign fronting State Highway 95 is 10'. The maximum area allowed is 64 square feet and it requires a 1 square foot of landscaping around the base per each 0.5 square foot of sign area. The applicant is requesting to keep an existing sign which is approximately 168 square feet in size and approximately 13.5' in height measured from adjacent grade to top of sign. The other sign will be removed as a result of parking lot reconstruction.

### **How is the use/plan in/not in conflict with the policies of the Comprehensive Plan?**

#### ***Property Rights***

##### ***Goals and Objectives:***

- 1) *Protect property rights and enhance property values through conscientious land-use planning that complies with state law relevant to all county land use actions.*
- 2) *Private property should not be taken for public uses without just compensation or due process of law.*
- 3) *Impacts to other properties should be taken into account when considering land use proposals, policies and codes.*

Applicant Response: No private property will be taken for public use, nor will the CUP request impact other properties by allowing for commercial marina use.

#### ***Population***

##### ***Goals and Objectives:***

1. *Ensure that the impact of demographic changes including generational issues and economic diversity are identified and considered during planning activities and decisions.*

Applicant Response: According to the 2023 Bonner County Comprehensive Plan, Bonner County experienced a 5.1% population increase from 2020 to 2021, with an anticipated annual growth rate of 1.1% between 2021 and 2031. As the population grows, demand for recreational opportunities, including boating on Lake Pend Oreille, continues to rise. Existing marinas in the area are operating at capacity with established waitlists. Approval of this conditional use permit for a commercial marina would directly respond to these population trends by helping to meet the county's recreational needs in alignment with the Comprehensive Plan objective.

#### ***School Facilities & Transportation***

##### ***Goals and Objectives:***

1. *Proposed developments and county land use decisions should not adversely impact the local school districts and their ability to provide adequate school facilities and transportation service.*

Applicant Response: This CUP request will not adversely impact the local school district or their ability to provide services.

### *Economic Development*

#### *Goals and Objectives:*

- 1. Support and encourage economic development.*
- 2. Support small businesses such as markets, restaurants, recreational activities, campgrounds, and marinas that provide services which support resort residents and visitors in their local communities.*
- 3. Enable development of small-scale cottage industries and home-based occupations while protecting the surrounding areas from adverse impacts.*

Applicant Response: This proposed commercial marina will contribute to economic development in Bonner County by serving both residents and visitors. Potential impacts, including noise, lighting, odors, fumes, and vibrations, will be reviewed and mitigated through the County's development review process. The project will comply with all applicable code requirements to ensure compatibility with and minimize impacts on surrounding properties.

### *Land Use*

#### *Goals and Objectives:*

- 1. The County intends to balance and integrate its land use policies and proposed land use map with the Components of the Comprehensive Plan, to enable the community to grow while retaining its rural character and protecting its unique natural resources.*

Applicant Response: This application request has reviewed and considered the land use map and components of the Comprehensive Plan. Community growth, rural character, and natural resources will not be negatively impacted by this CUP. Additionally, the subject property's Recreation zoning appropriately allows for uses such as a commercial marina.

### *Natural Resources*

#### *Goals and Objectives:*

- 1. Protect, enhance and maintain the County's natural resources such as air, water, forest, minerals, plants and wildlife for long-term benefits to the public.*
- 2. Seek, acknowledge and consider agency comments regarding natural resources.*
- 3. The County's system of lakes and waterways is one of its greatest assets, and the County should strive to preserve both the quality and quantity of its water resources.*
- 4. The County values its productive agricultural lands and forests, mining lands, its fisheries, wildlife, wetlands and aquifer recharge areas and should provide measures to protect and maintain these natural features.*
- 5. The County should protect its water resources by requiring adequate sewer treatment systems based on soil, density, and intensity of use to reduce impacts to water resources.*

Applicant Response: The subject property is strategically situated along the shoreline of Lake Pend Oreille. Development will be subject to review by Bonner County, the Idaho Department of Lands, the Idaho Transportation Department, Panhandle Health District, the



Idaho Department of Environmental Quality, the Idaho Department of Fish and Game, and other applicable regulatory agencies. This coordinated oversight will help ensure the project is designed and operated in a manner that safeguards the lake as well as surrounding fish, wildlife, and other natural resources.

### *Hazardous Areas*

#### *Goals and Objectives:*

- 1. Protect the County from loss of lives and property due to natural hazards.*
- 2. Reduce public and private financial losses due to floods, fires, landslides, avalanches and excessive slopes by setting standards for development in high hazard areas.*

Applicant Response: Although the subject property lies within a FEMA-designated floodplain, much of the proposed development will be located on the upland portion of the site, with exception of the new dock system. The proposed development will likely trigger a Floodplain Development Permit which the applicant will obtain from the County.

In 2023, limited improvements within the floodplain were permitted and constructed to include a path to the marina and a retaining wall system designed to reduce erosion and protect both the shoreline and upland slope.

### *Public Services*

#### *Goals and Objectives:*

- 1. Future development approvals should require adequate services and should not adversely impact the services or utilities of the utility provider.*
- 2. Require adequate public services, facilities, and utilities in future development approvals.*

Applicant Response: The subject property is already served by utility providers, fire protection, sewer, law enforcement, ambulance, power, and emergency services. As previously noted, as a commercial property, schools will not be influenced by the proposed use. No improvements to roadways, driveway approaches or other infrastructure or utilities are anticipated to be necessary as a result of this development.

### *Transportation*

#### *Goals and Objectives:*

- 1. Provide a County highway system that is safe, uncongested, and well maintained.*

Applicant Response: The applicant has been in communication with Bonner County Road and Bridge and Idaho Transportation Department regarding this development. The parking lot design associated with the commercial marina will accommodate fire apparatus and will integrate regulations from all applicable regulatory agencies including Bonner County and Idaho Department of Transportation. The existing improvements within the ITD right-of-way, including the pedestrian path located to the east of the subject property will not be impacted by the proposed development.

### *Recreation*

#### *Goals and Objectives:*

1. *Strive to promote our need for diverse recreational opportunities while preserving the area's scenic and rural character, natural resources, and ecological systems.*

Applicant Response: The proposed commercial marina will significantly enhance public access to recreational opportunities on Lake Pend Oreille by providing additional boat moorage and associated amenities. With most marinas in the area currently operating at or above capacity, this project will help meet the growing demand for safe and convenient access to the lake.

### **Special Areas or Sites**

#### *Goals and Objectives:*

1. *To protect, preserve and maintain special areas and sites both natural and manmade in relation to land use.*
2. *Future developments should not adversely affect or destroy culturally or ecologically sensitive sites.*

Applicant Response: As previously noted, the proposed commercial marina will undergo review by Bonner County, the Idaho Department of Lands, the Idaho Transportation Department, Panhandle Health District, the Idaho Department of Environmental Quality, the Idaho Department of Fish and Game, USACE and other relevant regulatory agencies. Through this coordinated oversight, the project will be planned and managed to protect Lake Pend Oreille along with surrounding fish, wildlife, and other sensitive ecological resources.

### **Housing**

#### *Goals and Objectives:*

1. *Provide an environment that enables opportunities for diverse housing needs.*

Applicant Response: The proposed CUP will have no negative effect on the housing goals/objectives of Bonner County.

### **Community Design**

#### *Goals and Objectives:*

1. *To enable a variety of lifestyles while maintaining the rural character in the future development of Bonner County.*

Applicant Response: The proposed CUP will maintain the rural character of Bonner County, as the site is already developed and operating as a marina. Any potential impacts to neighboring properties or natural resources will be addressed and mitigated in accordance with Bonner County Code requirements.

### **Agriculture**

#### *Goals and Objectives:*

1. *Protect the rural character and agricultural heritage of the County by preserving and enabling large-scale and small-scale agriculture as viable uses.*
2. *Discourage fragmentation of agricultural lands.*

Applicant Response: The proposed CUP is consistent with the comprehensive plan's emphasis on preserving rural character and supporting agricultural heritage as these uses will not be impacted.

*Implementation*

Applicant Response: This section is optional.