

BONNER COUNTY PLANNING DEPARTMENT BOARD OF COUNTY COMMISSIONERS STAFF REPORT FOR AUGUST 6, 2026



Project Name: Long Bridge Land Holding Company LLC, Marina

File: Appeal of CUP0008-25 Conditional Use Permit

Request: The applicant is requesting a CUP for Docks and Marinas, and Upland Accommodations

Legal Description: 34/35-57N-2W REPLAT OF LAT1A BLOCK 10 LAKESIDE PLACE

Location: 31 Lakeshore Drive, Sagle

Parcel Number: RP0023401002B0A

Parcel Size: 2.34 acres

Applicant and Property Owner: Long Bridge Land Holding Company LLC
PO Box 1942
Spokane, WA 99210

Project Representatives: HMH Engineering
Laura Cannon
3882 N. Schreiber Way Suite 104
Coeur D' Alene, ID 83815

North Idaho Panning & Consulting
Jake Gabell
432 Wood View Road
Sandpoint, ID 83864

Application filed: October 8, 2025

Notice provided: Mail: July 22, 2026
Site Posting: June 30, 2026
Published in newspaper : June 30, 2026

Appendices Appendix A- Agency Noticing
Appendix B- Agency Comment
Appendix C- Agency Noticing (Appeal)
Appendix D- Agency Comment (Appeal)

Exhibit A- Impervious Surface Calculation-Current
Exhibit B- Impervious Surface Calculation-Proposed
Exhibit C- File #C693-00
Exhibit D- Decision Letter Zoning Commission
Exhibit E- Applicant's appeal letter

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Project summary:

The applicant is requesting a Conditional Use Permit for Docks and Marinas and Upland Accommodations. The site is located on the corner of Lakeshore Drive and Highway 95. The site is ±2.34 acres and currently zoned Recreation. The site is currently developed with three (3) dwelling units, and a boat rental structure.

Applicable laws:

The following sections of BCRC, Title 12, apply to this project:

BCRC 12-220, et seq, Conditional use permit, application and standards
BCRC 12-262, Appeals from final decision of Commission/ Hearing Examiner
BCRC 12-335, Docks and Marinas, and upland accommodations
BCRC 12-3.4 Nonconforming uses and structures
BCRC 12-4.2, Performance standards for all uses
BCRC 12-4.3, Parking standards
BCRC 12-4.4, Sign standards
BCRC 12-4.5, Design standards
BCRC 12-4.6, Landscaping and screening standards
BCRC 12-490 Accessory Dwelling Units
BCRC 12-7.2, Grading, stormwater management and erosion control

Background:

A. Site data:

- Platted lot
- Size: ±2.34 acres
- Zone: Recreation
- Land Use: Urban

B. Access:

- Lakeshore Drive is a paved Bonner County owned and maintained right-of-way.

C. Environmental factors:

- Site does contain mapped slopes of 0-≥30% grade. (USGS)
- Site does contain mapped wetlands. (USFWS)
- Site does contain any mapped lake frontage on Lake Pend Oreille.
- Parcel is within SFHA Zone AE and Zone X per FIRM Panel Number 16017C0950E, Effective Date 11/18/2009. A Floodplain Development Permit has been submitted for this project and is currently in review. Permit #FDP2025-0039.

D. Services:(per applicant)

- Water: Southside Water & Sewer District
- Sewage: Southside Water & Sewer District
- Fire: Sagle Fire District
- Power: Avista Utilities
- School District: Lake Pend Oreille School District #84

E. Comprehensive Plan, Zoning and Current Land Use:

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Urban	Recreation	Residential/ Commercial- 2.34 acres
North	N/A	N/A	Lake Pend Oreille
East	N/A	N/A	Highway 95
South	Urban	Rural Service Center	Vacant/ 1.33 acres
West	Urban	Recreation	Hotel/ Condos Units- 2.1 acres

F. Agency Review

Agencies and taxing districts were notified of this application on January 6, 2026. A full list of the public agencies can be found in the attached Appendix A. Agency comments can be found in the attached Appendix B.

The following agencies provided comment:

- Idaho Department of Water Resources
- Bonner County Road & Bridge Department

The following agencies replied "No comment":

- Idaho Department of Environmental Quality
- Kootenai Ponderay Sewer District
- Panhandle Health District
- Idaho Department of Fish & Game
- TC Energy

Agencies and taxing districts were notified of this appeal application on July 22, 2026. A full list of the public agencies can be found in the attached Appendix C. Agency comments can be found in the attached Appendix D.

The following agencies provided comment:

- Idaho Department of Water Resources

The following agencies replied "No comment":

- Kootenai Ponderay Sewer District
- Panhandle Health District

All other agencies did not reply.

Public Notice & Comments

As the date of this staff report, public comments were received on this request.

Standards Review and Staff Analysis:

BCRC 12-220, This subchapter establishes criteria for conditional uses in a zoning district.

BCRC 12-223: The Zoning Commission or Hearing Examiner shall review the particular facts and circumstances of each proposal submitted. To grant a conditional use permit, the Zoning Commission or Hearing Examiner must find that the proposal is not in conflict with the policies of the comprehensive plan, as found in the adopted Implementation Component, and that the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.

12-262: APPEALS FROM FINAL DECISION OF COMMISSION/HEARING EXAMINER:

A. Presentation Of Appeal: Any "affected person", as defined by Idaho Code title 67, chapter 65, may appeal to the Board any final decision by the Zoning Commission/hearing examiner.

Staff: The applicant presented an appeal as an "affected person" in accordance with Idaho Code 67-6521.

B. Filing Time Limit; Fee: Any affected person may file an appeal of the final decision of the Zoning Commission/hearing examiner with the Planning Director within twenty-eight (28) days after the final written decision of the Zoning Commission/hearing examiner has been issued. The appellant shall pay the fee required by this title upon filing the appeal. An appeal shall not be considered to be filed until such fee has been paid. Failure to file the appeal within the time limits shall cause automatic dismissal of the appeal.

Staff: The written decision from the Zoning Commission was sent to the applicant on March 5, 2026. An appeal of the final decision was submitted on March 31, 2026, and fees paid April 2, 2026.

C. Notice Of Appeal Contents: The notice of appeal shall be detailed in writing and shall provide the grounds for the appeal. The grounds for appeal shall be that the decision of the commission or hearing examiner was at a minimum one of the following:

1. In violation of constitutional or statutory provisions;
2. In excess of the statutory authority of the commission or hearing examiner;
3. Made upon unlawful procedure;
4. Arbitrary, capricious or an abuse of discretion; or
5. Not supported by substantial evidence on the record as a whole.

Staff: The applicant submitted a narrative statement detailing that the decision was arbitrary and capricious and lack of substantial evidence on the record.

D. Procedures For Consideration Of Appeal:

1. Within sixty (60) days of the receipt of the appeal, the Board shall conduct a public hearing. The hearing shall be conducted in the same manner using the same standards, as if the Board had original jurisdiction to hear the application.

2. Upon consideration, the Board may affirm, reverse, or modify the decision of the Zoning Commission/hearing examiner, after compliance with applicable procedural standards.

3. The decision of the Board shall be final, and any further recourse shall be as provided by law.

Staff: The applicant on April 7, 2026 waived their right to have the appeal heard within the sixty (60) day timeframe as required BCRC 12-262(D) by the Board of County Commissioners.

BCRC 12-335 Public Use Table 3-5

Use	Zoning District								
	F	A/F	R	S	C	I	RSC	REC	AV
Docks and marinas, community, upland accommodations (5),(6),(7)					C			C	

(5) Sufficient land area is required to accommodate the proposed use, and the use and any appurtenant structures shall be so arranged on the land as to minimize any adverse effects on surrounding properties. The use shall not create particular hazards to adjacent properties.

Staff: The applicant has approval for ninety-two (92) boat slips from Idaho Department of Lands. The parcel is ± 2.34 acres and is currently developed with a caretaker unit, two cabins and an accessory building used as a boat rental facility. The code requires 0.5 parking spaces for each proposed boat slip; this will require forty-six (46) parking spaces. The submitted site plan indicates the undeveloped portion of the parcel can accommodate fifty-two (52) parking spaces. The boat rental building is on the southeast side of the property adjacent to Idaho State Highway 95 and the cabins predate 2000 are on the southwest side of the parcel.

(6) Specified conditions with respect to emissions of noise, light, glare, smoke, odor, dust, particulate matter, vibrations or hours of operation may be prescribed differently from those required in a given district, as to be compatible with other applicable State and Federal standards.

Staff:

Noise: The applicant states that the proposed uses will likely increase noise levels above the current use but less than the restaurant that previously existed on site. Any increase will likely not be considered objectionable per BCRC 12-421 for objectionable noise levels at the property lines.

Light: The applicant has indicated using existing lighting as found on the site plan. Any new light that could be installed shall follow the lighting standards in BCRC 12-442 and BCRC 12-453(F).

Glare: Bonner County code has standards that help reduce any glare that could be created from lighting. Landscaping and lighting standards in the code can help reduce any light glare trespassing from the property.

Smoke: Marinas and upland accommodations typically do not cause additional smoke that usually is associated with other uses.

Odor: The proposed uses are not anticipated to cause any additional odor above and beyond that would be associated with these uses.

Dust: Marinas and upland accommodations typically do not create additional dust above and beyond that is normally part of a parking lot from traffic circulation.

Particulate matter: The proposed uses typical do not create particulate matter.

Vibrations: The parking lot, boat rental shack and rental cabins are unlikely to produce any additional vibrations that are currently found in the vicinity of this request.

Hours of Operation: The rental cabins will be operational 7 days a week year-round. The marina and boat rental will operate 7 days a week from 7:00 am to 9:00pm, April through October.

(7) A traffic plan is required describing, at minimum, the method of ingress and egress to the site, traffic circulation within the site, and on premises parking and loading/launching areas.

Staff: The submitted site plan shows the methods of ingress/egress and traffic circulation on the site. The lot has approved encroachment permits from Bonner County Road & Bridge Department and Idaho Department of Transportation (see Exhibit C, C693-00). The submitted site plan indicates traffic flow patterns for both vehicles and pedestrians. The site currently does not have boat launch, and the applicant has not proposed one. If in the future a boat launch is to be built the property owner shall apply for a modification of terms per BCRC 12-266.

Subchapter 4.2, BCRC 12-241 Performance standards for all uses:

Staff: The application was reviewed against these standards and has requested deviation from the Bonner County Revised Code.

Subchapter 4.3, BCRC 12-431.E. Parking standards: Cooperative Off Street Parking: Any two (2) or more uses may establish cooperative off street parking where it can be established to the satisfaction of the planning director that the hours of

traffic generation on the part of the different land uses are at nonoverlapping times of the day based on hours of operation. In that case, the off-street parking provisions for each can be credited to the same off-street parking areas provided cooperatively. All shared parking and mutual easements shall be recorded and a copy provided to the planning department.

Use	Minimum Requirement	Proximity Of Parking Spaces
Residential Use:		
Residential, single-family	2 spaces/dwelling unit	On the same lot as the dwelling unit

Staff: The lot is developed with one (1) residential dwelling and two (2) Accessory Dwelling Units. Residential parking requirements per BCRC 12-432 requires two (2) spaces for each residential dwelling unit. BCRC 12-490 ADU requires one (1) additional off-street parking space. The applicant will be required to provide a total of four (4) parking spaces for these units.

Subchapter 4.3, BCRC 12-432, Parking standards: Table 4-3 minimum off street parking requirements for public uses requires: 0.5 space/boat slip.

Use	Minimum Requirement	Proximity Of Parking Spaces
Public Use:	Minimum Requirement	Proximity Of Parking Spaces
Community docks and marinas	0.5 space/boat slip (5)	

(5) 25 percent of parking spaces arranged as tandem spaces not less than 10 feet by 40 feet.

Staff: BCRC 12-432 requires that 0.5 space/boat slip and twenty-five percent (25%) arranged as tandem spaces not less than 10'X40'. The applicant has proposed 92 boat slips in the first phase. This requires forty-six (46) parking spaces of the forty-six (46) spaces; 12 of which will need to be tandem spaces.

The applicant has requested a deviation to the parking requirement for tandem spaces as this site does not have a boat launch, therefore it is not anticipated that there will be vehicles with trailers. If a boat launch were to be constructed in the future the property owner shall apply for a modification of terms per BCRC 12-266, and the parking requirements would be reevaluated. **Condition of Approval**

BCRC 12-443 Sign Standards:

- A. Not more than two (2) signs may be installed to identify a business, service, product, person, accommodation or activity. Businesses located on street corners may use up to three (3) signs.
- B. Table 4-4 of this section provides dimensional standards for freestanding signs.

**TABLE 4-4
DIMENSIONAL STANDARDS FOR FREESTANDING SIGNS**

	Type Of Frontage Road		
	State Highway With Speed Limit Posted 55 Miles Per Hour Or More	All Other State Highways	All Other Roads
Maximum height, measured at grade	10 feet	8 feet	8 feet
Maximum area	64 square feet	50 square feet	40 square feet
Minimum separation of freestanding signs along a street (includes neighboring property)	150 feet	150 feet	100 feet
Landscaping	1 square foot of landscaping around base per sign area per each 0.5 square foot of sign area (see subchapter 4.6 of this chapter for other applicable landscaping standards). A rock or masonry base or other natural landscape materials may be substituted as approved by the planning director.		

Staff: The applicant has requested keeping a sign on the northeast side of the property that is approximately 168 sq.ft. and 13-1/2 feet in height. This sign has been in place since April 9, 2001, as found in file planing file # C693-00, therefore it is a legal non-conforming sign. The code allows for additional signage on-site since this lot is a corner lot. Any new signage shall follow the standards in BCRC 12-443. **Condition of Approval**

BCRC 12-4.5, et seq, Design standards:

BCRC 12-452: Site and building plans: The applicant shall submit site and building plans through the applicable permit process detailed as necessary to demonstrate how the standards in section 12-453 of this chapter have been met.

Staff: As part of this application the applicant has submitted a site plan with this proposal. A building location permit will be required for all new structures as defined in BCRC 11-219 and BCRC 12-819.

BCRC 12-453

(A) Sidewalks/Pathway Standards:

Provide a sidewalk or pathway paralleling or nearly paralleling the street along the front edge of the property for all new developments and any building addition where

the value of the addition equals or exceeds fifty percent (50%) of the market value of the existing structure and/or site improvements as determined by the Bonner County assessor's office over any five (5) year time period.

Staff: The current assessed value of the property according to the County Assessor records is \$3,096,922. The only new structure that has been added to the lot is a portable building ± 400 sq.ft., used for the boat rental business. The value of the new building is unlikely to equal or exceed fifty percent (50%) the market value of the existing structures or site improvements.

(B) Pedestrian Connections:

Provide walkways connecting all on site commercial and multi-family buildings with each other and the street for all new developments and any building additions where the value of the additions equals or exceeds fifty percent (50%) of the market value of the existing structure and/or site improvements as determined by the Bonner County assessor's office over any five (5) year time period.

Staff: The applicant has not proposed any new development that will exceed fifty percent (50%) market value of the existing structure and or site improvements. The only new structure that has been added to the property is a structure that is used for the boat rental business. That structure is ± 400 sq.ft. This improvement does not trigger the need for pedestrian connections.

(C) Parking Lot Pathways:

Large new or expansion of existing developments must provide specially marked or paved walkways through parking lots. Specifically, walkways should be provided every four (4) rows and a maximum distance of one hundred fifty feet (150') shall be maintained between paths. Parking lots less than one hundred fifty feet (150') wide or long are exempt from this requirement.

Staff: An expansion of an existing parking lot is proposed. The proposed lot will be approximately 130' X 352'. The applicant shall indicate on the proposed site plan where the walkways will be. **Condition of Approval.**

BCRC 12-453(F): Lighting Standards:

1. Lighting shall be directed downward to the intended area to be lighted. All exterior lighting fixtures shall incorporate cutoff shields to prevent spillover into residential areas. Broadcast lighting fixtures that project lighting outward rather than downward are discouraged. Outdoor lighting shall be arranged so that the light is directed downward and away from adjoining properties. Temporary high intensity construction lights should be oriented so as to reduce or eliminate glare onto adjoining properties.
2. Freestanding light fixtures shall be limited to fourteen feet (14') in height.
3. Vehicular roadway and highway lighting shall be subject to the county requirements.
4. Mercury vapor light fixtures are prohibited.

5. When using decorative miniature lighting strings, bulbs larger than eleven (11) watts each shall not be used. Low wattage, light emitting diode devices and other lighting that reduces electrical use is encouraged.
6. Backlit awnings are prohibited.

Staff: The submitted site plan indicates existing lighting on site. No new lighting has been proposed, any new light that could be installed shall follow the lighting standards in BCRC 12-453(F). **Conditions of Approval**

BCRC 12-4.6, Landscaping and screening standards:

BCRC 12-461 Applicability:

The standards in this subchapter shall apply to all new development in the commercial, industrial and rural service center districts and all other commercial, multi-family, public and industrial development in other districts unless otherwise noted. For remodels or additions, the standards in this subchapter shall apply where the value of the additions equals or exceeds fifty percent (50%) of the market value of the existing structure and/or site improvements as determined by the Bonner County assessor's office over any five (5) year time period. For other additions or remodels, the landscaping standards shall only apply to the specific areas being improved.

BCRC 12-464(C):

Type C: Landscape type C (see through buffer) standards:

1. For landscaping strips five feet (5') to twenty feet (20') wide:
 - a. Trees at twenty feet (20') on center on average. Trees may be clustered to allow greater visibility into the site, where desired by the applicant. Trees shall be a minimum two inch (2") caliper as measured four feet (4') from the root ball at the time of planting.
 - b. Permitted tree species are those that reach a mature height of at least thirty five feet (35').
 - c. Shrubs at a rate of one shrub per twenty (20) square feet of landscaped area. Shrubs shall have a minimum container size of two (2) gallons at the time of installation and have a mature height between three feet (3') and four feet (4').
 - d. Ground cover.

Staff: The parking lot is adjacent to Idaho State Highway 95 and Lakeshore Drive. Currently there is landscaping on the southern property line adjacent to Lakeshore Drive. The eastern property line adjacent to Highway 95 currently has a small cluster of trees. The applicant has proposed new development of the boat rental business to the property. BCRC 12-463(A) encourages applicants to integrate existing trees and native vegetation into the site design. BCRC 12-465 Table 4-5 buffer requirements adjacent to a state highway be 25' in width and 15' in width for all other roads. The applicant has requested a deviation to the buffer width to $\pm 10'$ in width due to the steep slopes on the eastern property line.

BCRC 12-340(D)- Intent- 3.4: Non-conforming Uses and Structures

BCRC 12-340(D): "Characteristics of uses which were lawful before this title was passed or amended, but which would be prohibited, regulated or restricted under the terms of this title or future amendment. It is the intent of this title to permit these nonconformities to continue as required by law. It is further the intent of this title that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district or zone."

BCRC 12-7.1 Shorelines

BCRC 12-713 Impervious surface standards near water:

The maximum "impervious surface", as defined in section [12-809](#) of this title, within "shore land" areas, as defined in section [12-819](#) of this title, which are defined as those lands extending landward for two hundred feet (200') in all directions as measured on a horizontal plane from any shoreline, shall be thirty five percent (35%)

Staff: The lot contains ± 0.65 acres or 28,314 sq.ft. of submerged lands. As a result of this the impervious calculations are based on those surfaces above the ordinary high-water mark. The applicant submitted impervious calculations with a map of both current and proposed calculations (see Exhibit A & B). The current lot coverage is $\pm 44,912$ sq.ft. or 62%. The applicant has proposed to reduce that amount to 42,042sq.ft. or 58%.

BCRC 12-7.2, Grading, stormwater management and erosion control

BCRC 12-720.2 Applicability

The provisions of this subchapter shall be applicable:

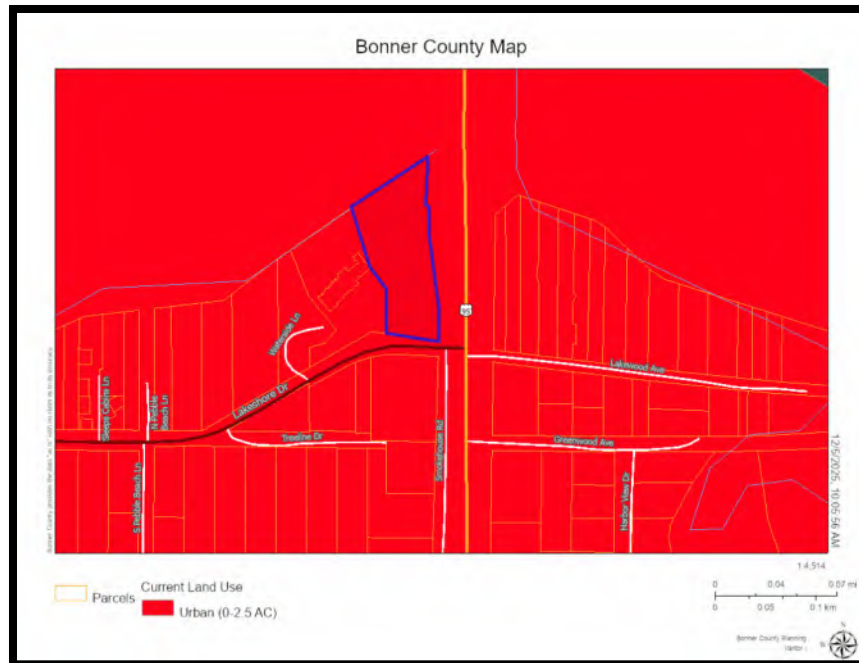
D. New building construction which occurs within three hundred feet (300') of any lake, slough, pond, river, stream or intermittent stream shown on the national hydrography dataset (NHD), as published by the United States geological survey, or by actual survey, and which is subject to the provisions of title 11 of this code, as amended.

Staff: A stormwater management plan will be required, pursuant to BCRC 12-720.2(D)**Conditions of Approval**

G. Comprehensive Plan Land Use Designation:

Urban Growth Area:

The Urban Growth Areas are designed to recognize the historic developments of communities and neighborhoods which are served by either urban water or sewer services or are located within the fringes of incorporated cities where such services have or can be extended to serve these areas. These areas are general level to moderately slopes and serve by a network of primary transportation systems.



Comprehensive Plan Analysis:

Property Rights

Policies:

1. Follow the attorney general's checklist, prescribed at Idaho Code §67-8003 and provided in the "Property Rights" component of the county's comprehensive plan, for all land use decisions.
2. Adopt a reasoned statement and conclusions of law, in accordance with Idaho Code 67-6535, for all quasi-judicial land use decisions that reflect the justifications for exactions, conditions and restrictions and confirm that a taking of private property has not occurred.
3. In all land use decisions, consider the property rights of the applicant, adjoining and nearby landowners and future generations, as well as the short-term and long-term consequences of decisions.
4. Review all rezoning requests (down-zoning and up-zoning) pursuant to the Idaho State Code, Title 67, Chapter 65 – Local Land Use Planning Act. The approval of

conditional rezoning or denial of a request for rezoning is subject to the regulatory taking analysis provided for by Idaho Code Section 67-8003.

Staff: Upholding property rights and complying with Idaho state law the above policies allows the governing body to make informed, fair, and legally sound land use decisions that protect property rights.

Population

Policies:

1. Regularly analyze population projections to determine if changes need to be made to the Comprehensive Plan Goals, Objectives and Policies and/or the Zoning Ordinance, to ensure that the public and community needs are being met through land use decisions.
2. Use population forecasts and census data to evaluate housing and impacts to the transportation system and other county services.
3. Cooperate with incorporated cities and neighboring counties to address growth challenges within the Areas of Impact and coordinate planning efforts to the extent possible.

Staff: The 2020 census placed Bonner County's population at 47,110. Bonner County, established in 1907, now has over 100 years of population data. The county grew by fewer than 2,000 people over the first 60 years of its existence. Between 1990 and 2000, Bonner County increased in population by 38.4 percent, but by the 2010 census, the growth slowed to an 11 percent increase over 10 years. From 2010 to 2020 the population grew by 13 percent and the estimated increase from 2020 to 2021 was 3.4 percent or 49,491. This proposal is not for housing development. The use existed on the land before it was subdivided. This use is unlikely to contribute significantly to population growth in the county.

School Facilities and Transportation

Policies:

1. Current data regarding school capacity and transportation issues as provided by the School Districts will be included in the assessment of all land use proposals.
2. Consider the impacts of land use proposals on the school service and seek mitigation from developers such as providing facilities, safety features, or other measures as permitted by Idaho Code, to address the impacts of the proposals.
3. Encourage school districts to proactively review development applications to determine particular school needs and concerns.
4. Encourage construction of trails and bicycle paths to allow safe passage of students to and from schools.

5. Consider the long-term consequences of land use proposals, including the adequacy of existing school facilities, transportation services, and the siting of future schools.

Staff: Lake Pend Oreille School District #84 and School Transportation that serves the property, were notified of the Marina and Upland Accommodations. The District did not comment as to how an increase in boat slips and a boat rental shack could impact on the district's ability to provide adequate school services (and facilities) for new and existing students. The Transportation department did not provide a comment. Bonner County currently assesses property taxes; a portion of that revenue goes to the school's general fund. This project does not appear to be in conflict with these policies.

Economic Development

Policies:

1. Allow small scale cottage businesses and home occupations in all areas of the county. Set reasonable conditions on such uses to minimize adverse impacts to the neighborhood based on factors including, but not limited to, hours of operation and traffic volume generated by the business.
2. Develop land use regulations to allow the county's agricultural heritage to be maintained by enabling local food production, distribution, congregation, and retail sales. Examples include community gardens, school gardens, farm related education programs, farmers or public markets, and other small-scale, collaborative initiatives.
3. Develop standards for commercial and industrial development that are appropriate for the surrounding community, including: appropriate site sizes, use types, buffering and design standards that encourage both attractive and efficient function while protecting the environment.
4. Mitigate the potential impacts of economic development activities that cause adverse factors such as noise, light glare, odors, fumes and vibrations on the surrounding community.
5. Support local economic development by increasing support for outdoor recreation in the county. Encourage and protect public access to public lands and water, while protecting the surrounding areas from adverse impacts through mitigation and standards.
6. Allow for campgrounds and recreational uses while protecting the surrounding areas from adverse impacts through mitigation and standards.
7. Support local businesses by enabling development of workforce housing in proximity to commercial, industrial, agricultural, and recreational uses, through review and updating of land use regulations.

Staff: Bonner County's land use regulations provide a comprehensive framework that supports small-scale businesses, preserves agricultural heritage, promotes sustainable development, and facilitates the integration of employee housing with commercial, industrial, and agricultural uses. The county's approach balances the needs of diverse land uses while addressing potential impacts on the community and environment, fostering a vibrant and sustainable future for its residents. The proposed use may encourage the growth of recreational opportunities in the county, and create employment opportunities.

Land Use

Policies:

1. Develop and maintain a Future Land Use Map and Land Use Regulations that acknowledge and preserve the County's agricultural, timber and mining lands, water and wildlife resources, and identify and avoid hazard areas. Provide areas for economic growth, encourage affordable housing and center growth in areas where adequate public and private services can be provided.
2. Encourage clustered development for medium and large scale commercial and industrial uses.
3. Commercial and industrial uses should be located and operated in a manner to ensure the protection of our natural resources including clean air and water, dark skies, and overall environmental quality and rural character of the county.
4. Reflect in the use tables that commercial and industrial uses should be unconditionally permitted in areas identified by the Comprehensive Plan as suitable and zoned for those uses. Evaluation of suitability should be based on availability of urban services, adequate access to hard surfaced publicly maintained roads and other factors that may impact the surrounding community.
5. Reflect in the use tables that commercial and industrial uses may be conditionally permitted in areas not identified for such uses in the Comprehensive Plan if a critical review of the proposed use determines that with appropriate conditions the use will not adversely impact the surrounding area.
6. Based upon the land use analysis completed in 2025, a sufficient number of residential parcels exist or could be created within current zoning density. Therefore, modification of zoning to provide increased density should be rare.
7. Land use applications should be supported by a review, evaluation, or approval by the applicable state agency for sanitary services.
8. Consider avenues to create incentives for land conservation through zoning and subdivision laws to preserve various significant archaeological, ecological, historical, wildlife, and scenic sites that have been recognized in the county as unique and important to preserve.
9. Minimize the creation of lots that cannot receive the appropriate sanitary services.

10. Maintain the Alpine Village zoning district to provide adequate design and development standards for the high-density recreational community with steep slopes and heavy snowfall at elevations above 3500’.

11. Urban development is better suited in urban areas. Idaho Code 67-6502 (a through m) promotes the health, safety and general welfare of the people of the state. Subsection (f) encourages urban and urban type development within incorporated cities. All nine cities within the county provide or are associated with urban water and sewer systems which allow and depend on higher density to make the services fiscally feasible and sustainable.

12. Due to the wildfire threat in the county, consider evacuation routes when making land use decisions and updating land use code.

13. The mapping of land use designations should have homogeneity with the surrounding area. Areas have specific, individual land use designations which results in homogeneity across the landscape. Islands of different land use designations defy the sense of rural context, especially if the land uses are markedly dissimilar.

14. The land uses describe the general uses and characteristics of each of the map designations. Since the Comprehensive Plan Map covers approximately 1.1 million acres, the map is general in nature, and it is recognized that some areas may have or may lack features and characteristics that cause them to differ somewhat from what is in their land use description. It is not reasonable to expect that every parcel within a land use designation will conform to every detail of the geographic characteristics of the area as a whole.

Staff: This property has been assigned to Urban designation since 2005 and zoned Recreation since 2008. The proposed use is a small-scale commercial operation conditional use allowed in the public use table (Table 3-5, BCRC 12-335).

Natural Resources

Policies:

1. Institute best management practices for waterway setbacks to reduce erosion and sedimentation into waterways.

2. Design development standards that encourage clustered development resulting in the preservation of open space and wildlife habitat.

3. Recognize critical wildlife habitats, as identified by US Fish and Wildlife, and create development standards to protect these areas and mitigate development impacts to these habitats.

4. Protect water quality by creating standards for development in close proximity to shorelines.

5. Provide a copy (physical copy or digital link) of the Lake Assist Guidebook to property owners or their representatives applying for a building location permit on

shoreline properties. Make a digital link to the Guidebook available via the Planning Department web page.

6. Implement shoreline development land use regulations that address those areas where the County can enforce such regulations effectively.

7. To the extent of the County's jurisdiction, and consistent with the Clean Water Act, protect delineated wetlands.

8. Identify and protect productive farmland, timberland and mining lands from adverse effects of adjoining developments.

Staff: Bonner County has adopted and implemented regulations that protect waterways and wetlands from pollution, erosion and sedimentation. These measures also protect Bull Trout which is the only mapped critical wildlife in Bonner County. The proposal currently has approval from Idaho Department of Lands for the expansion of the dock and boat slips. Idaho Department of Fish and Game did not have a comment on this proposal.

Hazardous Areas

Policies:

1. Adopt flood mitigation standards that meet or exceed the National Flood Insurance Program minimum requirements.

2. Discourage residential, commercial or industrial development within floodways.

3. Discourage fill within the floodplain.

4. Integrate the county's wildland fire policies and plans into development standards.

5. Identify and discourage developments on excessive slopes with lower density zoning in these areas.

6. Establish regulation and development densities of new development in floodplains. Regulate the location and density of new development in floodplains to reduce the potential for the loss of lives and property in those areas.

7. Land divisions should be designed to reduce exposure to wildland fire and to provide for adequate ingress and egress routes as determined by the applicable Fire Authority Having Jurisdiction.

8. Discourage the issuance of building location permits within areas of excessive slopes, unstable areas and avalanche zones.

Staff: A portion of the lot is located within a mapped flood hazard zone. Any development within this mapped area will require special permitting. The parcel does contain mapped slopes of 0-≥30% grade. According to the Avalanche Hazards map found in the Hazardous Component (p.7) this area is mapped as low avalanche

danger. Furthermore, emergency services are provided to this parcel by the Sagle Fire District and Bonner County Sheriff's Department.

Public Services, Facilities and Utilities

Policies:

1. Encourage high-density development to take place within the boundaries of existing sewer and water districts with adequate capacity.
2. Seek comments from existing service providers on their ability to serve future developments without adversely impacting the ability of the utility providers to serve current users.
3. Provide adequate facilities for responsible disposal of solid waste to protect the health and welfare of the public as well as the County's natural resources.
4. New development should be adequately served by fire protection, roads, sanitary services, schools, law enforcement, ambulance, power and emergency services, and other public services as determined by the relevant service provider.
5. Require developers to provide infrastructure, utilities or financial support to offset the capital costs of expansion of services required by the proposed development.
6. Require adequate provisions for future utility services in areas of commercial, industrial, residential or other similar uses.

Staff: This proposal is with the Southside Water & Sewer District. This agency was notified of the proposal, and the district did not comment on whether the proposal would negatively affect their capacity. The proposal is within a currently developed transportation network; it is adjacent to Highway 95 and Lakeshore Drive. Furthermore, the property is afforded emergency services provided by Bonner County EMS, Bonner County Sheriff's Department, and Sagle Fire District. These agencies were notified of this proposal.

Transportation

Policies:

1. Develop and regularly update a long-term County highway system plan to ensure reasonable levels of service can be maintained in the future, and that needs for future road extensions or transportation corridors are identified as early as possible.
2. Discourage development in areas that are not served by county standard roads or where transportation is inadequate.
3. Future development should not adversely impact the existing County highway system by significantly reducing the quality or level of service or creating hazards or congestion.
4. Roads are encouraged to be built to County Standards and at the expense of the developer.

5. Roads within new development should provide adequate access for fire and emergency vehicles as well as routes of escape.
6. Future access roads should be designed and built to integrate with the State and County systems of roads without overburdening the County highway system.
7. Encourage cluster development to reduce transportation costs, road building and environmental impacts.
8. The county intends for certain intense land use developments to provide hard surfaced roads.
9. Consider bike ways and pedestrian paths in development plans to provide an integrated community County highway system wherever possible.
10. To communicate and work cooperatively with other jurisdictions within the county to ensure the best possible flow of traffic county-wide.

Staff: The parcel adjacent to Highway 95 and Lakeshore Drive. Highway 95 is a State of Idaho owned and maintained paved right of way. Lakeshore Drive is a Bonner County owned and maintained paved right of way. No new roads are being proposed for public use or dedication. However, Bonner County Road & Bridge Department recommended a traffic impact study. The lot currently has access to a pedestrian walk/ bike path that accesses the City of Sandpoint and the community of Sagle.

Recreation

Policies:

1. Develop a waterways and public land access program to preserve and develop access to public recreational lands and waterways. The program should include retaining access parcels that may be acquired from tax sales or private donations.
2. Protect and encourage public and private recreational opportunities as an important asset that supports a key segment of the County's economy.
3. Consider a plan for a system of green belts and pathways (bike and pedestrian) as areas developed, so that a connected system can be developed and preserved. Under no circumstances will the County require recreational access easements on private property as a condition of development. This policy does not preclude providing voluntary incentives to developers in return for recreational access easements.
4. Ensure the public's legal recreational accesses and amenities are not obstructed or adversely impacted by future development.
5. Adverse impacts of recreational development on adjacent neighborhoods should be mitigated.

Staff: The proposed use will create additional recreational access and opportunities to Bonner County waterways. The lot is adjacent to a pedestrian walking/ bike path that provides access to the community of Sagle and the City of Sandpoint.

Special Areas or Sites

Policies:

1. Develop a generalized map of the known pre-historic and historic sites so that future developments are aware of special areas of concern and are connected with the historical society and Native American tribes for appropriate preservation and protection.
2. Implement roadside development standards for recognized scenic byways to protect the view sheds.
3. Recognize and address Special areas when development is proposed in these areas.
4. Confirm if historical structures or sites exist within a land use application area, and if identified coordinate with the applicable agency.

Staff: Bonner County has not developed or adopted a map that identifies pre-historic or historic sites. There are adopted scenic byways in the county, however this proposal is not adjacent to one. No agency that was notified of this request indicated any historical structures or sites on this parcel.

Housing

Policies:

1. Enable development of a variety of housing options including manufactured home parks, and tiny home communities located in areas that are compatible with their density.
2. Coordinate with municipalities and private parties to explore solutions for various types of housing projects and developments in areas appropriate for their level of density.
3. Encourage clustering of housing in developments to save on infrastructure and transportation costs through mechanisms such as density bonuses.
4. Provide opportunities for assisted living and group shelters.
5. Enable temporary and seasonal employee labor housing in direct proximity to agricultural, commercial, recreational, and industrial uses or where infrastructure and emergency services support those uses.

Staff: This proposal is not anticipated to have a direct impact on housing in Bonner County.

Community Design

Policies:

1. To promote and preserve the natural features and rural atmosphere of the community, enact development standards that address development within scenic byways and design standards that account for waterfront setbacks, commercial and industrial landscaping, requirements for reduced lighting, cluster development, rural rather than urban setback standards, and other design objectives aimed at preserving the rural, natural character of the community.
2. Allow unique and flexible design standards such that new development within older neighborhoods and historic settlements is compatible with those unique neighborhoods.
3. Allow particularized design standards to address the unique environmental conditions of waterfront and mountaintop developments which may differ from standard design objectives.
4. Locate new development in areas with similar densities and compatible uses.
5. The adverse impacts of new development on adjacent areas should be minimized.
6. Consider the protection of natural resources, rural features and surrounding uses of the community in the design and location of new development.

Staff: The lot was originally part of a larger property that operated as approved resort. The resort was later divided into three separate lots. When this lot was created it was done so with an existing boat moorage operation. The use has been part of the surrounding area for the past twenty-six years.

Agriculture

Policies:

1. Continue allowing residential uses consistent with the allowable density in Agricultural zoning districts.
2. Protect agricultural uses and activities from land use conflicts or interference created by residential, commercial or industrial development
3. Enable farm-based family businesses on agricultural parcels with land use regulations. Examples include farm stands and other agri-business pursuits.
4. The County acknowledges the provisions of Idaho State's Right to Farm Act. Those shall be considered in the land use decisions.
5. Support the local economy by encouraging production, distribution, and retail sales of locally grown food and other agricultural products.

6. Protect environmental quality so that agriculture continues to be a viable use in the County.

Staff: This property has been historically zoned recreation and has not been used for agricultural pursuits. The proposed use is unlikely to have any effect on the agricultural pursuits in Bonner County.

Planner's Initials: **DB**

Date: **July 30, 2026**

Note: The final decision rests with the governing body after the completion of the public hearing and consideration of all relevant oral and written testimony and evidence.

Zoning Commission voted to deny the request 4-0.

Motion by the governing body:

BOARD OF COUNTY COMMISSIONERS

Motion to Uphold: I, Commissioner (insert name) move to uphold the Zoning Commission's decision, and deny this project, FILE CUP0008-25, for a Marina and Upland Accommodations, located in Section 34/35, Township 57 North, Range 2 West, Boise Meridian, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1

The proposed conditional use permit **is/ is not** in conflict with the policies of the Comprehensive Plan.

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth in BCRC Title 12 - Chapter 3, Subchapter 3.3; Subchapter 3.4, Chapter 4, Subchapter 4.2, 4.3, 4.4, 4.5 and 4.6; Chapter 7, Subchapter 7.2 Bonner County Revised Code, and **was/ was not** found to be in compliance.

Conclusion 3

The proposed use **will/ will not** create a hazard and **will/will not** be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6536, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken

to obtain the approval of the Conditional Use Permit is to complete the Conditions of Approval as adopted.

- 1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
- 2) Appeal the decision to the County Commissioners.

Motion to Reverse Decision: I, Commissioner (insert name), move to reverse the decision of the Zoning Commission's, and approve this project, FILE CUP0008-25, for a Marina and Upland Accommodations, located in Section 34/34, Township 57 North, Range 2 West, Boise Meridian, based upon the following conclusions:

Conclusion 1

The proposed conditional use permit **is not** in conflict with the policies of the Comprehensive Plan.

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth in BCRC Chapter 3, Subchapter 3.3, Subchapter 3.4 BCRC Chapter 4, Subchapter 4.2, 4.3, 4.4, 4.5 and 4.6 Title 12, Chapter 7, Subchapter 7.2, Title 12, Bonner County Revised Code and **was** found to be in compliance.

Conclusion 3

The proposed use **will not** create a hazard and **will not** be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6536, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the variance is to:

1. File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
2. Pursue such remedies as may be applicable at Title 67, Chapter 65, Idaho Code.

Conditions of Approval:

Standard continuing permit conditions. To be met for the life of the use:

- A-1** The use shall be developed and shall be operated in accordance with the approved site plan.
- A-2** This Conditional Use Permit shall not supersede deed restrictions.
- A-3** All county setbacks shall be met, unless otherwise noted.
- A-4** Conditional Use Permit approval shall expire if the permit has not been issued within two (2) years from the date of approval, or if issued, if the use has not commenced within two (2) years from the date of issuance. At any time prior to the expiration date of the conditional use permit, an applicant may make a written request to the planning director for a single extension of the conditional use permit for a period up to two (2) years. The Zoning Commission at any regular meeting, or board at any regular meeting, may consider the request for extension. The extension request must be approved or denied prior to the expiration date of the conditional use permit.
- A-5** The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and stormwater management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved.
- A-6** The uses shall maintain continuing compliance with the performance standards of BCRC 12-421 as found in this staff report.
- A-7** Total impervious surface within shall not exceed the amount found in the approved site plan of the shoreland area, as defined.
- A-8** Landscaping shall be provided as per the requested deviation found in the staff report.
- A-9** All new proposed structures shall obtain Building Location Permits, as required by Title 11 of Bonner County Revised Code.
- A-10** Any modifications to this project shall be subject to standards set forth in Title 12, Bonner County Revised Code.
- A-11** The rental cabins will be operational 7 days a week year-round. The marina and boat rental will operate 7 days a week from 7:00 am to 9:00pm, April through October.

Conditions to be met prior to issuance:

B-1: A new site plan indicating marked parking lot pathways per BCRC 12-453(C).

B-2: A recorded parking agreement for the marina, upland accommodations, and dwelling units shall be recorded in accord with BCRC 12-431.E and a copy of the agreement be provided to the Planning Department.

B-3: Submit a new impervious calculation for the project meeting the landscaping buffer requirements of BCRC 12-464(C).

The complete file is available for review in the Planning Department, 1500 Highway 2, Suite #208, Sandpoint, ID. Staff reports are available at www.bonnercountyid.gov prior to the scheduled hearing. Bonner County Revised Code (BCRC) is available at the Planning Department or online.

Appendix A

RECORD OF MAILING

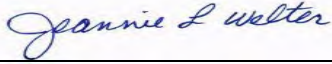
Page 1 of 1

File Number: File **CUP0008-25**

Record of Mailing Approved By: D.Britt

Hearing Date: **2.12.26**

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **6th** day of **January 2026**.



Jeannie Welter, Systems Technician

Assessor - Email	Avista Utilities - Email
Bay Drive Recreation District - Email	Bayview Water & Sewer - Email
Bonner County Airport Manager - Email	BONNER COUNTY DAILY BEE - U.S. Mail
Bonner County EMS - Email	Bonner County Floodplain Review - Email
Bonner County Road & Bridge - Email	Bonner County Sheriff - Email
Bottle Bay Water & Sewer District - Email	City of Clark Fork - Email
City of Dover - Email	City of East Hope - Email
City of Hope - Email	City of Kootenai - Email
City of Oldtown - Email	City of Ponderay - Email
City of Priest River - Email	City of Sandpoint - Email
City of Spirit Lake - Email	Coolin Sewer District - Email
Coolin-Cavanaugh Bay Fire District - Email	Drainage District #7 - Email
East Bonner Library - Email	East Priest Lake Fire District - Email
Ellisport Bay Sewer - Email	Garfield Bay Water & Sewer District - Email
GEM STATE MINER - U.S. Mail	Granite Reeder Water & Sewer District - Email
Idaho Department of Environmental Quality (DEQ) - Email	Idaho Department of Fish & Game - Email
Idaho Department of Lands - CDA - U.S. Mail	Idaho Department of Lands - Coolin - Email
Idaho Department of Lands - Navigable Waters & Mining - Email	Idaho Department of Lands - Sandpoint - Email
Idaho Department of Water Resources - IDWR - Email	Idaho Transportation Department (Aeronautics) - U.S. Mail
Idaho Transportation Department- District I - Email	Independent Highway District - Email
Kalispel Bay Sewer & Water - U.S. Mail	Kootenai-Ponderay Sewer District - Email
KPBX-FM 91 SPOKANE PUBLIC RADIO - U.S. Mail	KSPT-KPND-KIBR RADIO - U.S. Mail
Laclede Water District - Email	Lake Pend Oreille School District, #84 (Admin Office) - Email
Lake Pend Oreille School District, #84 (Transportation) - Email	Lakeland Joint School District, #272 - Email
Little Blacktail Ranch Water Association - U.S. Mail	North of the Narrows Fire District - Email
Northern Lights, Inc. - Email	Northland/Vyve Cable Television - Email
Northside Fire District - Email	Outlet Bay Sewer District - Email
Panhandle Health District - Email	Pend Oreille Hospital District - Email
Priest Lake Public Library District - Email	Priest Lake Translator District - Email
Sagle Valley Water & Sewer - Email	Sam Owen Fire District - Email
Schweitzer Fire District - Email	SELKIRK ASSOCIATION OF REALTORS - U.S. Mail
Selkirk Fire, Rescue & EMS - Email	Selkirk Recreation District -Email
Southside Water & Sewer District - Email	Spirit Lake Fire District - Email
Spokesman-Review - U.S. Mail	Historical Society - Email
Swan Shores Sewer District - U.S. Mail	Syringa Heights Water Association - Email
Tamarack Village Water & Sewer - U.S. Mail	Timber Lake Fire District - Email
Trestle Creek Sewer District - Email	U.S. Army Corps of Engineers - Email
U.S. Fish & Wildlife Service - Email	U.S. Forest Service - U.S. Mail
West Bonner County Cemetery District - Email	West Bonner County School District, #83 - Email
West Bonner Library - Email	West Bonner Water & Sewer District - Email
West Pend Oreille Fire District - Email	West Priest Lake Fire District - Email

Record of Mailing **Property Owners within 300 Feet**

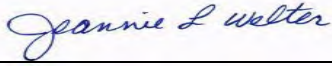
Page 1 of 2

File Number: File **CUP0008-25**

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Jeannie Welter, Systems Technician

PIN	Owner	Address	City	State	Zip
RP07352C002180A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001270A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023400918A0A	Li, Yiping Leung, Angela On Yee Mao, Yi Tang, Huang	6725 S Shelby Ridge Rd	Spokane	WA	99224
RP07352C00B190A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023400706A0A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C003010A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001220A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002150A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023401001C0A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C00B220A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C003110A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001230A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002160A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001190A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023400816A0A	Aj & Am Llc	Po Box 1333	Spokane Valley	WA	99037
RP00234007005AA	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001290A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001210A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023400919A0A	Miner, Mark & Rodelyn	17825 Painter Lp Rd Ne	Hubbard	OR	97032
RP07352C00B200A	Wood, Leslie - 75% Int	Po Box 30365	Santa Barbara	CA	93130
RP00234010011BA	Sterling, Michael & Patricia	378 Butterfield Rd	San Anselmo	CA	94960
RP002340070090A	Bopp, Nicolaus A	100 Lakeshore Dr	Sagle	ID	83860
RP07352C003090A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C00B230A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023401001D0A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002220A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001250A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130

RP07352C00B240A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002230A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP00234007001BA	Long Bridge Land Holding Company Llc	Po Box 1942	Spokane	WA	99210
RP07352C002140A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C00B210A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023401002B0A	Long Bridge Land Holding Company Llc	Po Box 1942	Spokane	WA	99210
RP0023400920A0A	Hardin, Le'carlton Ruen, Rochelle	4777 S Fulton Ranch Blvd Unit 2113	Chandler	AZ	85248-5049
RP07352C002170A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C003100A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130

Appendix B



Janna Brown <janna.brown@bonnercountyid.gov>

Re: Bonner County Planning - File CUP0008-25 - Notice of Hearing

1 message

Matt Mulder <matt.mulder@bonnercountyid.gov>

Wed, Jan 28, 2026 at 3:33 PM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

Cc: Jason Topp <jason.topp@bonnercountyid.gov>

The Road & Bridge Department has the following comments regarding this file:

1. Based on the trip generation and distribution letter, and the proximity to the existing safety issues at the Lakeshore Drive and Hwy 95 intersection, we recommend a traffic impact study be required at this time to identify some of the improvements that would need to be made at this phase and future phases for the full marina buildout. Some of the initial thoughts we have may involve:

a. A right turn only exit signage for those leaving the marina parking lot to limit the exiting traffic crossing Lakeshore Drive conflicting with southbound highway traffic exiting the highway and taking the corner at high speed.

b. Future phases that require additional parking across Lakeshore Drive on the Smokehouse Rd lot may require alternate access via Treeline Drive, the possible closure of Smokehouse Rd connection to Lakeshore and alternate access established, and the potential for an elevated or tunneled pedestrian access between the parking lot and the marina.

c. Traffic entering Highway 95 from Lakeshore Drive may be required to turn right (south) on Hwy 95; this change is already being discussed with ITD, including a painted or concrete curbed porkchop forcing the right turn. This island may impact the future turning movements to or from the marina and should be part of the consideration.

-Matt Mulder, PE
Staff Engineer
Bonner County Road & Bridge
208-255-5681 ext 1

On Tue, Jan 6, 2026 at 11:32 AM Bonner County Planning Department <planning@bonnercountyid.gov> wrote:

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jeannie Welter
Bonner County Planning Department
Systems Technician
208-265-1458

Now Live: Apply for Your Building Location Permit Online!

We're making building easier! You can now apply for your **Building Location Permit** quickly and securely through our **new citizen online portal**, available 24/7 from the comfort of your home or office. You can also apply on one of the kiosks provided in the Planning Department office, located in the County Administrative Building, Suite 208.

Fast & easy application process
Track your permit status in real time
Upload documents directly

Visit <https://bonnercountyid-energovweb.tylerhost.net/apps/selfservice#/home> **to get started today!**

Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

Build smarter. Apply online.
[Online Application Guide](#)



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0008-25 - Notice of Hearing

1 message

DEQ Comments <deqcomments@deq.idaho.gov>

Tue, Jan 13, 2026 at 10:08 AM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

Good Morning,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,

Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Office Line: 208.769.1422

www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Bonner County Planning Department <planning@bonnercountyid.gov>

Sent: Tuesday, January 6, 2026 11:32 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spirittlakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfidchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist

<esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joeekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Bates, Luke <Luke.Bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; meagan <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: jack.howard@swsdidaho.org; kmeschko@kellerassociates.com; Daniel Britt <daniel.britt@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0008-25 - Notice of Hearing

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Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

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Upload documents directly

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Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0008-25 - Notice of Hearing

1 message

Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>

Wed, Jan 28, 2026 at 12:54 PM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

Hi Jeannie,

The Idaho Department of Fish and Game does not have any comments to submit for this application.

Thank you for the opportunity to review and comment,

Merritt Horsmon

Regional Technical Assistance Manager

Panhandle Region

2885 W. Kathleen Ave.

Coeur d'Alene, ID 83815

208.769.1414 office

208.251.4509 mobile

merritt.horsmon@idfg.idaho.gov

From: Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Tuesday, January 06, 2026 11:32 AM**To:** Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spiritlakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork

<CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacledewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Bates, Luke <Luke.Bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynn Casey <glynn.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; meagan <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: jack.howard@swsdidaho.org; kmeschko@kellerassociates.com; Daniel Britt <daniel.britt@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0008-25 - Notice of Hearing

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Thank you,

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

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Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0008-25 - Notice of Hearing

1 message

Bates, Luke <Luke.Bates@idwr.idaho.gov>

Tue, Jan 6, 2026 at 1:12 PM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

REF: CUP0008-25

TO: Bonner County Planning Department

Good afternoon,

Idaho Department of Water Resources (IDWR) – Northern Regional Office offers the following comments pertaining to CUP0008-25:

- The application proposes water services by Southside Water and Sewer District, which is an existing Municipal service provider whose service area covers the Applicant's parcel.
- Once the Applicant has validated water services from the municipal provider Southside Water and Sewer District's existing water rights cover IDWR's jurisdiction for CUP0008-25's contemplated development of domestic use, rental cabin use, and snack shack water usage.

Thank you for the opportunity to comment,

**From:** Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Tuesday, January 6, 2026 11:32 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle

<quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spirittlakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoverydaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfdchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lactedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Bates, Luke <Luke.Bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epifdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; meagan <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: jack.howard@swsdidaho.org; kmeschko@kellerassociates.com; Daniel Britt <daniel.britt@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0008-25 - Notice of Hearing

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Janna Brown <janna.brown@bonnercountyid.gov>

RE: Bonner County Planning - File CUP0008-25 - Notice of Hearing

1 message

'KPSD Clerk' via Mail-Planning <planning@bonnercountyid.gov>

Tue, Jan 6, 2026 at 2:36 PM

Reply-To: KPSD Clerk <clerk@kootenaiponderaysewerdistrict.org>

To: planning@bonnercountyid.gov

Attached is the District's response to the above named file.

Beate Pryor

Clerk - Administrative Assistant

Kootenai-Ponderay Sewer District

511 Whiskey Jack Road Sandpoint, ID 83864

Office Hours: 8:30 am – 5:00 pm, Monday through Thursday

Phone: 208.263.0229

From: Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Tuesday, January 6, 2026 11:32 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lpsd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spiritleakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritleakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette

<coolinfirechief@gmail.com>; David LaTourette <Coolinfdchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; ITD - Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joeKren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lactedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Luke Bates <luke.bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Merritt Horsmon <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: jack.howard@swsdidaho.org; kmeschko@kellerassociates.com; Daniel Britt <daniel.britt@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0008-25 - Notice of Hearing

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

Now Live: Apply for Your Building Location Permit Online!

We're making building easier! You can now apply for your **Building Location Permit** quickly and securely through our **new citizen online portal**, available 24/7 from the comfort of your home or office. You can also apply on one of the kiosks provided in the Planning Department office, located in the County Administrative Building, Suite 208.

Fast & easy application process

Track your permit status in real time

Upload documents directly

Visit <https://bonnercountyid-energovweb.tylerhost.net/apps/selfservice#/home> to get started today!

Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

Build smarter. Apply online.

[Online Application Guide](#)

 **CUP0008-25.pdf**
90K

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **6th** day of **January 2026**.

Jeanne L Welter
Jeanne Welter, Systems Technician

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, January 6, 2026**.

NOTICE IS HERBY GIVEN that the Bonner County Zoning Commission will hold a public hearing at **5:30 pm** on **Thursday, February 12, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following requests:

File CUP0008-25 – Conditional Use Permit – Marina: The applicants are requesting a conditional use permit for a marina and upland accommodations on ± 2.16 acres. The property is zoned Recreation. The project is located off Lakeshore Drive in Section 34/35 Township 57 North, Range 2 West, Boise-Meridian. The project site is located within the service areas of Southside Water & Sewer District and Sagle Fire District.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than seven (7) days prior to the public hearing. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT *Kootenai-Ponderay Sewer District* *1/6/2026*
Name Date

no comment - out of boundaries



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] CUP0008-25-CONDITIONAL USE PERMIT-MARINA

1 message

Denis Twohig <dtwohig@phd1.idaho.gov>

Fri, Jan 9, 2026 at 4:04 PM

To: Bonner County Planning <planning@bonnercountyid.gov>

**Public Health**
Prevent. Promote. Protect.
Panhandle Health District**Denis Twohig** | Technical Records Specialist 1

2101 W Pine St. Sandpoint, ID 83864

P: 208.265.6384

E: ehapplications@phd1.idaho.govW: Panhandlehealthdistrict.org**IMPORTANT:** The information contained in this email may be privileged, confidential or otherwise protected from disclosure.

All persons are advised that they may face penalties under state and federal law for sharing this information with unauthorized individuals.

If you received this email in error, please reply to the sender that you received this information in error.

Also, please delete this email after replying to the sender.

**CUP0008-25-CONDITIONAL USE PERMIT-MARINA.pdf**
929K

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **6th** day of **January 2026**.

Jeannie L Welter
Jeannie Welter, Systems Technician

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If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT *Sarah Tonyan - PTH* *1/9/26*
Name Date
out of PTH jurisdiction
please contact Southside WSD



Janna Brown <janna.brown@bonnercountyid.gov>

Re: Bonner County Planning - File CUP0008-25 - Notice of Hearing

1 message

'Ken Flint' via Mail-Planning <planning@bonnercountyid.gov>

Wed, Feb 4, 2026 at 2:30 PM

Reply-To: Ken Flint <ken_flint@tcenergy.com>

To: Bonner County Planning Department <planning@bonnercountyid.gov>

No Comment - TC Energy

Ken Flint

Land Representative, USNG Land Services

ken_flint@tcenergy.com

mobile: 509-991-0804 desk: 509-533-2836



201 West North River Dr Suite 505

Spokane, WA 99201

TCEnergy.com

For more pipeline information, please visit: <https://www.tcenergyopenhouse.com/beforeyoudig/>

From: Ken Flint <ken_flint@tcenergy.com>

Sent: Wednesday, February 4, 2026 1:28 PM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

Subject: Fw: Bonner County Planning - File CUP0008-25 - Notice of Hearing

No Comment - Not near TC Energy ROW.

Ken Flint

Ken Flint

Land Representative, USNG Land Services

ken_flint@tcenergy.com

mobile: 509-991-0804 desk: 509-533-2836



201 West North River Dr Suite 505

Spokane, WA 99201
TCEnergy.com

For more pipeline information, please visit: <https://www.tceenergyopenhouse.com/beforeyoudig/>

From: US Crossings <us_crossings@tceenergy.com>
Sent: Tuesday, January 6, 2026 3:51 PM
To: Ken Flint <ken_flint@tceenergy.com>
Subject: Bonner County Planning - File CUP0008-25 - Notice of Hearing

FYI...

Happy New Year.

Thank you,
Lilian Gonzalez
Land Analyst, USNG Land Services
us_crossings@tceenergy.com
tel: 1-800-562-8931



[TCEnergy.com](https://www.tceenergy.com)

From: Bonner County Planning Department <planning@bonnercountyid.gov>
Sent: Tuesday, January 6, 2026 1:32 PM
To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spirittlakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfidchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejedunn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; ITD - Robert Beachler

<robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joekren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lactedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Luke Bates <luke.bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Merritt Horsmon <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; US Crossings <us_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>
Cc: jack.howard@swsdidaho.org; kmeschko@kellerassociates.com; Daniel Britt <daniel.britt@bonnercountyid.gov>
Subject: [EXTERNAL] Bonner County Planning - File CUP0008-25 - Notice of Hearing

EXTERNAL EMAIL: PROCEED WITH CAUTION.

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe. If this email looks suspicious, report it.

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jeannie Welter
Bonner County Planning Department

Systems Technician 208-265-1458

Now Live: Apply for Your Building Location Permit Online!

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Build smarter. Apply online.
[Online Application Guide](#)

We respect your right to choose which electronic messages you receive. **To stop receiving this and similar communications from TC Energy please reply to this email and change the subject line to "UNSUBSCRIBE".** This electronic message and any attached documents are intended only for the named addressee(s). This communication from TC Energy may contain information that is privileged, confidential or otherwise protected from disclosure and it must not be disclosed, copied, forwarded or distributed without authorization. If you have received this message in error, please notify the sender immediately and delete the original message. Thank you.

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Janna Brown <janna.brown@bonnercountyid.gov>

Fw: Bonner County Planning - File CUP0008-25 - Notice of Hearing

1 message

'Ken Flint' via Mail-Planning <planning@bonnercountyid.gov>

Wed, Feb 4, 2026 at 1:28 PM

Reply-To: Ken Flint <ken_flint@tcenergy.com>

To: Bonner County Planning Department <planning@bonnercountyid.gov>

No Comment - Not near TC Energy ROW.

Ken Flint

Ken Flint**Land Representative, USNG Land Services**ken_flint@tcenergy.com

mobile: 509-991-0804 desk: 509-533-2836



201 West North River Dr Suite 505

Spokane, WA 99201

TCEnergy.com

For more pipeline information, please visit: <https://www.tcenergyopenhouse.com/beforeyoudig/>

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FYI...

Happy New Year.

Thank you,

Lilian Gonzalez

Land Analyst, USNG Land Services

us_crossings@tcenergy.com

tel: 1-800-562-8931



TCEnergy.com

From: Bonner County Planning Department <planning@bonnercountyid.gov>

Sent: Tuesday, January 6, 2026 1:32 PM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spiritleakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritleakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfidchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; ITD - Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joekren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lactedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Luke Bates <luke.bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Merritt Horsmon <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District

<saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.us>; US Crossings <us_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epbfdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>
Cc: jack.howard@swsdidaho.org; kmeschko@kellerassociates.com; Daniel Britt <daniel.britt@bonnercountyid.gov>
Subject: [EXTERNAL] Bonner County Planning - File CUP0008-25 - Notice of Hearing

EXTERNAL EMAIL: PROCEED WITH CAUTION.

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe. If this email looks suspicious, report it.

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

Now Live: Apply for Your Building Location Permit Online!

We're making building easier! You can now apply for your **Building Location Permit** quickly and securely through our **new citizen online portal**, available 24/7 from the comfort of your home or office. You can also apply on one of the kiosks provided in the Planning Department office, located in the County Administrative Building, Suite 208.

Fast & easy application process

Track your permit status in real time

Upload documents directly

Visit <https://bonnercountyid-energovweb.tylerhost.net/apps/selfservice#/home> **to get started today!**

Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

Build smarter. Apply online.

[Online Application Guide](#)

We respect your right to choose which electronic messages you receive. **To stop receiving this and similar communications from TC Energy please reply to this email and change the subject line to "UNSUBSCRIBE".** This electronic message and any attached documents are intended only for the named addressee(s). This communication from TC Energy may contain information that is privileged, confidential or otherwise protected from disclosure and it must not be disclosed, copied, forwarded or distributed without authorization. If you have received this message in error, please notify the sender immediately and delete the original message. Thank you.

Nous respectons votre droit de choisir les messages électroniques que vous recevez. **Pour ne plus recevoir ce message et des communications similaires de TC Énergie veuillez répondre à ce courriel avec l'objet "DÉSABONNEMENT".** Ce message électronique et tous les documents joints sont destinés uniquement aux destinataires nommés. Cette communication de TC Énergie pourrait contenir de l'information privilégiée, confidentielle ou autrement protégée de la divulgation, et elle ne doit pas être divulguée, copiée, transférée ou distribuée sans autorisation. Si vous avez reçu ce message par erreur, veuillez en aviser immédiatement l'expéditeur et supprimer le message initial. Merci.

Respetamos el derecho de elegir los mensajes electrónicos que desea recibir. **Para dejar de recibir estos comunicados y otros similares de TC Energía responda este correo y cambie el asunto a "CANCELAR SUSCRIPCIÓN".** Este mensaje electrónico y los documentos adjuntos están dirigidos solo a los destinatarios indicados. Este comunicado puede contener información de TC Energía privilegiada, confidencial, o bien protegida contra su divulgación, por lo que no se debe divulgar, copiar, reenviar ni distribuir sin autorización. Si recibió este mensaje por error, notifique de inmediato al remitente y borre el mensaje original. Gracias.



Notice of Public Hearing.pdf

684K

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **6th** day of **January 2026**.

Jeannie L Welter
Jeannie Welter, Systems Technician

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, January 6, 2026**.

NOTICE IS HERBY GIVEN that the Bonner County Zoning Commission will hold a public hearing at **5:30 pm** on **Thursday, February 12, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following requests:

File CUP0008-25 – Conditional Use Permit – Marina: The applicants are requesting a conditional use permit for a marina and upland accommodations on ±2.16 acres. The property is zoned Recreation. The project is located off Lakeshore Drive in Section 34/35 Township 57 North, Range 2 West, Boise-Meridian. The project site is located within the service areas of Southside Water & Sewer District and Sagle Fire District.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than seven (7) days prior to the public hearing. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT _____
Name

Date



476864 Highway 95, Suite 3
Ponderay, ID 83852
(208) 635-5825

LONG BRIDGE MARINA EXPANSION PARKING PLAN

Appendix C

RECORD OF MAILING

Page 1 of 1

File Number: File CUP0008-25 - Appeal

Record of Mailing Approved By: _____ D.Britt _____

Hearing Date: 8.6.26

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **22nd** day of **July 2026**.



Maya Johnson, Administrative Assistant III

Assessor - Email

Bay Drive Recreation District - Email

Bonner County Airport Manager - Email

Bonner County EMS - Email

Bonner County Road & Bridge - Email

Bottle Bay Water & Sewer District - Email

City of Dover - Email

City of Hope - Email

City of Oldtown - Email

City of Priest River - Email

City of Spirit Lake - Email

Coolin-Cavanaugh Bay Fire District - Email

East Bonner Library - Email

Ellisport Bay Sewer - Email

GEM STATE MINER - U.S. Mail

Idaho Department of Environmental Quality (DEQ) - Email

Idaho Department of Lands - CDA - U.S. Mail

Idaho Department of Lands - Navigable Waters & Mining - Email

Idaho Department of Water Resources - IDWR - Email

Idaho Transportation Department- District I - Email

Kalispel Bay Sewer & Water - U.S. Mail

KPBX-FM 91 SPOKANE PUBLIC RADIO - U.S. Mail

Laclede Water District - Email

Lake Pend Oreille School District, #84 (Transportation) - Email

Little Blacktail Ranch Water Association - U.S. Mail

Northern Lights, Inc. - Email

Northside Fire District - Email

Panhandle Health District - Email

Priest Lake Public Library District - Email

Sagle Valley Water & Sewer - Email

Schweitzer Fire District - Email

Selkirk Fire, Rescue & EMS - Email

Southside Water & Sewer District - Email

Spokesman-Review - U.S. Mail

Swan Shores Sewer District - U.S. Mail

Tamarack Village Water & Sewer - U.S. Mail

Trestle Creek Sewer District - Email

U.S. Fish & Wildlife Service - Email

West Bonner County Cemetery District - Email

West Bonner Library - Email

West Pend Oreille Fire District - Email

Avista Utilities - Email

Bayview Water & Sewer - Email

BONNER COUNTY DAILY BEE - U.S. Mail

Bonner County Floodplain Review - Email

Bonner County Sheriff - Email

City of Clark Fork - Email

City of East Hope - Email

City of Kootenai - Email

City of Ponderay - Email

City of Sandpoint - Email

Coolin Sewer District - Email

Drainage District #7 - Email

East Priest Lake Fire District - Email

Garfield Bay Water & Sewer District - Email

Granite Reeder Water & Sewer District - Email

Idaho Department of Fish & Game - Email

Idaho Department of Lands - Coolin - Email

Idaho Department of Lands - Sandpoint - Email

Idaho Transportation Department (Aeronautics) - U.S. Mail

Independent Highway District - Email

Kootenai-Ponderay Sewer District - Email

KSPT-KPND-KIBR RADIO - U.S. Mail

Lake Pend Oreille School District, #84 (Admin Office) - Email

Lakeland Joint School District, #272 - Email

North of the Narrows Fire District - Email

Northland/Vyve Cable Television - Email

Outlet Bay Sewer District - Email

Pend Oreille Hospital District - Email

Priest Lake Translator District - Email

Sam Owen Fire District - Email

SELKIRK ASSOCIATION OF REALTORS - U.S. Mail

Selkirk Recreation District - Email

Spirit Lake Fire District - Email

Historical Society - Email

Syringa Heights Water Association - Email

Timber Lake Fire District - Email

U.S. Army Corps of Engineers - Email

U.S. Forest Service - U.S. Mail

West Bonner County School District, #83 - Email

West Bonner Water & Sewer District - Email

West Priest Lake Fire District - Email

Record of Mailing **Property Owners within 300 Feet**

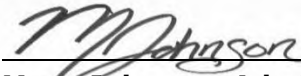
Page 1 of 1

File Number: File CUP0008-25 - Appeal

Record of Mailing Approved By: D.Britt

Hearing Date: 8.6.26

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **30th** day of **June 2026**.



Maya Johnson, Administrative Assistant III

PIN	Owner1	Owner Street	Owner City	Owner State	Owner Zip
RP00234007001BA	Long Bridge Land Holding Company Llc	Po Box 1942	Spokane	WA	99210
RP00234007005AA	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP002340070090A	Bopp, Nicolaus A	100 Lakeshore Dr	Sagle	ID	83860
RP0023400706A0A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023400816A0A	Aj & Am Llc	Po Box 1333	Spokane Valley	WA	99037
RP0023400918A0A	Li, Yiping Leung, Angela On Yee	6725 S Shelby Ridge Rd	Spokane	WA	99224
RP0023400919A0A	Miner, Mark & Rodelyn	17825 Painter Lp Rd Ne	Hubbard	OR	97032
RP0023400920A0A	Hardin, Le'carlton Ruen, Rochelle	4777 S Fulton Ranch Blvd	Chandler	AZ	85248-5049
RP07352C00B190A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C00B200A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C00B210A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C00B220A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C00B230A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C00B240A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001190A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001210A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001220A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001230A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001250A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001270A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001290A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002140A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002150A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002160A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002170A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002180A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002220A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002230A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C003010A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C003090A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C003100A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C003110A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP00234010011BA	Sterling Family Trust	378 Butterfield Rd	San Anselmo	CA	94960
RP0023401002B0A	Long Bridge Land Holding Company Llc	Po Box 1942	Spokane	WA	99210
RP0023401001C0A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023401001D0A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
Project Rep	Dan Tadic	476864 Hwy 95 Suite 3	Ponderay	ID	83852
Project Rep	Laura Cannon	3882 N. Schreiber Way Suite 104	Coeur D Alene	ID	83815
Project rep	Jake Gabell	432 Woodview	Sandpoint	ID	83864

Appendix D

[EXT SENDER] RE: Request for Review & Comment - Due by July 29, 2026 - File CUP0008-25 - Bonner County Planning

From planning@bonnercountyid.gov <planning@bonnercountyid.gov>
on behalf of
Bates, Luke <Luke.Bates@idwr.idaho.gov>
Date Fri 7/24/2026 7:21 AM
To Planning <Planning@bonnercountyid.gov>

REF: CUP0008-25

TO: Bonner County Planning Department

Good morning,

Idaho Department of Water Resources (IDWR) – Northern Regional Office has no additional comments and maintains prior comments provided on 1/6/2026.

Thank you for the opportunity to comment,



Luke Bates – Sr Water Resource Agent
Idaho Department of Water Resources
Northern Regional Office
208-762-2817
7600 N Mineral Dr Suite 100 Coeur D Alene ID 83815-7763

From: Planning <Planning@bonnercountyid.gov>
Sent: Wednesday, July 22, 2026 11:08 AM
To: dtadic@hnh-llc.com; lcannon@hnh-llc.com; jacob.gabell@gmail.com; lblhco@outlook.com
Cc: Kendra Smith <Kendra.Smith@bonnercountyid.gov>; Alexander Feyen <alexander.feyen@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Daniel Britt <daniel.britt@bonnercountyid.gov>
Subject: Request for Review & Comment - Due by July 29, 2026 - File CUP0008-25 - Bonner County Planning

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **July 26, 2026.**

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.

Please see attached for details.

**Thank you,
Janna Brown, Administrative Assistant III
Bonner County Planning Department
208-265-1458 ext - 1252**

RE: Request for Review & Comment - Due by July 29, 2026 - File CUP0008-25 - Bonner County Planning

From 'KPSD Clerk' via Mail-Planning <planning@bonnercountyid.gov>

Date Wed 7/22/2026 2:29 PM

To Planning <Planning@bonnercountyid.gov>

 1 attachment (197 KB)

2026_7_CUP008-25_CUP_Marina.pdf;

Attached is the District's response to the above-named file.



District Clerk

Kootenai-Ponderay Sewer District

511 Whiskey Jack Road Sandpoint, ID 83864

Office Hours: 8:30 am – 5:00 pm, Monday through Thursday

Phone: 208.263.0229

From: Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>

Sent: Wednesday, July 22, 2026 11:12 AM

To: KPSD Clerk <clerk@kootenaiponderaysewerdistrict.org>

Subject: FW: Request for Review & Comment - Due by July 29, 2026 - File CUP0008-25 - Bonner County Planning

NOTICE OF CHANGE IN HOURS: THE OFFICE WILL BE CLOSED ON FRIDAYS. WE WILL BE OPEN NORMAL HOURS MONDAY THRU THURSDAY.

Colleen Johnson

Business Office Manager

Kootenai-Ponderay Sewer District

208-263-0229 Fax – 208-265-5326 Mobile: 208-304-5820

511 Whiskey Jack Road Sandpoint, Idaho 83864

P.O. Box 562, Kootenai, ID 83840

“Dance with Life”



From: Planning <Planning@bonnercountyid.gov>

Sent: Wednesday, July 22, 2026 11:08 AM

To: dtadic@hmf-llc.com; lcannon@hmf-llc.com; jacob.gabell@gmail.com; lblhco@outlook.com

Cc: Kendra Smith <Kendra.Smith@bonnercountyid.gov>; Alexander Feyen <alexander.feyen@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Daniel Britt <daniel.britt@bonnercountyid.gov>

Subject: Request for Review & Comment - Due by July 29, 2026 - File CUP0008-25 - Bonner County Planning

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **July 26, 2026**.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.

Please see attached for details.

Thank you,

Janna Brown, Administrative Assistant III

Bonner County Planning Department

208-265-1458 ext - 1252

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **22nd** day of **July 2026**.

Jeannie L Welter
Jeannie Welter, Systems Technician

This notice was sent to political subdivisions on **Wednesday, July 22, 2026**.

NOTICE IS HEREBY GIVEN that the Bonner County Commissioners will hold a public hearing at **10:00 am on Thursday, August 6, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following requests:

APPEAL - File CUP0008-25 - Conditional Use Permit - Marina: Request for a conditional use permit for a marina and upland accommodations on ± 2.16 acres. The property is zoned Recreation. The project is located off Lakeshore Drive in Section 34/35 Township 57 North, Range 2 West, Boise-Meridian.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

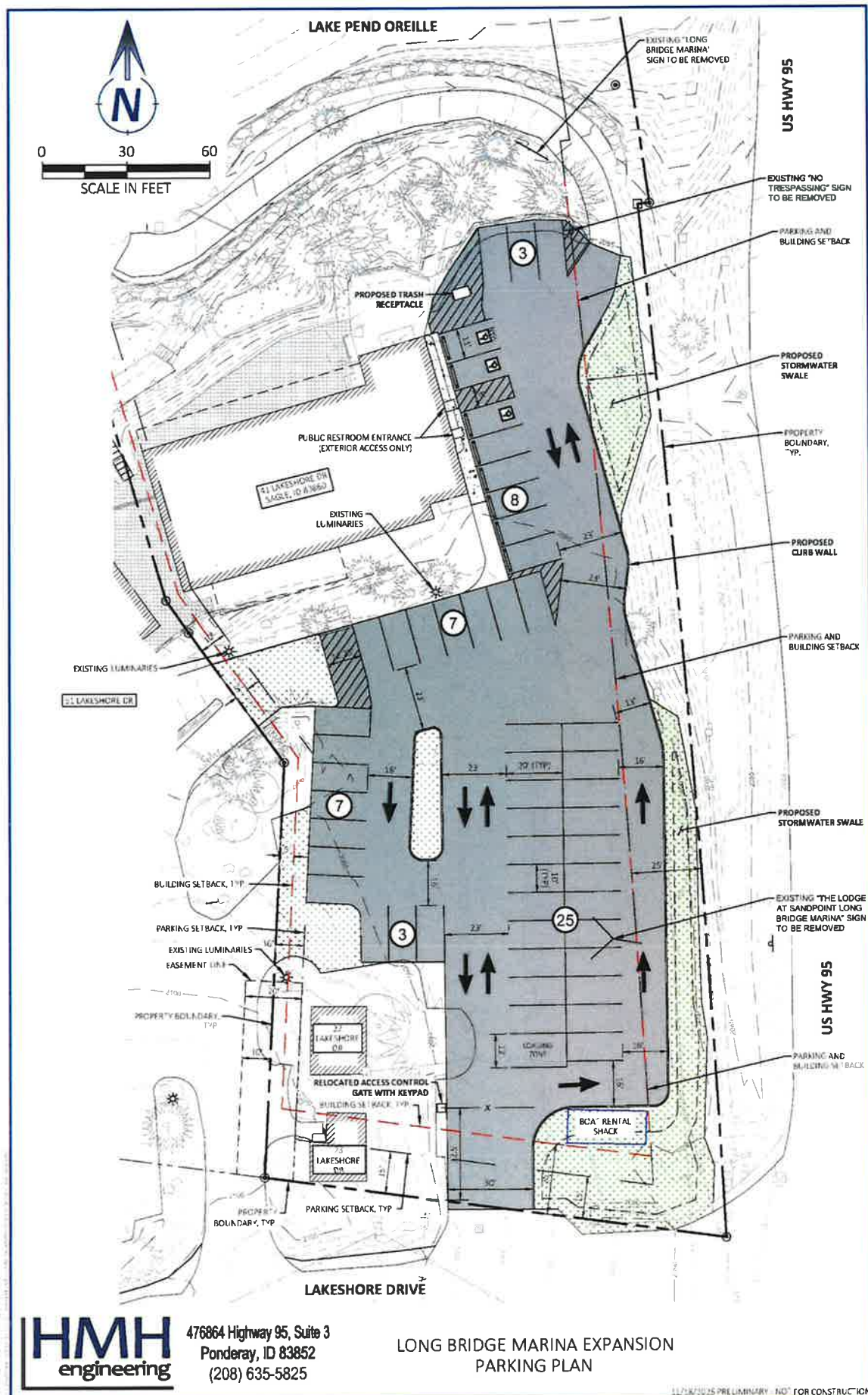
Written statements must be submitted to the planning department record no later than July 29, 2026, at 5:00 PM. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT *Kootenai-Ponderay Sewer District* *7-22-2026*
Name Date

Out of boundaries



[EXT SENDER] APPEAL-FILE CUP0008-25-CONDITIONAL USE PERMIT-MARINA

From planning@bonnercountyid.gov <planning@bonnercountyid.gov>
on behalf of
Denis Twohig <dtwohig@phd1.idaho.gov>

Date Mon 7/27/2026 4:51 PM

To Planning <Planning@bonnercountyid.gov>

 1 attachment (937 KB)

APPEAL-FILE CUP0008-25-CONDITIONAL USE PERMIT-MARINA.pdf;



Public Health
Prevent. Promote. Protect.
Panhandle Health District

Denis Twohig | Technical Records Specialist 1
2101 W Pine St. Sandpoint, ID 83864
P: 208.265.6384
E: ehapplications@phd1.idaho.gov
W: Panhandlehealthdistrict.org

IMPORTANT: The information contained in this email may be privileged, confidential or otherwise protected from disclosure.

All persons are advised that they may face penalties under state and federal law for sharing this information with unauthorized individuals.

If you received this email in error, please reply to the sender that you received this information in error.

Also, please delete this email after replying to the sender.



NOTICE OF PUBLIC HEARING

I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **22nd** day of **July 2026**.

Jeannie L. Welter
Jeannie Welter, Systems Technician

This notice was sent to political subdivisions on **Wednesday, July 22, 2026**.

NOTICE IS HEREBY GIVEN that the Bonner County Commissioners will hold a public hearing at **10:00 am on Thursday, August 6, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following requests:

APPEAL - File CUP0008-25 – Conditional Use Permit - Marina: Request for a conditional use permit for a marina and upland accommodations on ± 2.16 acres. The property is zoned Recreation. The project is located off Lakeshore Drive in Section 34/35 Township 57 North, Range 2 West, Boise-Meridian.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than July 29, 2026, at 5:00 PM. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT Sarah Tonyan - PTD no comment 7/27/26
Name Date

out of jurisdiction -

contact Southside Water & Sewer District
regarding public restrooms.

Exhibit A

LAKE PEND OREILLE



51 LAKESHORE DR

41 LAKESHORE
SAGLE, ID 83860
5,853 SF

IMPERVIOUS (ASPHALT):
25,658 SF

LAKESHORE DRIVE

BUILDING SETBACK, TYP.

PARKING SETBACK, TYP.

EASEMENT LINE

PROPERTY BOUNDARY, —
TYP.

27
AKESHOR
DR
477 SF

23
LAKESHORE
DR
430 SF

PROPERTY
BOUNDARY, TYP.

US HWY 95

LONG BRIDGE MARINA EXPANSION EXISTING SURFACE QUANTITIES

PRELIMINARY - NOT FOR CONSTRUCTION

Plot Date: 9/23/2025 4:35 PM Plotted By: Destiny Hillyard
Path: Z:\DOCUMENTS\PROJECTS\2022\20218 41 DEGREES SOUTH - MILBRATH\CADD\BASE FILES\20218 41 DEGREES SOUTH - CUP QUANTITIES.DWG



TOTAL DOCK = 7,407 SF
DOCK WITHIN PARCEL: 3,634 SF
WATER WITHIN PARCEL
(EXCLUDING DOCK): 22,189 SF

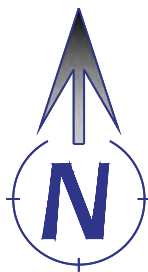
LAKE PEND OREILLE



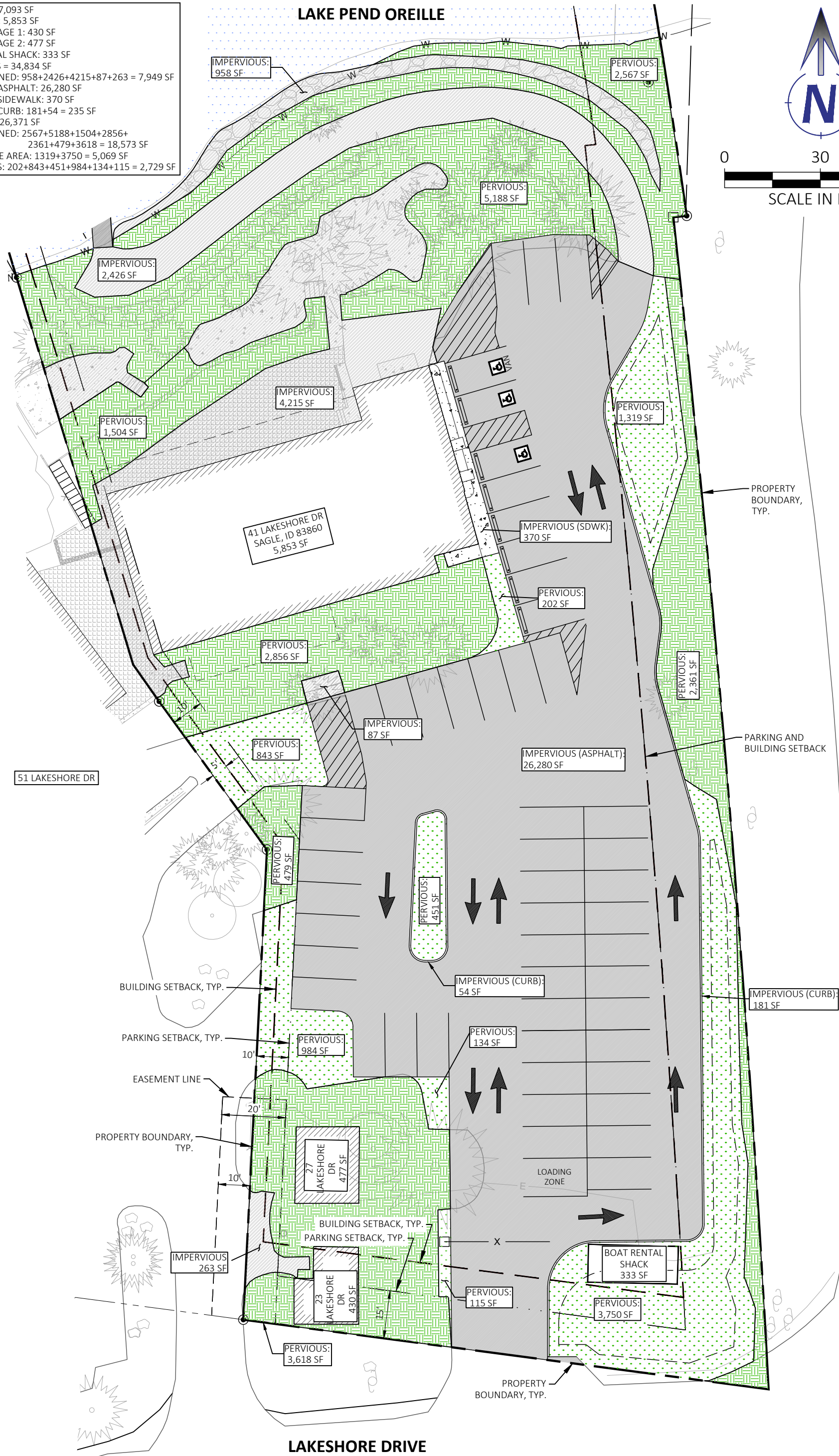
Exhibit B

BUILDING = 7,093 SF
MAIN: 5,853 SF
COTTAGE 1: 430 SF
COTTAGE 2: 477 SF
RENTAL SHACK: 333 SF
IMPERVIOUS = 34,834 SF
RETAINED: 958+2426+4215+87+263 = 7,949 SF
NEW ASPHALT: 26,280 SF
NEW SIDEWALK: 370 SF
NEW CURB: 181+54 = 235 SF
PERVIOUS = 26,371 SF
RETAINED: 2567+5188+1504+2856+
2361+479+3618 = 18,573 SF
SWALE AREA: 1319+3750 = 5,069 SF
GRASS: 202+843+451+984+134+115 = 2,729 SF

LAKE PEND OREILLE



0 30 60
SCALE IN FEET



LAKESHORE DRIVE

US HWY 95



476864 Highway 95, Suite 3
Ponderay, ID 83852
(208) 635-5825

LONG BRIDGE MARINA EXPANSION
PROPOSED SURFACE QUANTITIES

PRELIMINARY - NOT FOR CONSTRUCTION



TOTAL DOCK = 13,818 SF
DOCK WITHIN PARCEL: 3,718 SF
WATER WITHIN PARCEL
(EXCLUDING DOCK): 22,106 SF

[illegible]

Exhibit C

FILE CHECKLIST

DATE RECEIVED 6-13-00 APPLICATION DATE STAMPED yes
 APPLICANT NAME MAC, LLC PLANNER ASSIGNED EMT
 FILE NUMBER C693-00 PROJECT (General) Commercial Resort
 (Specific) _____

☒ COPY OF DEED ☒ APPLICANT'S SIGNATURE ☒ PHOTOGRAPHS (Optional)

☒ TOPO MAPS (Optional) ☒ ADEQUATE MAPPING ☒ LAND CAPABILITY REPORT

☒ STORMWATER/EROSION CONTROL PLAN ☒ ADEQUATE VICINITY AND RADIUS MAP ☒ Traffic Impact Study

ZONING <u>Proposed REC</u>	SECTION <u>35</u>	TOWNSHIP <u>57</u>	RANGE <u>2W</u>
INDEX CARDS _____	DRAFT STAFF REPORT _____		
STAFF REVIEW COMPLETE <u>6/27/00</u>	STAFF REVIEW INCOMPLETE <u>6/21/00</u>		
END OF 30 DAY AGENCY REVIEW <u>7/28/00</u>	AGENCY REVIEW MAILED <u>6/28/00</u>		
AGENCY REVIEW COMPLETED <u>7/28/00</u>	ADDITIONAL AGENCY INFO <u>N/A</u>		
LABELS PREPARED <u>9-11-00</u>		SUMMARY SHEETS <u>9-11-00</u>	
P & Z HEARING DATE <u>10-5-00</u>		BOCC HEARING DATE _____	
P & Z MAILING SENT <u>9-15-00</u>		BOCC MAILING SENT _____	
P & Z LEGAL PUBLISHED <u>9-19-00</u>		BOCC LEGAL PUBLISHED _____	
SITE POSTED BY _____		RESOLUTION DRAFTED _____	
ORDINANCE/SUMMARY PUBLISHED _____		RESOLUTION SIGNED _____	

FEE LOG

DATE	AMOUNT	RECEIPT #	FOR
<u>6/13/00</u>	<u>350.00</u>	<u>5478</u>	Application <u>350</u>
	<u>50.00</u>	<u>"</u>	Stormwater <u>50</u>
			Mailing
			Legal Notice
			Time Extension
			Appeals
			Final Plat Check
			County Surveyor

REQUEST TO EXAMINE / COPY PUBLIC RECORDS

TO: Bonner County Planning Department

I hereby request, pursuant to Idaho Code §9-338, to examine and/or copy the following public records:

7 Copies of Stevens Landings Remodel & Addition

- ☐ These records specifically pertain to myself.
☐ I wish to merely examine these records.
☒ I wish copies of these records. (The cost of which will be determined pursuant to the following fee schedule.)

Copies 8½ x 11 B/W	.10/page plus sales tax
8½ x 14 B/W	.15/page plus sales tax
11 x 17 B/W	.20/page plus sales tax
8½ x 11 Color	\$1.25/page plus sales tax
8½ x 14 Color	1.75/page plus sales tax
11 x 17 Color	2.50/page plus sales tax
Copy of hearing tape	\$ 6.25/tape plus sales tax

The cost of copying files needing specialized paper, or those which are oversized, will be determined by that department and Idaho Code §31-3205. The cost of electronic copying will be determined by that department and Idaho Code §9-337-338.

I understand that if the material I have requested to examine or copy is not available within three (3) working days the County / Department, under Idaho Code §9-339, will notify me in writing that said records will be provided no later than ten (10) working days following the date of my request.

Printed Name: P.J. STERLING

Mailing Address: _____

Telephone Number: 415 497-8533
208-253-1303

Date: 9/8/06

Signature: P.J. Sterling

I acknowledge by my signature that the records sought by this request will not be used for a mailing list or telephone list, as set forth in Idaho Code §9-348.

The Bonner County Planning Department Is Not Required to Provide Multiple Copies of the Same Document.

Total cost of request: \$ 77.18

Request received in the Planning Department on _____
by _____

Official

Karen Guidry

From: Shirley Walson

Sent: Friday, October 29, 2004 10:23 AM

To: Planning

Subject: Swan's Landing

Lisa ~

You called Oct. 25 regarding Swan's Landing. The turn lane was installed this week. Our foreman has checked it and said everything looks good. If you have any questions, please call me.

Shirley

Shirley Walson

Idaho Transportation Department

D-1 Traffic Section, Permits Coordinator

600 W. Prairie Ave.

Coeur d'Alene, ID 83815

(208)772-1297



10/29/2004



BONNER COUNTY

PLANNING DEPARTMENT

Clare Marley, AICP
Planning Director

VIA FACSIMILE
Hard copy by mail

July 30, 2004

John Finney, Attorney at Law
120 E. Lake St., Suite 317
Sandpoint, ID 83864

RE: Swan's Landing development

Dear John:

You have requested that I provide you information regarding the status of the building location permit for the hotel/inn addition to Swan's Landing on Lot 1A, Block 10, of Lakeside Place, south of Sandpoint on Lakeshore Drive (Assessor's Parcel #RP00234010001).

Please be advised of the following:

- Conditional use permit #C693-00 was issued April 26, 2001, by the Bonner County for expansion of a commercial resort to allow dining, lodging and retail sales. Use was to have commenced within two years of the issuance of the permit. Construction of the addition commenced in 2001, and use of the site for a restaurant continues.
- Building location permit #01-182 was issued April 27, 2001, by Bonner County Planning Department to MAC, LLC for the hotel/inn commercial addition. Section 11-122(a), Bonner County Revised Code (BCRC), provides that a permit shall expire if work is not commenced within 180 days of issuance or if work has been suspended or abandoned for a period of more than 180 days. Work has been abandoned for a period of more than 180 days, according to file records, which show work ceased in August of 2001. Therefore, permit #01-182 has expired. This section of code provides that in order to renew action on a building location permit after expiration, a fee shall be paid in the amount required for a new permit, and a new building location permit shall be obtained.
- The conditional use permit included a condition #11, which required the construction of a south-bound, right-turn lane on Lakeshore Drive and Highway 95 to the satisfaction of the Idaho Transportation Department (ITD). A surety agreement and letter of credit were filed with ITD by the previous owner for completion of the lane improvement, but the letter of credit guaranteeing the work was withdrawn. ITD informed Bonner County that no work should continue until the right turn lane is constructed or a new surety agreement and surety are provided to ITD (letter dated 9/12/02).
- ITD Engineer Michael Porcelli informed Glen Harvey in a June 8, 2004, letter that ITD did not object to issuance of a building permit to resume work provided that the turn lane be completed prior to issuance of a certificate of occupancy. Bonner County does not issue certificates of occupancy. In my discussions with Mr. Porcelli the week of July 12, 2004, he agreed that a bond or other form of surety would be acceptable for the guarantee of the lane improvement.

Based on the above, in order for work to resume on the commercial development, a building location permit application to renew action on building location permit #01-182 shall be filed with Bonner County Planning Department, along with the requisite fees. Proof of the renewal of the surety with ITD will need to be submitted with the building location permit application. The approved site plans, stormwater plan and stamped building plans can be transferred to the new file, provided there have been no changes to these items.

Please contact me at the Planning Department if you have any additional questions. Thank you.

Sincerely,


Clare Marley, AICP
Bonner County Planning Director

c: Glen Harvey, 205 West Shore Lane, Sandpoint, ID 83864
George Gauzza, via facsimile
Michael Porcelli, PE, Idaho Transportation Department

From: Marty Taylor <mtaylor@jasewell.com>
To: "Clare Marley (E-mail)" <cmarley@co.bonner.id.us>
Date: Mon, Jun 2, 2003 10:48 AM
Subject: Swan's BLP

Hi Clare:

As we discussed last Friday, the previously issued BLP for the 24 unit hotel at Swan's Landing has expired. (Tina and I were unable to locate the BLP number in the Access database.) Construction ceased on or about August, 2001, according to Contractor Frank Wakeley. The applicant desires to resume construction for an 18 unit hotel v. the 24 units authorized by C693-00. There is no change in the building's footprint or dripline, and therefore no change in stormwater management. Similarly, with the reduction in units, there is no increase in parking stalls required. However, structural changes are proposed necessitating new plans stamped by an Idaho licensed architect or engineer. The applicant will pursue a new use permit to "convert" the units from a hotel to a "multi-family dwelling" as you and I discussed last Friday. However, the immediate need is to obtain a new BLP.

Please confirm the ability to obtain a BLP for the 18 unit hotel, subject to stamped plans and agency sign-offs.

Thanks.

Marty

Martin E. Taylor, AICP
Certified Land Use Planner

James A. Sewell & Associates
Consulting Engineers, Land Surveyors and Land Use Planners
30336 Highway 200, Suite C
Sandpoint, Idaho 83864
Business: (208)263-4160
Fax: (208)263-5229
Cell: (208)610-0465
mtaylor@jasewell.com

Outgoing mail is certified Virus Free.

Checked by AVG anti-virus system (<http://www.grisoft.com>).

Version: 6.0.483 / Virus Database: 279 - Release Date: 5/19/03

Marty on Swan's Landing
1 Lot - commercial /

5-30-03

29 units not counting cabins

↳ 'hotel/inn' units

multi-family units -

4 - acres

2 separate bldgs -
on 1 lot

REC only allows
1 MF

→ needsplit - short plat -

differs from e-mail	18 units on East	12,000	51,000	63K
	12 West	need 12,000 +	33,000	45K
	30			

parking so → 2/ DU ...
lot coverage 35%

→ condo plat

→ has approval of 'unit count'

$\begin{array}{r} 17 \\ \times 3 \\ \hline 51 \end{array}$ → 1440(d) MF - C.U.P. new not
modify

→ need new BLP for structure = / changed
S/H₂O is changing - so need new

3/18/04 Leo Gump

4ac x 43,560 - 12,000 ÷ 3000 = 5.5 units

but has restaurant already lot coverage
issue start all over new cut

sewer traffic / lot coverage / traffic improvements
need pre-app

! what is actual acreage

JAMES A. SEWELL & ASSOCIATES

Consulting Engineers, Land Surveyors & Land Use Planners

Newport

600 4th Street West
Newport, Washington 99156
(509) 447-3626
(208) 437-2641
(509) 447-2112 Fax

Ponderay

Pend Oreille Professional Center
30336 Highway 200, Suite C
Ponderay, Idaho 83852
(208) 263-4160
(208) 263-5229 Fax

Spokane

Hutton Building
9 South Washington, Suite 708
Spokane, Washington 99201
(509) 747-5794
Fax (509) 747-5798

*Civil Engineering *Electrical Engineering *Land Surveying *Building Inspection *Land Use Planning

VIA FACSIMILE ONLY (509-448-5556 hm.)

May 30, 2003

Alex Verhoogen
Swan's Landing
41 Lakeshore Drive
Sagle, Idaho 83860

SUBJECT: Swan's Landing Modifications (Planning Dept. Meeting)

Dear Alex:

I met with Bonner County Planning Director Clare Marley today to discuss your May 28, 2003, proposed modifications to the project at Swan's Landing, specifically:

- A. 18 condominiums are proposed in the "lodge" where 24 hotel units were approved; and
- B. 12 condominiums are proposed in the "villas" where 5 hotel units were approved.

Confirmed in our meeting was the following based on a review of Bonner County Revised Code:

1. The prior approval was for a "commercial resort" to include rented seasonal living units (i.e., the 29 hotel rooms) within a single lot.
2. The current proposal is to change the use from transient (hotel) lodging to fee ownership (condo) lodging.
3. The current proposal is for two multi-family buildings on this ± 4 acre single lot.
4. The Recreation Zone only provides for one multi-family dwelling on a single lot.
5. Lot 1A therefore needs to be short platted into two lots.
6. The west lot proposed for 12 units in one building must contain at minimum 45,000 square feet.
7. The east lot proposed for 16 units in one building must contain at minimum 63,000 square feet.
8. Parking standards increase from 1.25 spaces/unit for hotels to 2 spaces/unit for residences.

Alex Verhoogen Re: Swan's Landing Modifications (Planning Dept. Meeting)
5/30/03
Page 1 of 2



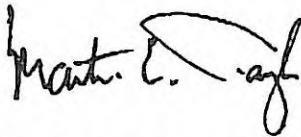
9. Parking for these two buildings must be within 300' of the units.
10. Structural lot coverage is limited to 35% for both resulting lots.
11. Stormwater management plans may need to be modified accordingly based on possible changes in impervious surface (parking, roofs, etc.).
12. Condo "platting" will be necessary.
13. Due to the existing Level of Service "F" at the Lakeshore Drive/Highway 95 intersection, approvals for additional units beyond 30 (the 29 approved and the conversion of the existing residence on the west end of Lot 1A into the 30th condo unit) is doubtful.
14. The previously issued building location permit has expired. A new building location permit must be obtained prior to commencing construction on the 18 unit structure. Because the structure will change from a 24 unit inn to an 18 unit condominium, new plans stamped by an Idaho licensed architect or registered engineer are necessary.

In summary, a new conditional use permit application is necessary because the project has changed materially (from "commercial resort" to "multi-family dwellings.") Conditional use permit issuance authorizing construction of the proposed condominiums will be predicated in part on final plat recording creating two lots containing sufficient square footage to comply with setback, parking, lot coverage and other applicable multi-family dwelling standards.

I recommend that we meet at your earliest opportunity to firm up your plans so that I may begin the application and permit processes.

Sincerely,

JAMES A. SEWELL & ASSOCIATES



Martin E. Taylor, AICP
Certified Land Use Planner

c: Clare Marley (via facsimile only: 265-1463)

From: Clare Marley
To: GWDOM:mtaylor@jasewell.com]
Subject: Re: Swan's BLP

I provided Alex with a blp form some time ago, advising him that a new stormwater plan would not be needed if all things remain the same. If an 18-unit, rather than 24 unit is now proposed, and the footprint remains the same, it is equal or less than the previous blp/cup. No modifications of the cup are needed at this time, but would be required pursuant to our discussion, if the building is to become multi-family housing rather than a commercial resort. The blp will need the standard fire, southside, roads, and stamped plans as previously noted. cm.

Clare Marley, AICP
Planning Director
Bonner County Planning Department
(208) 265-1458

Clare Marley, AICP
Planning Director
Bonner County Planning Department
(208) 265-1458

>>> Marty Taylor <mtaylor@jasewell.com> 06/02 10:12 AM >>>

Hi Clare:

As we discussed last Friday, the previously issued BLP for the 24 unit hotel at Swan's Landing has expired. (Tina and I were unable to locate the BLP number in the Access database.) Construction ceased on or about August, 2001, according to Contractor Frank Wakeley. The applicant desires to resume construction for an 18 unit hotel v. the 24 units authorized by C693-00. There is no change in the building's footprint or dripline, and therefore no change in stormwater management. Similarly, with the reduction in units, there is no increase in parking stalls required. However, structural changes are proposed necessitating new plans stamped by an Idaho licensed architect or engineer. The applicant will pursue a new use permit to "convert" the units from a hotel to a "multi-family dwelling" as you and I discussed last Friday. However, the immediate need is to obtain a new BLP.

Please confirm the ability to obtain a BLP for the 18 unit hotel, subject to stamped plans and agency sign-offs.

Thanks.

Marty

Martin E. Taylor, AICP
Certified Land Use Planner

James A. Sewell & Associates
Consulting Engineers, Land Surveyors and Land Use Planners
30336 Highway 200, Suite C
Sandpoint, Idaho 83864
Business: (208)263-4160
Fax: (208)263-5229
Cell: (208)610-0465
mtaylor@jasewell.com

Outgoing mail is certified Virus Free.

174, 240

1 +

55 units
@ max potential

From: Marty Taylor <mtaylor@jasewell.com>
To: "Clare Marley (E-mail)" <cmarley@co.bonner.id.us>
Date: Fri, May 23, 2003 11:19 AM
Subject: Swan's Landing CUP Modifications

5/23/03 Fri.

Hi Clare:

I'd like to meet with you in the conference room for 15 to 30 (?) minutes to discuss the particulars of modifying C693-00. The applicant desires to construct 16 condominiums in the "lodge" where 24 hotel units were approved, and 14 condominiums in the "villas" where 5 hotel units were approved. This is all presently one lot (Bk. 6, Pg. 132), all zoned Rec. Financing is not available for hotels, so it's condos here we go.

My review of the prior approval and current codes reveals:

1. The prior approval was for a "commercial resort" to include rented seasonal living units (i.e., the 29 hotel rooms) within a single lot.
2. The current proposal is to change the use from transient (hotel) lodging to fee ownership (condo) lodging.
3. The current proposal is for two multi-family buildings on this ±4 acre single lot.
4. The Rec. zone only provides for one multi-family dwelling on a single lot. (BCRC, §12-1440[d])
5. Lot 1A therefore needs to be short platted into two lots.
6. The west lot proposed for 14 units in one building must contain at minimum 51,000 sq. ft. (BCRC, §12-1440[d]).
7. The east lot proposed for 16 units in one building must contain at minimum 57,000 sq. ft. (BCRC, §12-1440[d]).
8. Parking standards increase from 1.25 spaces/unit for hotels (BCRC, §12-1816[c]) to 2 spaces/unit for residences (BCRC, §12-1818[e]).
9. Parking for these two buildings must be within 300' of the units (BCRC, §12-1818[d]).
10. Lot coverage is limited to 35% for both resulting lots (BCRC, §12-627).
11. Stormwater management plans may need to be modified accordingly based on possible changes in impervious surface (parking, roofs, etc.)
12. Condo "platting" will be necessary (BCRC, §12-2302[a]).
13. Due to the existing Level of Service "F" at the Lakeshore Drive/Highway 95 intersection, I don't anticipate approvals for additional units beyond the 29 approved and the conversion of the existing residence on the west end of Lot 1A into the 30th condo unit.

I anticipate petitioning to modify the terms of Conditions 1 (site plan) and 9 (units) (BCRC, §12-460). CUP issuance will be predicated on final plat recording creating two lots containing sufficient square footage to comply with multi-family dwelling and lot coverage standards.

Let me know when we can meet.

Thanks.

Marty



41 LAKESHORE DRIVE

SAGLE, IDAHO 83860

208-265-2000

FAX 208-265-2011

12 April 2003

Claire Marley, Director
Bonner County Planning and Zoning Dept.
123 South First
Sandpoint, ID 83864

Re: Swan's Landing

Dear Ms. Marley

Pursuant to our phone conversation a few days ago, I have been informed that your office differentiates between work stoppage and work slow down on a construction project.

I discussed this concept with the builder on the hotel project, Frank Wakeley, with the conclusion that we never completely shut down the project. Most of our efforts were aimed at securing the necessary financing, but the restaurant, which will be included in the hotel, as per the design you have been provided, has continued to operate as a resort, and we have occasionally done some work. I have invoices from the builders which would testify that there was ongoing work, although admittedly a small amount. We have also continued with the manufacturing of components that will be part of the structure.

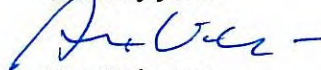
We will then plan on continuing construction.

In regards to the partial change in the format of the project, I will need a ruling from you. The original permit was for a 30 room hotel, with 23 rooms in the attached hotel building, and seven rooms in a separate building. We now think that we would do a portion of the project as a condo-hotel. The total number of rooms will not change, and the basic footprint of the buildings will not change. The main difference is simply that instead of the hotel owning all 30 rooms, a portion will be held by others.

I would be glad to come in to present this to you more formally.

Thanks again, by the way, for calling me back so promptly.

Sincerely yours



Alex Verhoogen

Cc: Frank Wakeley



State of Idaho
Transportation Department
District 1
600 West Prairie
Coeur d'Alene, Idaho 83815
Attn: Carole Richardson

C693.00

Dear Carole,

September 16, 2002

Re: The Inn at Swan's Landing

Further to your correspondence of September 12, 2002 directed to the Bonner County Planning Department, respecting the turn lane requirements for this project, please be advised that Eterra Resorts Inc. withdrew its services for development management as of January 2002. I understand the Inn's sponsor, Dr. Alex Verhoogen, is handling these issues himself these days.

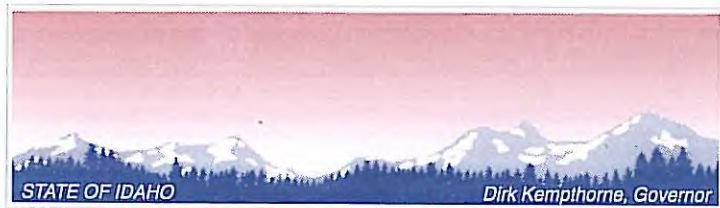
I greatly appreciated your trust in dealing with the postponement we requested, and I would expect that Dr. Verhoogen will honor that trust in providing either the turn lane itself or a renewed letter of credit **prior to** any further work being commenced on the project.

Raphael Barta
President
Eterra Resorts Inc.



cc Clave

Bonner County Planning Dept



TRANSPORTATION DEPARTMENT

DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

September 12, 2002

Marty Taylor
Director
Bonner County Planning Department
127 South First Avenue, Suite 1
Sandpoint, ID 83864

Re: The Inn at Swan's Landing

6693-00

Dear Marty:

This letter is to follow up on traffic mitigation for the Swan's Landing Development. If you recall, ITD had requested a right hand turn lane on Lakeshore Drive prior to expansion of Swan's Landing.

To accommodate the developer's desire to begin site improvements and construct the turn lane when weather conditions were better, we had originally arranged with the developer to provide a surety agreement and letter of credit for turn lane construction. These documents have since expired.

At the time the letter of credit came due, the developer requested an extension of our agreement while new financing was sought for the development itself. ITD agreed to this in good faith, but stated our expectation that a new letter of credit was to be submitted prior to any further work at the site. Attached correspondence shows the developer agreed to this.

Recently, our Traffic Engineer attended a meeting with your Commissioners and Public Works Director. At this meeting, it was decided that the County would work with the developer to see if turn lane construction could be facilitated at the time Lakeshore Drive was paved. It appears the paving project is now complete, however for one reason or another, the turn lane was not constructed.

It is still our understanding that the turn lane will be constructed by the developer. No further construction should occur at the Swan's Landing site until either:

- a. the right turn lane is constructed; or
- b. a new letter of credit and surety agreement is provided to ITD.

If the County plans to handle this differently, please let me know.

Sincerely,

Carole Richardson, P.E.
District 1 Transportation Planner



Transportation Department
District 1
600 West Prairie
Coeur d'Alene, Idaho 83815

Attention: Carole Richardson
District Transportation Planner

January 24, 2002

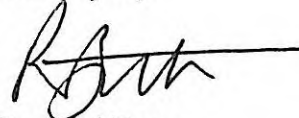
RE: Surety Agreement and Letter of Credit
The Inn at Swan's Landing
US 95 and Lakeshore Drive

Dear Mrs. Richardson,

Further to your correspondence of September 21, 2001, I am writing to inform you that we have still not completed the financing arrangements for the project. The combination of economic recession and the effects on the hotel industry of September 11, have made it very difficult to raise the necessary equity and debt. While we absolutely believe in the merits of the project, and are optimistic we will eventually be successful, we cannot at this time estimate when this might occur.

We further confirm that no construction activity will be resumed until we have renewed the Letter of Credit to your satisfaction.

Thank you,

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Raphael Barta
Eterra Resorts Inc.



TRANSPORTATION DEPARTMENT
DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

September 21, 2001

Eterra Resorts Inc
Attn: Raphael Barta
202 South First Ave.
Sandpoint, ID 83864

RE: Surety Agreement and Letter of Credit
The Inn at Swan's Landing
US95 and Lakeshore Drive

Dear Mr. Barta:

Thank you for responding to our September 10, 2001 letter so promptly. Based on your correspondence, Idaho Transportation Department understands your desire to proceed with this project and that unforeseen problems have hampered your progress.

An extension for the March 26, 2001 Surety Agreement between MAC LLC, applicant and Idaho Transportation Department is acceptable. By December 31, 2001, a new letter of credit must be provided to replace Pend Oreille Bank's *Irrevocable Commercial Letter of Credit No. 658* on the same terms as outlined in the current surety agreement. A completion date of August 31, 2002 for actual construction of the turn lane is acceptable to ITD.

To recap my e-mail transmittal, ITD's concurrence with the planned improvements is strictly conditioned upon the turn lane construction. Until we receive a new letter of credit, there should be no improvements to the Inn at Swan's Landing property.

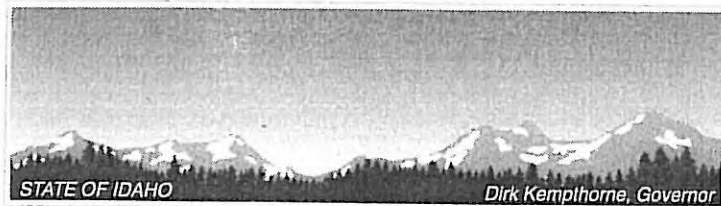
Thank you for coordinating with ITD on this project. If you have any questions, please do not hesitate to contact our offices.

Sincerely,

Carole Richardson, P.E.
District Transportation Planner

CR/sw

C: DTE MTCE DTP/File Permits
Alex N. Verhoogen
Pend Oreille Bank
Tim Elsea, Bonner County Public Works Director
Marty Taylor, Bonner County Planning Director, file reference C693-00



TRANSPORTATION DEPARTMENT

DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

September 12, 2002

Marty Taylor
Director
Bonner County Planning Department
127 South First Avenue, Suite 1
Sandpoint, ID 83864

Re: The Inn at Swan's Landing

Dear Marty:

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- b. a new letter of credit and surety agreement is provided to ITD.

If the County plans to handle this differently, please let me know.

Sincerely,

Carole Richardson, P.E.
District 1 Transportation Planner

Bcc: DE
ADE
DTE
PDE
DTP
MTC - Spickelmire
Tim Elsea
Raphael Barta, Eterra Resorts



41 LAKESHORE DRIVE

SAGLE, IDAHO 83860

208-265-2000

FAX 208-265-2011

RECEIVED

MAY 15 2002

13 May 2002

Tom Suttmeier
Bonner County Commissioner
Courthouse
215 South First Street
Sandpoint, ID 83864

*Mark - please
bring us up to
speed on request
thanks
serry*

RE: The Inn at Swan's Landing

Dear Tom:

I last wrote to you in October regarding a brief conversation we had as to what Bonner County could do to assist us in our attempt to build a hotel at Swan's Landing. I have enclosed a copy of that letter just to refresh your memory, and preclude you're having to dig through previous correspondence.

I don't need to tell you that we have had some problem getting our financing together. There are a number of factors, but the events of 9/11 certainly didn't help. Anyway, I think things are starting to perk up again, and it looks like we may be able to get going again. But we do need some help.

First of all - the widening of the Lakeshore Drive intersection. Our first phase of construction will be just 23 rooms, three more than the original request from Planning and Zoning. As described in the enclosed letter copy, it was not until we decided to go for 29 rooms that we were asked to do the widening. The cost of the widening would be a real burden on us right now, but I'm sure you know how badly the paving needs to be done. Any help we could get to excuse us from that financial responsibility would, at this point, be great.

Secondly, we are attempting to get our financing with the help of a Business and Industries loan through the USDA. The USDA is, however, reluctant to give us a commitment to do the end loan until the construction is done. But the construction loan lenders won't commit until they know we have an end loan in place. So where do we start?

I do have a construction lender to is willing to put money into the project and use his financial clout to get the construction loan if we can get him a pretty firm letter from the end loan people. And I can get a firm letter from the end lender if we can get firm letters from the construction lender and the USDA.



The latter is where you might be able to help us. I would suppose that a strong push from you, or maybe the County Commissioners in general, as to the beneficial role such a venture would play in the economic development of Sandpoint and Bonner County, would be helpful in getting the USDA to give us the commitment we need. I realize that they probably cannot give an iron-clad commitment to finance, but perhaps "if certain criteria were met, they would." (I understand that actually the USDA B & I loan program can do the construction loans as well, but they don't like to because they are a lot of work.)

Anyway, Tom, anything you can do to help on either of these subjects would be greatly appreciated.

Please let me know what you think. I can supply you with the names of the people we dealt with for the road widening, County and State, as well as the local USDA official.

I look forward to hearing from you.

Sincerely yours,



15 October 2001

Tom Suttmeier
Bonner County Commissioner
Courthouse
215 South First Avenue
Sandpoint, ID 83864

RE: The Inn at Swan's Landing

Dear Commissioner:

Pursuant to our brief conversation this past weekend, we would be more than pleased to discuss with you potential ways we could work with the County to facilitate the development of the Inn at Swan's Landing and help insure its success.

I'm sure you are aware of the economic impact Swan's Landing already has on the Sandpoint area. In addition to employing 45 people, we feel that we do bring in extra dollars to the community from people who travel to Sandpoint for the express purpose of dining at Swan's Landing.

We feel that the presence of a high-end boutique hotel will have an even greater impact. In addition to the \$8 million in construction costs, most of which will be spent in the community, the increased labor force, and the tax revenues, we feel this hotel will become a destination in itself, bringing both leisure travelers and business groups to the area. Not to denigrate existing lodging in Sandpoint, but we feel that there really isn't any truly upscale facility here. In essence, we feel that Sandpoint badly needs The Inn at Swan's Landing.

We would then be interested in exploring ways in which Bonner County would be willing to help us out. This might be in the form of tax breaks. Or it might be in facilitating some of the bureaucratic hurdles we face.



Case in point: we were originally approved for 20 rooms, but a feasibility study concluded that we really needed about 30 rooms to make it work. The architectural design allowed for expansion in modules of six rooms, so we would then have to go for 26 or 32 rooms. We decided on the latter, applied for the 32 rooms, but then decided that we might combine six rooms into three two-room suites, giving us 29 rooms. We subsequently applied to expand to "about" 29 rooms. We were granted exactly 29 rooms, with no possibility of going back to the 32 room concept. And then, for the expansion from 20 to 29 rooms it was decided by Bonner County that we would have to be responsible for widening the intersection of Hwy. 95 and Lakeshore Drive. Fifteen hundred (1500) cars a day use that intersection, which we all know has been a traffic hazard long before Swan's Landing. So for 9 extra rooms, at a projected 45% occupancy, we have to pay to put in a right turn lane from Lakeshore onto 95.

As stated, we feel that Sandpoint and Bonner County need our project, and we would sincerely hope that the attitude would be of facilitation rather than opposition or an attempt at the realization of an opportunity.

Anyway, we would welcome the possibility of working with the Bonner County Commissioners.

Sincerely yours,

Alex Verhoogen
Owner
Swan's Landing



Transportation Department
District 1
600 West Prairie
Coeur d'Alene, Idaho 83815

Attention: Carole Richardson
District Transportation Planner

January 24, 2002

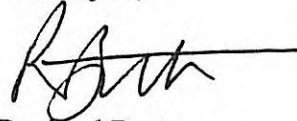
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The Inn at Swan's Landing
US 95 and Lakeshore Drive

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We further confirm that no construction activity will be resumed until we have renewed the Letter of Credit to your satisfaction.

Thank you,

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Raphael Barta
Eterra Resorts Inc.



TRANSPORTATION DEPARTMENT
DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

September 21, 2001

Eterra Resorts Inc
Attn: Raphael Barta
202 South First Ave.
Sandpoint, ID 83864

RE: Surety Agreement and Letter of Credit
The Inn at Swan's Landing
US95 and Lakeshore Drive

Dear Mr. Barta:

Thank you for responding to our September 10, 2001 letter so promptly. Based on your correspondence, Idaho Transportation Department understands your desire to proceed with this project and that unforeseen problems have hampered your progress.

An extension for the March 26, 2001 Surety Agreement between MAC LLC, applicant and Idaho Transportation Department is acceptable. By December 31, 2001, a new letter of credit must be provided to replace *Pend Oreille Bank's Irrevocable Commercial Letter of Credit No. 658* on the same terms as outlined in the current surety agreement. A completion date of August 31, 2002 for actual construction of the turn lane is acceptable to ITD.

To recap my e-mail transmittal, ITD's concurrence with the planned improvements is strictly conditioned upon the turn lane construction. Until we receive a new letter of credit, there should be no improvements to the Inn at Swan's Landing property.

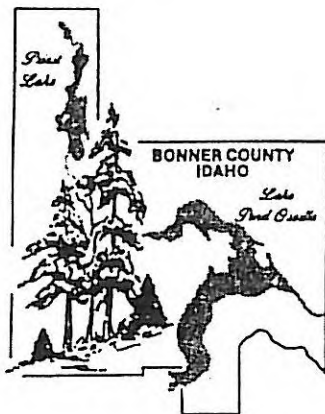
Thank you for coordinating with ITD on this project. If you have any questions, please do not hesitate to contact our offices.

Sincerely,

Carole Richardson, P.E.
District Transportation Planner

CR/sw

C: DTE MTCE DTP/File Permits
Alex N. Verhoogen
Pend Oreille Bank
Tim Elsea, Bonner County Public Works Director
Marty Taylor, Bonner County Planning Director, file reference C693-00



BONNER COUNTY

PLANNING DEPARTMENT

Martin E. Taylor, AICP
Planning Director

June 5, 2001

Bruce Millard, Architect
100 Jana Lane
Sandpoint, Idaho 83864

SUBJECT: The Inn at Swan's Landing (C693-00; Your File 98112)

Dear Bruce:

Thank you for your May 21, 2001, letter in response to our May 18, 2001, meeting wherein we discussed modifications to the terms and conditions of the approved and issued conditional use permit. Specifically, the project was approved for a 150 seat restaurant, two single unit rental cabins, a 24 room inn, a 359 square foot retail area, a 2 unit cabin and a 3 unit cabin, a 2,400 square foot maintenance building, a single family residence, and an auxiliary parking lot.

The proposed modifications outlined in your letter include:

1. The addition of a "European spa facility" to the western lower level of the Inn. This addition necessitates a modification of Condition 1 which presently stipulates that "the use shall be in accordance with the approved site plan." The approved site plan does not depict the spa addition. Similarly, the spa will create additional impervious surface which requires an amendment to the approved stormwater management plan (Condition 5).
2. A seven unit detached suite complex. As noted, the project was approved for a total of 32 units (two single unit rental cabins, a 24 room inn, a 2 unit cabin and a 3 unit cabin, and a single family residence). The modification (seven unit suite) is in lieu of the 2 unit and 3 unit cabins, one room in the 24 room inn (now reduced to 23 units) and the single family residence (to be demolished). Accordingly, the unit count remains unchanged. However, the stormwater management plan materially changes and must be modified (Condition 5).
3. The 24th room in the inn will be converted to an exercise room for the use of guests at the inn only. This does not result in a material change to the project as approved.

Please refer to Bonner County Revised Code, Section 12-460 for the procedure on modifying the terms and conditions of an approved permit. I am available if you need assistance.

Sincerely,

Martin E. Taylor, AICP
Planning Director

Bruce Eugene Millard - Architect

Studio of Sustainable Design

111 Cedar Street Suite 8 Sandpoint, Idaho 83864

100 Jana Lane, Sandpoint, Idaho 83864 -mailing

208 263 3815

fax 263 0136

bemarch@netw.com

Martin E Taylor AICP
Planning Director
Bonner Co Planning Department
127 South First Ave,
Sandpoint Idaho 83864

Monday, May 21, 2001

RE: The Inn at Swan's Landing
Hwy 95 @ Lakeshore Drive
Sagle, Idaho
My file #98112

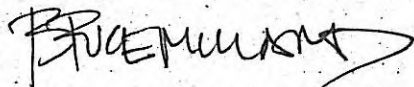
Dear Mr. Taylor,

I have been retained by the Owner of the above property to develop architectural concepts for additions and new buildings for the above property, that would modify the terms and conditions of the approved site plan. These additions are planned as listed below, and would be constructed in phases to be determined in the near future.

1. Addition to the western lower level of Inn for a 'European Spa Facility', that is connected to the Inn by a porch. This was not shown on the last conditional use approval process.
2. A seven suite Inn complex. This building is located below the upper parking lot on the western part of the site, where the existing house is located. This replaces the existing house, the duplex, and the tri-plex shown on the approved site plan. In addition it represents the last room approved for the 24 unit Main Inn Building. The final plans show 23 rooms in this building. Therefore, the total room count would be 30, plus the 2 existing cabins south of the present restaurant.
3. As we discussed, these facilities would be part of the Inn, for the use of Inn guests, and are not separate businesses.

Please review these modifications, and advise us of the filing and approval process.

Sincerely,



Bruce Eugene Millard- Architect

Cc: Alex Verhoogen
Wakeley / Key Construction



FATZ
39346

656523

First American Title
FILED BY

2004 AUG -6 P 3:05

MARIE SCOTT
BONNER COUNTY RECORDER

DEPUTY

CATHERINE L. DULLEA, CHTD.
Attorney at Law
101 N. Fourth Avenue, Suite 204
Sandpoint, Idaho 83864
Phone: (208) 265-2276
Fax: (208) 265-1556

CONFIRM
QUITCLAIM DEED

FOR VALUE RECEIVED, OLYMPIC COAST INVESTMENT, INC., a Washington corporation, individually and as Investment Manager, does hereby CONVEY, RELEASE, REMISE and forever QUITCLAIM unto GLEN RAY HARVEY, an unmarried man, as to an undivided 50% interest, and LESLIE WOOD, a single woman, as to an undivided 50% interest, as Joint Tenants with right of survivorship, and not as tenants in common, whose current address is 4377 Via Esperanza, Santa Barbara, CA 93110, the following described real property situate in the County of Bonner, State of Idaho, to wit:

PARCEL I:

Lot 6A of Replat of Lots 6-8, Block 7, Lakeside Place, according to the plat thereof, recorded in Book 6 of Plats, page 130, records of Bonner County, Idaho.

PARCEL II:

Lot 1A of Replat of Lots 1-10, Block 10, Lakeside Place, according to the plat thereof, recorded in Book 6 of Plats, page 132, records of Bonner County, Idaho.

TOGETHER WITH its appurtenances and after acquired title.

X DATED this 5th day of August, 2004.

OLYMPIC COAST INVESTMENT, INC.

X
By: TODD A. HOSS
SENIOR VICE PRESIDENT



QUITCLAIM DEED 1

C.692-04

STATE OF WASHINGTON)
County of KING) ss.

This day personally appeared before me, the undersigned Notary Public, TODD A. HOSS, known to me to be the SENIOR Vice President of OLYMPIC COAST INVESTMENT, INC., a Washington corporation, the entity that executed the within Instrument, and acknowledged to me that such entity executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 5th day of August, 2004.



Mara R. Clark
Notary Public
Residing at: Stanwood
Comm. Exp: 11-29-05



TRANSPORTATION DEPARTMENT
DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

*Swan's Landing file
C693-00*

June 8, 2004

Mr. Glen Harvey
Swan's Landing

Dear Mr. Harvey:

As previously stated to Mr. Gauzza of Sandpoint Realty, there will be no additional or changed requirements for the proposed improvements to Lakeshore Drive at US Highway 95 that were to be constructed as a requirement of the condominium development at Swan's Landing if the development is the same or smaller than originally proposed.

Design and permitting requirements for the Lakeshore Drive improvements were previously transmitted to Mr. Gauzza.

The Idaho Transportation Department does not object to issuance of building permits necessary to resume work on the project. However, we would request that the certificate of occupancy not be requested or issued until the improvements to Lakeshore Drive are completed to the satisfaction of the Department and Bonner County.

Please feel free to contact me with questions at 208-772-1218.

Sincerely,

Michael A. Porcelli, P.E.
District Traffic Engineer

Cc: Bonner County
George Gauzza





TRANSPORTATION DEPARTMENT
DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

May 27, 2004

CUP # C

Sandpoint Realty
Attn: George Gauzza
223 North First Street
Sandpoint, Idaho 83864

Dear Mr. Gauzza:

To confirm our earlier discussions, there will be no additional or changed requirements for the proposed improvements to Lakeshore Drive at US Highway 95 that were to be constructed as a requirement of the condominium development at Swan's Landing if the development is the same or smaller than originally proposed.

Improvements to Lakeshore Drive should be per the attached drawings. An ITD encroachment permit application by the Swan's Landing owner on behalf of Bonner County will be required for the work. Please contact Shirley Walson, Permit Coordinator at 208-772-1297 for information.

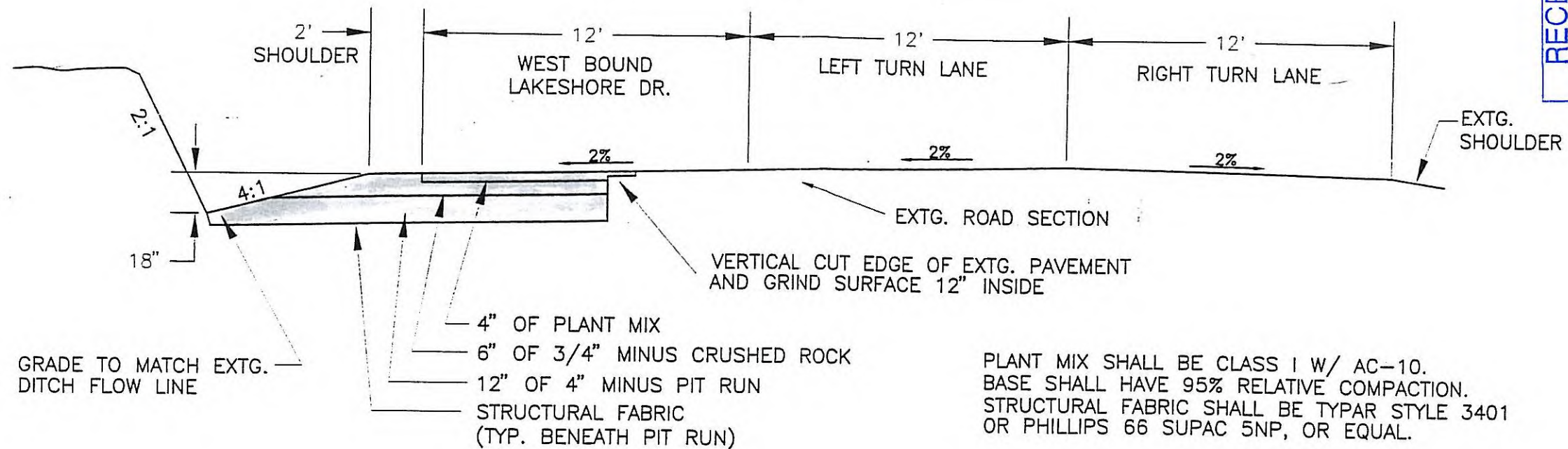
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Sincerely,

Michael A. Porcelli, P.E.
District Traffic Engineer

Cc: Bonner County P&Z





CROSS SECT. A - A'

SCALE: 1" = 5'

GENERAL NOTES AND SPECIFICATIONS

1. ROAD SECTION SHALL BE PLACED IN LIFTS AND COMPACTED TO A MIN. 95% REL. DENSITY.
2. AREAS WHERE LAND DISTURBING ACTIVITY WILL OCCUR SHALL BE CONSTRUCTED TO THE SAME CONDITION (BEFORE CONSTRUCTION). REPLACE AND COMPACT SOIL, SLOPE, AND RE-VEGETATE THE SIDES OF THE DITCHES. RE-GRADE ANY DITCHES DISTURBED.
3. TRAFFIC CONTROL SIGNAGE SHALL MEET M.U.T.C.D. STANDARDS.
4. PERMITS SHALL BE SECURED FROM THE IDAHO TRANSPORTATION DEPARTMENT PRIOR TO ANY CONSTRUCTION.
5. TELEPHONE POLE RELOCATION SHALL BE COORDINATED WITH GTE.



NOVEMBER 1, 2000

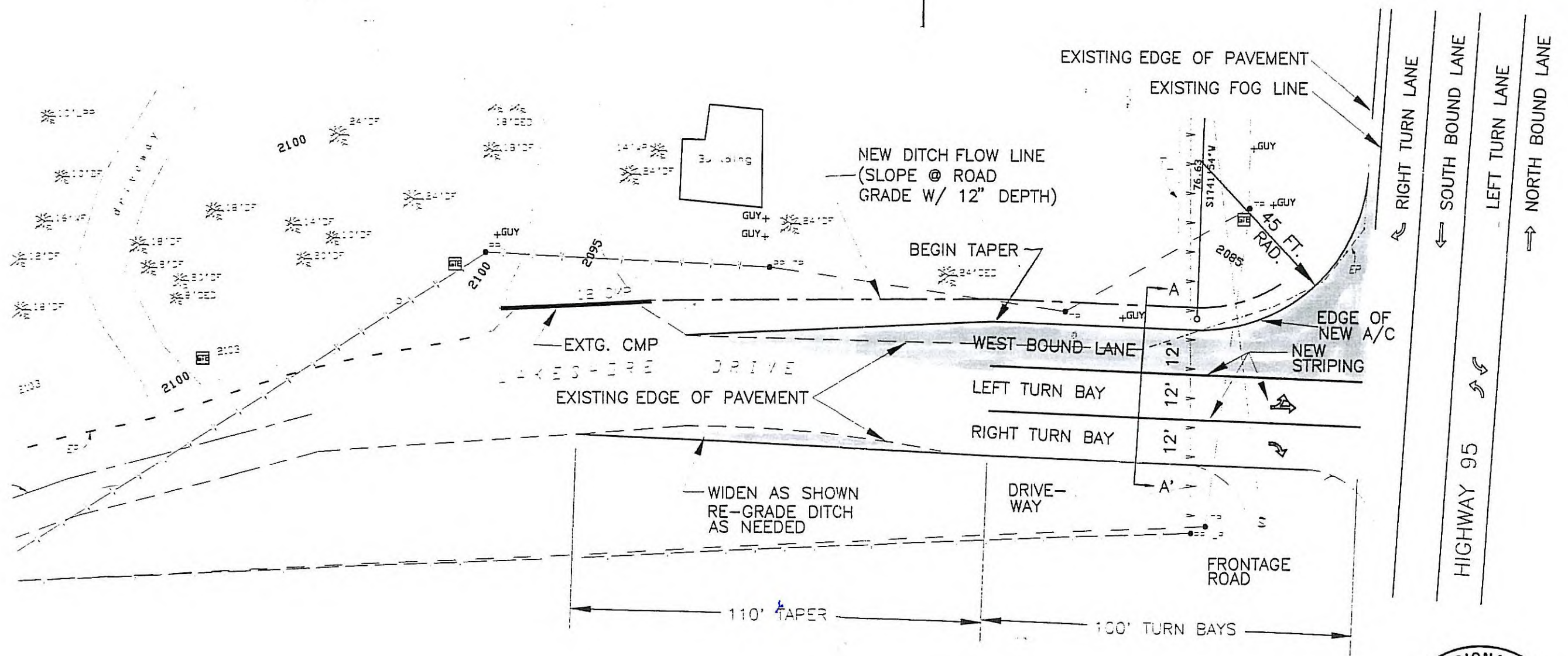
SHEET 2 OF 2

LAKESHORE DRIVE -
HIGHWAY 95
TURN BAY DESIGN

TUCKER BROWN & VERMEER, LLC
ENGINEERING AND LAND SURVEYING
102 S. 2nd Ave., Sandpoint, ID 83864 (208)263-5884



RECEIVED
MAY 28 2004
BONNER COUNTY
PLANNING DEPARTMENT



TURN BAY PLAN
SCALE: 1" = 30'



 TUCKER BROWN & VERMEER, LLC ENGINEERING AND LAND SURVEYING 102 S. 2nd Ave., Sandpoint, ID 83864 (208)263-5884	LAKESHORE DRIVE - HIGHWAY 95 TURN BAY DESIGN	NOVEMBER 1, 2000 SHEET 1 OF 2
--	--	--------------------------------------



TRANSPORTATION DEPARTMENT

DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

September 21, 2001

Eterra Resorts Inc
Attn: Raphael Barta
202 South First Ave.
Sandpoint, ID 83864

RE: Surety Agreement and Letter of Credit
The Inn at Swan's Landing
US95 and Lakeshore Drive

Dear Mr. Barta:

Thank you for responding to our September 10, 2001 letter so promptly. Based on your correspondence, Idaho Transportation Department understands your desire to proceed with this project and that unforeseen problems have hampered your progress.

An extension for the March 26, 2001 Surety Agreement between MAC LLC, applicant and Idaho Transportation Department is acceptable. By December 31, 2001, a new letter of credit must be provided to replace Pend Oreille Bank's *Irrevocable Commercial Letter of Credit No. 658* on the same terms as outlined in the current surety agreement. A completion date of August 31, 2002 for actual construction of the turn lane is acceptable to ITD.

To recap my e-mail transmittal, ITD's concurrence with the planned improvements is strictly conditioned upon the turn lane construction. Until we receive a new letter of credit, there should be no improvements to the Inn at Swan's Landing property.

Thank you for coordinating with ITD on this project. If you have any questions, please do not hesitate to contact our offices.

Sincerely,

Original signed by Carole Richardson

Carole Richardson, P.E.
District Transportation Planner

CR/sw

C: DTE MTCE DTP/File Permits
Alex N. Verhoogen
Pend Oreille Bank
Tim Elsea, Bonner County Public Works Director
Marty Taylor, Bonner County Planning Director, file reference C693-00





TRANSPORTATION DEPARTMENT

DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

Mac, LLC
Attn: Alex N. Verhoogen
S. 5111 Freya
Spokane, WA 99223

September 10, 2001

RE: Surety Agreement and Letter of Credit
The Inn at Swan's Landing
US95 and Lakeshore Drive

Dear Mr. Verhoogen:

Please find enclosed a copy of the Surety Agreement between MAC LLC and Idaho Transportation Department, drafted in March of this year. Also enclosed is a copy of the Irrevocable Commercial Letter Of Credit No. 658, from Pend Oreille Bank.

The agreement's due date was September 1, 2001. Regrettably, terms of the agreement have not been met. Please direct Pend Oreille Bank to draft a check in the amount of \$17,790.00, payable to Idaho Transportation Department, as stated in condition Number 2 of the Surety Agreement.

In the event the agreement is not satisfied by September 28, 2001, our staff will directly contact Pend Oreille Bank for payment. If you have any questions, please do not hesitate to contact our offices.

Sincerely,

original signed by:

Andrea Storjohann, P.E.
Assistant District Engineer

C: DTE MTCE DTP/File Permits
Tim Elsea, Bonner County Public Works Director
Marty Taylor, Bonner County Planning Director
Pend Oreille Bank



SURETY AGREEMENT

THIS AGREEMENT made and entered into on this 26th day of March, 2001, by and between MAC LLC, hereinafter referred to as "Applicant," and the Idaho Transportation Department, hereinafter referred to as "ITD."

WHEREAS, the Applicant is required to post security for the construction or installation of the following improvements by applicable ordinances of Bonner County and the laws of the State of Idaho, to wit:

CONDITION 11, BONNER COUNTY CONDITIONAL USE PERMIT (FILE C693-00).
" Prior to conditional use permit issuance, the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD. The applicant shall provide to the Planning Department written verification from ITD upon completion of this condition." SEE ATTACHED DRAWING BY TUCKER BROWN & VERMEER, LLC DATED NOVEMBER 1, 2000.

REFER TO THE ATTACHED PROPOSAL FROM INTERSTATE CONCRETE AND ASPHALT DATED MARCH 7, 2001. THE COST OF COMPLETING THE TURN LANE ON LAKESHORE DRIVE AT THE INTERSECTION OF LAKESHORE DRIVE AND HIGHWAY 95 IN THE AMOUNT OF ***\$11,860.00*** X 1.5 FOR A TOTAL SURETY AMOUNT OF ***\$17,790.00*** SECURING THE COMPLETION OF THE TURN LANE.

WHEREAS, the above described improvements are to be constructed by the Applicant with regard to certain real property:

THE COUNTY ROAD RIGHT OF WAY ALONG LAKESHORE DRIVE AT THE INTERSECTION OF LAKESHORE DRIVE AND US HIGHWAY 95.

WITNESSETH:

That the Applicant covenants and agrees to post security for construction of the above described improvements and ITD agrees to accept said security, each in accordance with the terms and conditions of this Agreement.

That the Applicant, simultaneously with the execution of this Agreement, deposits with ITD the attached letter of credit issued and backed by a federal or state chartered bank equivalent to one hundred fifty percent (150%) of the project engineers estimated cost of construction of

the improvements for the purpose of guaranteeing completion of the work and repair any defects in improvements which occur within one (1) year of the first acceptance of the completed work by ITD. The letter is issued by Pend Orielle Bank as an Irrevocable Standby Letter of Credit Number 658 in the total amount of \$17,790.00, hereinafter referred to as "Surety," as security for complete performance, construction and one year warranty of the above described improvements upon the following terms and conditions:

1. That the Applicant shall complete construction of said improvements on or before September 1, 2001, or said amount shall be due and payable to ITD, and said Surety may be drawn by ITD to the full amount thereof.
2. That said Surety shall payable to "IDAHO TRANSPORTATION DEPARTMENT"
3. That in the event the Applicant fails or refuses to complete said improvements on or before the date set forth in paragraph Number 1 herein, ITD shall have the right to cash or make demand for, and receive payment of, said Surety, and apply the proceeds thereof to the construction of said improvements.
4. In case of default by the Applicant, if the total cost of constructing said improvements is less than the amount of the Surety, the difference between the actual cost (including construction engineering) of constructing said improvements and the amount of the Surety shall be paid to the Applicant. However, if the costs of installing said improvements (including construction engineering) is greater than the amount of the Surety, the Applicant agrees to reimburse and hold harmless ITD for any and all additional costs incurred by ITD installing and constructing said improvements.
5. That in the event the Applicant completes construction of said improvements on or before the date set forth in paragraph Number 1 herein, ITD shall release to the Applicant the Surety one (1) year after first acceptance of the completed work by ITD after approving that said improvements have been installed to applicable specifications and that the same have been inspected and approved by ITD.

IN WITNESS WHEREOF, the parties hereto have signed this document the date and year first written above.

A+R LLC -
MAC, LLC
Applicant

Andre Stojan
Idaho Transportation Department

Notary Acknowledgment for signature:

STATE OF Washington
COUNTY OF Spokane

On this 30th day of March, in the year 2001, before me, a Notary Public in and for said State, personally appeared Alex N. Verboegen known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that he executed the same, I hereunto set my hand and seal the date last above written.

Maria G. Euton
Notary Public
Residing at Spokane, Washington
My commission expires: 11-30-2004

Amount \$17,790.00

Pend Oreille Bank

March 29, 2001

IRREVOCABLE COMMERCIAL LETTER OF CREDIT NO. 658

To:

Idaho Transportation Department
600 W. Prairie
Coeur d'Alene, ID 83814

Gentlemen:

We hereby authorize you to draw on Pend Oreille Bank for the account of Mac, L.L.C. An Idaho Limited Liability Company, an aggregate amount of \$17,790.00 available by your draft(s) drawn at sight. Drafts are to be accompanied by a statement signed by one of your officers to the effect that the amount drawn is due and is unpaid. All drafts drawn under this letter of credit must be marked "Drawn Under Irrevocable Commercial Letter of Credit No. 658 of Pend Oreille Bank dated March 29, 2001." We hereby agree with the drawers, endorsers, and Bona Fide holders of drafts drawn under and in compliance with the terms of this credit that such drafts will be duly honored on presentation at Pend Oreille Bank.

The request for payment under this Letter of Credit shall be final and conclusive for all purposes without verification by Pend Oreille Bank and shall not be subject to refutation, denial or contest. Multiple drawings shall be permitted.

Notwithstanding the expiration of this credit, should you receive payments from Mac, L.L.C, which payments are subsequently invalidated, determined to be preferential, set aside or required to be repaid by you in whole or in part for reasons arising under the bankruptcy or other laws then all our obligations to you hereunder shall be reinstated in full and shall remain in full force and effect, provided said payments are for obligations entered into prior to the expiration date shown hereon.

This Credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision) fixed by the International Chamber of Commerce Brochure No. 400.

We engage with you that all drafts drawn under and in compliance with the terms of this credit will be duly honored upon presentation to us.

Drafts must be presented and negotiated at our counters not later than September 1, 2002.

Pend Oreille Bank

By Evelyn Meany
President



PEND OREILLE BANK

330 N. Washington • P.O. Box 1530 • Newport, WA 99156-1530 • (800) 481-2265 • (509) 447-5641
476655 Hwy 95 North • Sandpoint, ID 83864 • (800) 567-1796 • (208) 265-2232

**BONNER COUNTY PLANNING DEPARTMENT
CONDITIONAL USE PERMIT - FILE C693-00**

TO: MAC, LLC
S. 5111 Freya
Spokane, Washington 99223

Leroy and Penelope Armstrong
532 S. Boyer
Sandpoint, Idaho 83864

PURPOSE: The applicants are requesting a conditional use permit for the expansion of a “commercial resort” presently consisting of dining, lodging and retail sales. (The previous resort was approved under File C659-99.) A concurrent application proposing to rezone Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79, totaling 2.67 acres, from Suburban-1/3 to Recreation in order to establish the proper zoning for the expansion of a “commercial resort” is being concurrently reviewed. (File ZC 274-00)

LOCATION: Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79. The project site is located approximately one mile south of Sandpoint. From U.S. Highway 95 south, cross the Long Bridge to Lakeshore Drive and turn west (right). The project site is the second driveway on the right (north side of Lakeshore Drive), and on the left side of Lakeshore Drive, across Lakeshore Drive from Swan's Landing. The property is commonly known as Swan's Landing Restaurant and the former Mason lots to the south of Swan's Landing.

CONDITIONS OF APPROVAL:

1. The use shall be in accordance with the approved site plan.
2. The Conditional Use Permit shall not supersede deed restrictions.
3. All county setbacks shall be met.
4. The Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit, the applicant may make a written request to the Planning Director for a single extension of the Conditional Use Permit for a period up to two (2) years. The Planning and Zoning Commission may consider such request for extension at any public hearing. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit.
5. The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and storm water management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved.
6. Prior to conditional use permit issuance, the applicants shall relocate the on premise sign fronting on U.S. Highway 95 to a minimum 25 foot setback from the U.S. Highway 95 right of way boundary, and shall relocate the on premise sign fronting on the Pend Oreille River to a minimum 40 foot setback from the summer pool level/2,062.5 foot elevation. The project engineer shall provide written confirmation to the Planning Department verifying the relocation of the two signs.
7. Prior to conditional use permit issuance, a rezone from Suburban 1/3 to Recreation shall become effective for Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79.
8. Prior to conditional use permit issuance, that applicant shall complete the following to the satisfaction of the Bonner County Public Works Department:
 - a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
 - b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
 - c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue, or an approach approved and constructed off of Lakeshore Drive, to the satisfaction of the Public Works Department.
 - d. An encroachment permit for a commercial approach(es) shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
 - e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
 - f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
 - g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.The project engineer shall provide written confirmation from the Road Department to the Planning Department verifying completion of Conditions 8a, 8b, 8c, 8d, 8e and 8f.
9. Prior to conditional use permit issuance, the applicant shall provide payment in advance for hook-up fees for water and sewer service to rebuild the Harford lift station in order for the station to effectively accommodate the expansion to 29 units. The applicant shall provide to the Planning Department written verification from the Southside Water and Sewer District upon completing this condition.
10. The project shall connect to the Southside Water and Sewer District for water and sewer services.

8/11/11

Prior to conditional use permit issuance, the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD. The applicant shall provide to the Planning Department written verification from ITD upon completing this condition.
12. Prior to conditional use permit issuance, Lots 1 through 10, Block 10, *Lakeside Place*, shall be combined into one lot, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, shall be combined into one lot, via lot line adjustments, and a final plat recorded.
13. Prior to inn occupancy a site obscuring barrier shall be constructed between Lots 10 and 11, Block 10 and Lots 5 and 6, Block 7, to the satisfaction of the lot owners and applicant.

This Conditional Use Permit is issued pursuant to the October 5, 2000, decision of the Bonner County Planning and Zoning Commission.


Martin E. Taylor, AICP
Planning Director

4/26/01
Date Issued

SOUTHSIDE WATER & SEWER DISTRICT
DRAWER D
SANDPOINT, IDAHO 83864
(208)263-1074 FAX: 255-4946

September 1, 2000

Marty Taylor
Bonner County Planning & Zoning
FAX: 265-1463

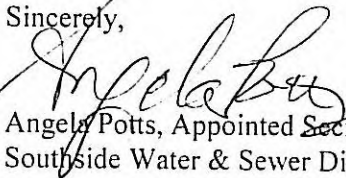
Dear Marty:

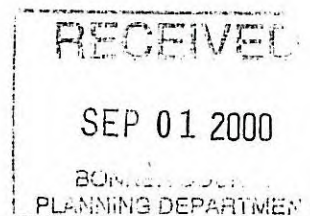
RE: SWANS LANDING REZONE and CONDITIONAL USE PERMIT C693-00

In July, Southside Sewer and Water District sent conditional approval of the rezone and expanded conditional use to your department. We have found that MAC, LLC/Swan's Landing has sufficient pre-paid sewer and water hookups for their expanded project.

The District does anticipate the need to rebuild the lift station serving this project. It will be important to coordinate the improvements with their construction plans.

Sincerely,


Angela Potts, Appointed Secretary/Treasurer
Southside Water & Sewer District



Instrument # 0580434 Date 2001-04-24 Time 15.28.00

Operator SANDY
of Pages : 002
Fee \$: 11.00

Trans Code : 830 PLATS
Desc BOOK 6 PG 132 35-57-2W

>>Delivered: Date 0001-01-01 To
Address
City, State, Zip

Grantor/Grantee name
MAC, LLC

VERHOOGEN, ALEX R

VERHOOGEN, MARY LEE

ARMSTRONG, LEROY W

ARMSTRONG, PENELOPE A.

LAKE SIDE PLACE REPLAT LTS 1-10

GRANTOR
GRANTOR
GRANTOR
GRANTEE
GRANTEE
GRANTEE

Bottom

F3=EXIT

F23=Show Referenced FROM F24=Show Referenced TO

Operator	SANDY
# of Pages . :	002
Fee \$:	11.00

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>>Delivered: Date 0001-01-01 To
                        Address
                        City, State, Zip
```

Grantor/Grantee name
VERHOOGEN, ALEX R
VERHOOGEN, MARY LEE
LAKESIDE PLACE BLK 7 LTS 6-8

GRANTOR
GRANTOR
GRANTEE

Bottom

F3=EXIT F23=Show Referenced FROM F24=Show Referenced TO

FAX # 208-773-199

PROPOSAL FROM:

Quality Maintenance

316 W. 20th • Post Falls, ID 83854

(208) 773-7293

WASH. Contractors License

QUALIM*027LT

IDAHO Contractors License

12091-C-4-(9,31,32,42,47)

Proposal No.

Sheet No.

Date

3-21-01

Proposal Submitted To

Name W. Keley and Keys
 Street 474 Hart Lane
 City Sandpoint Saghe
 State ID 83860
 Telephone Number 1-208-265-7271

Work To Be Performed At

Street Susan Locking
 City Sandpoint State ID
 Date of Plans _____
 Architect Crosswalk
ATTN Frank

We hereby propose to furnish all the materials and perform all the labor necessary for the completion of

Clean and Prep, Seal Coat (1 year warranty)

Clean and Prep, Sand Slurry Seal

Fill Cracks with Homogenized Crack Filler

Stripe with Highway Traffic Paint and Traffic Bead

Patching Install 2 Fed. Crosswalk Sign + Post to DOT Spec.

Other _____

Subtotal 585.00

Tax 0

Total 585.00

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of \$ 585.00 with payments to be made as follows: **ON COMPLETION**

OTHER ARRANGEMENTS FOR PAYMENT: _____

Any alteration or deviation from the above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by Quality Maintenance. **We guarantee workmanship and product.**

Respectfully Submitted Bob L. Lund

Per _____

Note—This proposal may be withdrawn by us if not accepted within 60 days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. **SIGNED CONTRACTS ARE BINDING. YOU WILL BE CHARGED THE FULL AMOUNT UNLESS WE RECEIVE WRITTEN CANCELLATION WITHIN A REASONABLE TIME.**

Accepted _____

Signature A

Date _____

Signature _____

RECEIVED

APR 10 2001

BONNER COUNTY

PLANNING DEPARTMENT

PERMIT NO: 1027001-1

BONNER COUNTY ROAD AND BRIDGE DEPARTMENT
123 SOUTH FIRST AVENUE, SANDPOINT, ID 83864
(208) 263-8899 265-1497

RIGHT OF WAY USE AND ENCROACHMENT APPLICATION

APPLICANT: SWANS LANDING
PROPERTY OWNER: MAC LLC.
ADDRESS: 41 LAKE SHORE DR.
SAGE, ID 83860
TELEPHONE: 208-265-7271

LOCATION OF THE PROPOSED ENCROACHMENT OR USE:

(Please be specific as to property location so the Foreman can easily locate)

Road Name: LAKE SHORE DRIVE

Nearest Intersection U.S. 95 Distance 320 ft.

Rt/Lt Side RT Plat or Subdivision Name SWANS LANDING COMMERCIAL RESORT

Residential Driveway _____ Existing _____ New _____

Commercial Driveway X Est. Volume —

Road Approach _____ Est. Volume _____

PERMIT TO USE RIGHT OF WAY

To be filled out by Road Department

SIGHT DISTANCE: RT: _____ LT: _____

POSTED SPEED: _____ M.P.H.

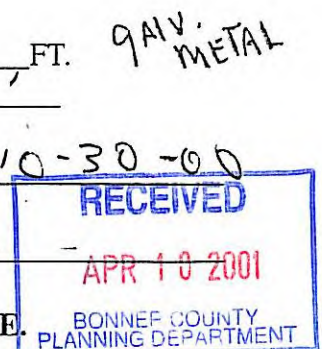
DRIVEWAY WIDTH: _____ FT. ROADWAY WIDTH _____ FT.

CULVERT REQUIRED: YES DIAMETER: 12" LENGTH: 40'

Foreman's Signature: Jay Smith Date: 10-30-00

FINAL
BUILDING DEPARTMENT INSPECTION: Jim Clark

PERMIT EXPIRATION: 6 MONTHS FROM DATE OF ISSUE.



PERMIT NO: 1027001-2

BONNER COUNTY ROAD AND BRIDGE DEPARTMENT

123 SOUTH FIRST AVENUE, SANDPOINT, ID 83864

(208) 263-8899 2-6-14-17

RIGHT OF WAY USE AND ENCROACHMENT APPLICATION

APPLICANT: SWANS LANDING

PROPERTY OWNER: MAC LLC

ADDRESS: 41 Lakeshore Dr.

Sagle, ID 83860

TELEPHONE: 208-265-7271

LOCATION OF THE PROPOSED ENCROACHMENT OR USE:

(Please be specific as to property location so the Foreman can easily locate)

Road Name: LAKE SHORE DRIVE

Nearest Intersection US 95 Distance 420'

Rt/Lt Side LT Plat or Subdivision Name SWANS LANDING COMMERCIAL RESORT

Residential Driveway _____ Existing _____ New _____

Commercial Driveway X Est. Volume _____

Road Approach _____ Est. Volume _____

PERMIT TO USE RIGHT OF WAY

To be filled out by Road Department

SIGHT DISTANCE: RT: _____ LT: _____

POSTED SPEED: _____ M.P.H.

DRIVEWAY WIDTH: _____ FT. ROADWAY WIDTH _____ FT.

CULVERT REQUIRED: YES DIAMETER: 12" LENGTH: 40' GALV. METAL

Foreman's Signature: Jay Smith Date: 10-30-00

FINAL
BUILDING DEPARTMENT INSPECTION: Jim Clark

PERMIT EXPIRATION: 6 MONTHS FROM DATE OF ISSUE.



PROPOSAL

INTERSTATE

CONCRETE & ASPHALT CO.

P.O. BOX 1113 SANDPOINT, ID 83864

OFFICE PH. (208)263-0538, FAX (208)263-5430

Id Reg. #12090-AAA-1-2-3 Wa Reg. #INTERGCC137RU

PROPOSAL SUBMITTED TO:		PHONE: (208) 263-0952	DATE: 03/08/2001
CUSTOMER:	WAKELEY & KEY CONSTRUCTION	JOB NAME:	SWAN'S LANDING - MOTEL PARK-LOT
ADDRESS:	3600 OTTS BASIN RD.	STREET:	LAKE SHORE DRIVE
CITY:	SAGLE	CITY:	STATE:
STATE:	ID.	ZIP: 83860	CONTACT: FRANK WAKELEY / TED R
		FAX:	

We hereby submit specifications and estimates for:

MATERIALS, EQUIPMENT, AND LABOR FOR ASPHALT PAVING TO AN AREA APPROX. 1,650 SQ.YDS.
AS PER PLANS, TO INCLUDE THE FOLLOWING WORK:

SWAN'S LANDING - MOTEL PARKING LOT ADDITION

PLACE 4" COMPACTED DEPTH CRUSHED ROCK BASE OVER EXISTING SUB-BASE MATERIAL.

PLACE 2" COMPACTED DEPTH ASPHALT PAVEMENT.

\$ 16,180.00
(9.81 / S.Y.)

TRAFFIC CONTROL INCLUDED FOR ENTERING/EXITING LAKE SHORE DR.

EXCLUDED: STRIPING

NOTE: APPROACH APPROX. 50 S.Y. @ \$9.81/S.Y. = \$490.00

Soil Sterilant included per Lanny 3/8/01 jw

- * Alterations or changes to the above scope of work, executed at the customer's request, will become an extra charge over and above the estimate.
- * All work will be completed in a workmanlike manner according to standard practice. All materials used shall meet standard industry specifications.
- * Any controversy or disagreement arising from this contract will be subject to binding arbitration in Coeur d'Alene, Idaho pursuant to the construction industry arbitration rules of the American Arbitration Association.
- * The customer shall make sure that all underground utilities are below sub-grade. Interstate will not assume responsibility for damages to underground utilities when our work includes grading, crushed rock, and asphalt paving only.
- * Work will be commenced and completed at the sole discretion of Interstate based upon weather and soil conditions.
- * Applicable sales taxes are included in the above price.
- * Payment is due upon substantial completion unless other acceptable arrangements have been made. Failure to make payment within 30 days shall constitute default and the customer promises and agrees to pay a late charge of one and one half percent (1 1/2%) per month of the amount due. The customer agrees to pay all costs of collection including reasonable attorney's fees. The customer further agrees to pay a flat fee of \$200.00 or related attorney's fees, whichever is greater, if Interstate files a lien on the improved property to secure payment.

* This proposal is made for Interstate Concrete and Asphalt Co. by: LANNY BECK

Note: This proposal may be withdrawn by us without notice if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL

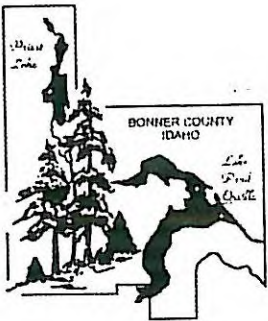
The above prices, conditions, and scope of work are satisfactory and are hereby accepted. You are authorized to do the work as specified.
Payment will be made as outlined above.

Date: _____

Signature: _____

Signature: _____





BONNER COUNTY PUBLIC WORKS

ROAD DEPARTMENT

123 South First Ave. • Sandpoint, Idaho 83864 • Phone (208) 265-1497 – Fax: 263-9751
E-mail: roads@co.bonner.id.us

BOND AGREEMENT

This is an agreement between Bonner County Public Works – Road and Bridge Department and Wakeley & Key Construction. The applicant, Wakeley & Key has requested a “Right of Way Use and Encroachment Application” for a driveway approach off Lakeshore Drive.

The permit numbers 1027001-1 and 1027001-2 have been issued and approved. The “Performance and Payment Bond” in the amount of \$490.00 will be held until the completion of the paving of the approach and acceptance of the work.

Wakely & Key have requested the County accept a personal check in the amount of \$490.00 to insure the work being performed. The applicant agrees and certifies that the bank account the check is written on will remain open and will maintain a balance sufficient to cover the \$490.00 amount for the duration of the bond. The applicant further certifies that this check will not be canceled or made void in any way until the termination of the bond, after acceptance of the work.

If problems arise with the work or there is road failure the applicant will be contacted to correct any identified problem areas. There will be a thirty (30) day period to complete the work, if the corrections are not addressed within the time period the County will make the repairs and apply for payment against the personal check for the costs.

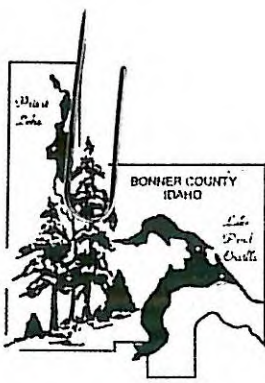
Frank Wakeley
Frank Wakeley (Wakeley & Key Const.)

4/5/01

Leslie Marshall for
Tim Elsea, Public Works Director Tim Elsea

4/5/01
Date





BONNER COUNTY PUBLIC WORKS

ROAD DEPARTMENT

123 South First Ave. • Sandpoint, Idaho 83864 • Phone (208) 265-1497 – Fax: 263-9751
E-mail: roads@co.bonner.id.us

BOND AGREEMENT

This is an agreement between Bonner County Public Works – Road and Bridge Department and Wakeley & Key Construction. The applicant, Wakeley & Key has requested a "Right of Way Use and Encroachment Application" for a driveway approach off Lakeshore Drive.

The permit numbers 1027001-1 and 1027001-2 have been issued and approved. The "Performance and Payment Bond" in the amount of \$585.00 will be held until the completion of the installation of two pedestrian crosswalk striping, signs and posts in accordance with Bonner County and acceptance of the work.

Wakely & Key have requested the County accept a personal check in the amount of \$585.00 to insure the work being performed. The applicant agrees and certifies that the bank account the check is written on will remain open and will maintain a balance sufficient to cover the \$585.00 amount for the duration of the bond. The applicant further certifies that this check will not be canceled or made void in any way until the termination of the bond, after acceptance of the work.

If problems arise with the work or there is road failure the applicant will be contacted to correct any identified problem areas. There will be a thirty (30) day period to complete the work, if the corrections are not addressed within the time period the County will make the repairs and apply for payment against the personal check for the costs.

Frank Wakeley
Frank Wakeley (Wakeley & Key Const.)

Leslie Marshall
Tim Elsea, Public Works Director

4/5/01

4/5/01
Date



TUCKER BROWN & VERMEER, LLC
ENGINEERING AND LAND SURVEYING

April 9, 2001

Mr. Martin Taylor, AICP
Bonner County Planning Department
127 S. 1st Ave.
Sandpoint, ID 83864

Re: The Inn at Swans Landing, C.U.P., C693-00

Dear Marty,

The premise sign along the highway and the sign fronting the Pend Oreille River have been relocated to meet the set backs as described in Condition No. 6.

The temporary erosion control system has been installed according to the Storm Water Management Plan dated 8/30/00.

Please do not hesitate to call if you have any questions.

Sincerely,



B. Scott Brown, P.E.

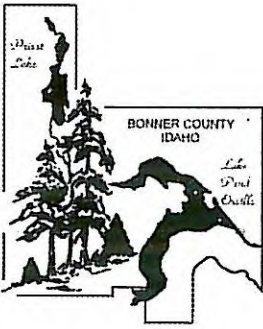
TUCKER BROWN & VERMEER, LLC

BSB/fb



TUCKER BROWN & VERMEER, LLC • ENGINEERING AND LAND SURVEYING
102 SOUTH SECOND AVENUE, SANDPOINT, IDAHO 83864 (208) 263-8558

COND. 6



BONNER COUNTY PUBLIC WORKS

ROAD DEPARTMENT

123 South First Ave. • Sandpoint, Idaho 83864 • Phone (208) 265-1497 – Fax: 263-9751
E-mail: roads@netw.com

Memorandum

To: Martin Taylor, AICP
Planning Director

From: Tim Elsea, P.E.
Public Works Director

Date: April 4, 2001

Re: Conditional Use Permit, File #^{C693-}C695-99 and ZC268-99, Inn at Swan's Landing

Marty,

The conditions of approval pertaining to this department's requirements for the above referenced project have been accomplished or bonded for to this department's satisfaction.

If you have any questions or require further information, feel free to contact me at your convenience.

\\BC98\SYS\ROADS\Tim\My Documents\C695-99.doc



Shirley Walson

From: Shirley Walson
Sent: Monday, April 02, 2001 2:14 PM
To: Carole Richardson; Don Davis; Michael Porcelli; John Perfect; 'mtaylor@co.bonner.id.us'; Chuck Spickelmire
Cc: Andrea Storjohann
Subject: Swan's Landing and US95/Lakeshore Dr intersection

4/2/01

Wakeley and Key Construction is the contracting firm building the Swan's Landing Hotel. They are currently waiting on the Conditional Use Permit to continue construction, however, one condition of the CUP has not yet been met. ITD has required the installation of a right hand turn lane on Lakeshore Drive as it intersects with US-95. Since paving cannot take place at this time due to weather, a Surety Agreement and a Letter of Credit have been provided to ITD. The Surety Agreement guarantees the completion of the turn lane on or before September 1, 2001.

ITD's legal consultant, Steven Perry has reviewed this agreement and letter of credit. It is acceptable to ITD for the contractor to proceed with construction. If you have any questions, please contact me at (208)772-1200, extension 8013.

^{FAY!}
 (Marty - I will mail you a copy of the agreements)

Shirley Walson
 Idaho Transportation Department
 D-1 TRS, Planning Section
 600 W. Prairie Ave.
 Coeur d'Alene, ID 83815

Post-it® Fax Note 7671		Date	4-2-01	# of pages	5
To	MARTY				
Co./Dept.	D-1 PLANNING				
Phone #	205-1458	Co.	ITD		
Fax #	205-1463	Phone #	208-772-8013		
		Fax #			



SURETY AGREEMENT

THIS AGREEMENT made and entered into on this 26th day of March, 2001, by and between MAC LLC, hereinafter referred to as "Applicant," and the Idaho Transportation Department, hereinafter referred to as "ITD."

WHEREAS, the Applicant is required to post security for the construction or installation of the following improvements by applicable ordinances of Bonner County and the laws of the State of Idaho, to wit:

CONDITION 11, BONNER COUNTY CONDITIONAL USE PERMIT (FILE C693-00).
" Prior to conditional use permit issuance, the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD. The applicant shall provide to the Planning Department written verification from ITD upon completion of this condition." SEE ATTACHED DRAWING BY TUCKER BROWN & VERMEER, LLC DATED NOVEMBER 1, 2000.

REFER TO THE ATTACHED PROPOSAL FROM INTERSTATE CONCRETE AND ASPHALT DATED MARCH 7, 2001. THE COST OF COMPLETING THE TURN LANE ON LAKESHORE DRIVE AT THE INTERSECTION OF LAKESHORE DRIVE AND HIGHWAY 95 IN THE AMOUNT OF ***\$11,860.00*** X 1.5 FOR A TOTAL SURETY AMOUNT OF ***\$17,790.00*** SECURING THE COMPLETION OF THE TURN LANE.

WHEREAS, the above described improvements are to be constructed by the Applicant with regard to certain real property:

THE COUNTY ROAD RIGHT OF WAY ALONG LAKESHORE DRIVE AT THE INTERSECTION OF LAKESHORE DRIVE AND US HIGHWAY 95.

WITNESSETH:

That the Applicant covenants and agrees to post security for construction of the above described improvements and ITD agrees to accept said security, each in accordance with the terms and conditions of this Agreement.

That the Applicant, simultaneously with the execution of this Agreement, deposits with ITD the attached letter of credit issued and backed by a federal or state chartered bank equivalent to one hundred fifty percent (150%) of the project engineers estimated cost of construction of



the improvements for the purpose of guaranteeing completion of the work and repair any defects in improvements which occur within one (1) year of the first acceptance of the completed work by ITD. The letter is issued by Pend Orielle Bank as an Irrevocable Standby Letter of Credit Number 658 in the total amount of \$17,790.00, hereinafter referred to as "Surety," as security for complete performance, construction and one year warranty of the above described improvements upon the following terms and conditions:

1. That the Applicant shall complete construction of said improvements on or before September 1, 2001, or said amount shall be due and payable to ITD, and said Surety may be drawn by ITD to the full amount thereof.
2. That said Surety shall payable to "IDAHO TRANSPORTATION DEPARTMENT"
3. That in the event the Applicant fails or refuses to complete said improvements on or before the date set forth in paragraph Number 1 herein, ITD shall have the right to cash or make demand for, and receive payment of, said Surety, and apply the proceeds thereof to the construction of said improvements.
4. In case of default by the Applicant, if the total cost of constructing said improvements is less than the amount of the Surety, the difference between the actual cost (including construction engineering) of constructing said improvements and the amount of the Surety shall be paid to the Applicant. However, if the costs of installing said improvements (including construction engineering) is greater than the amount of the Surety, the Applicant agrees to reimburse and hold harmless ITD for any and all additional costs incurred by ITD installing and constructing said improvements.
5. That in the event the Applicant completes construction of said improvements on or before the date set forth in paragraph Number 1 herein, ITD shall release to the Applicant the Surety one (1) year after first acceptance of the completed work by ITD after approving that said improvements have been installed to applicable specifications and that the same have been inspected and approved by ITD.



IN WITNESS WHEREOF, the parties hereto have signed this document the date and year first written above.

MAC, LLC
Applicant

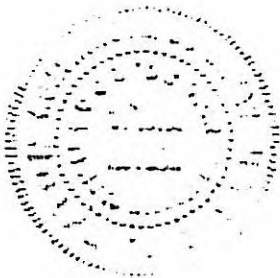
Andrea Stojan
Idaho Transportation Department

Notary Acknowledgment for signature:

STATE OF Washington
COUNTY OF Snohomish

On this 30th day of March, in the year 2001 before me, a Notary Public in and for said State, personally appeared Alex M. Verhoeven known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that he executed the same, I hereunto set my hand and seal the date last above written.

Maria G. Eason
Notary Public
Residing at Snohomish, Washington
My commission expires: 11-30-2004



Amount \$17,790.00

Pend Oreille Bank

March 29, 2001

IRREVOCABLE COMMERCIAL LETTER OF CREDIT NO. 658

To:

Idaho Transportation Department
600 W. Prairie
Coeur d'Alene, ID 83814

Gentlemen:

We hereby authorize you to draw on Pend Oreille Bank for the account of Mac, L.L.C. An Idaho Limited Liability Company, an aggregate amount of \$17,790.00 available by your draft(s) drawn at sight. Drafts are to be accompanied by a statement signed by one of your officers to the effect that the amount drawn is due and is unpaid. All drafts drawn under this letter of credit must be marked "Drawn Under Irrevocable Commercial Letter of Credit No. 658 of Pend Oreille Bank dated March 29, 2001." We hereby agree with the drawers, endorsers, and Bona Fide holders of drafts drawn under and in compliance with the terms of this credit that such drafts will be duly honored on presentation at Pend Oreille Bank.

The request for payment under this Letter of Credit shall be final and conclusive for all purposes without verification by Pend Oreille Bank and shall not be subject to refutation, denial or contest. Multiple drawings shall be permitted.

Notwithstanding the expiration of this credit, should you receive payments from Mac, L.L.C. which payments are subsequently invalidated, determined to be preferential, set aside or required to be repaid by you in whole or in part for reasons arising under the bankruptcy or other laws then all our obligations to you hereunder shall be reinstated in full and shall remain in full force and effect, provided said payments are for obligations entered into prior to the expiration date shown hereon.

This Credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision) fixed by the International Chamber of Commerce Brochure No. 400.

We engage with you that all drafts drawn under and in compliance with the terms of this credit will be duly honored upon presentation to us.

Drafts must be presented and negotiated at our counters not later than September 1, 2002.

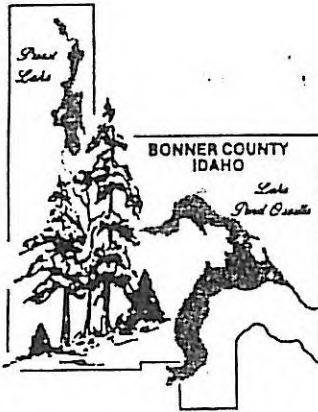
Pend Oreille Bank

By Evelyn Means
President



PEND OREILLE BANK

330 N. Washington • P.O. Box 1530 • Newport, WA 99156-1530 • (800) 481-2265 • (509) 447-5641
476655 Hwy 95 North • Sandpoint, ID 83863 • (800) 567-1796 • (208) 265-2232



BONNER COUNTY

PLANNING DEPARTMENT

Martin E. Taylor, AICP
Planning Director

October 6, 2000

MAC, LLC
S. 5111 Freya
Spokane, Washington 99223

Leroy and Penelope Armstrong
532 S. Boyer
Sandpoint, Idaho 83864

Subject: Conditional Use Permit for Expansion of a Commercial Resort - File C693-00

Dear MAC, LLC Representative and Mr. and Mrs. Armstrong:

The referenced application was approved with conditions by the Bonner County Planning and Zoning Commission at the October 5, 2000, public hearing. The ordinance and standards used in evaluating the application and the reasons for approving the application are as follows:

MOTION: It was moved by Commissioner Benner, seconded by Commissioner Hooker, that based on the Bonner County Comprehensive Plan, Bonner County Revised Code, evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing, this project FILE C693-00, a conditional use permit request for a 150 seat restaurant, two single unit rental cabins, a 24 room inn, a 359 square foot retail area, a 2 unit rental cabin and a 3 unit rental cabin, a 2,400 square foot maintenance building, a single family residence, and auxiliary parking, and the storm water plan be approved subject to the Findings and Conditions as discussed and as listed in the Staff Report, and subject to the following Conclusions and the action that could be taken to obtain the conditional use permit is to complete the Conditions of Approval, as adopted.

This action does not result in a taking of private property.

VOTED upon and the Chair declared the motion carried, unanimously.

FINDINGS and CONCLUSIONS

1. FINDING:

This proposal was reviewed for compliance with the criteria and standards set forth at Sections 12-1801 et seq., 12-2101 et seq., Bonner County Revised Code, and storm water management criteria and standards set forth in Chapter 24, Title 12, Bonner County Revised Code.

2. **FINDING:**

ECONOMIC DEVELOPMENT

Bonner County intends to designate sufficient suitable areas for future commercial development.

The project site contains 6.19 acres and has been recognized as suitable for recreational and commercial uses since 1981. Lots 1 through 4 were previously recognized as Commercial through a series of previous actions (Zone Change Files 76-81 and 105-84). Lot 5 was rezoned from Suburban to Commercial in 1993 (Zone Change File 207-93; Ord. 233).

Bonner County intends for future commercial development, along major roads, to locate in defined areas.

The project is located on Lakeshore Drive, a Bonner County-classified "major collector," hard surfaced roadway.

Bonner County intends to consider the impact on natural resources in the location and density of future recreational development.

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and the Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

A land capability report was prepared by the project engineer recognizing that building sites exist above (outside of) the mapped 100 year flood plain; that the properties are served by the Southside Water and Sewer District; that storm water can be managed [subject to the joint development agreement discussed above: staff comment]; that temporary erosion can be mitigated through the use of "velocity restrictors;" and that the site is geologically stable.

PUBLIC SERVICES

Bonner County intends to consider the quality of existing services (police, schools, roads) in the location and density of new development.

The Department of Transportation (ITD) reviewed a traffic study prepared by the project engineer for the conditional use permit and concluded that the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD.

The Bonner County Road Department recommends the following conditions:

1. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.

2. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
3. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue.
4. An encroachment permit for a commercial approach shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
5. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
6. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
7. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.

Bonner County intends to consider the quality of existing utilities (sewer, water) in the location and density of new development.

The Southside Water and Sewer District verified that the District can support the proposed inn together with the extended restaurant hours of operation.

Bonner County intends for new development to offset the capital costs of expanding services to their area.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

TRANSPORTATION

Bonner County intends to consider safety hazards and congestion in the location and design of future development.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

Bonner County intends for roads within new development to be built to county standards and at the expense of the developer.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

Bonner County intends for certain intense land use developments to provide paved roads.

Lakeshore Drive and U.S. Highway 95 are hard surfaced.

Bonner County intends to regulate roadside advertising signs.

Signage for the facility includes three on premises signs: one 128 square foot, double-sided, freestanding sign visible from Highway 95; one 64 square foot freestanding sign visible from the

Pend Oreille River frontage; and one 64 square foot attached sign mounted to the restaurant. The highway sign is subject to a 25 foot setback and is presently located about 10 feet from the highway right of way. This sign will need to be relocated. (BCRC, §12-630[c]) The water front sign is subject to a 40 setback and is presently located about 14 feet from summer pool. This sign will need to be relocated. (BCRC, §12-631) These are proposed use permit conditions.

NATURAL RESOURCES

Bonner County intends to regulate the location and density of new development in floodplains.

All development will be located above the 2,070 foot base flood elevation. (Site plan)

Bonner County intends to consider wetlands and aquifer recharge areas in the location and density of future development.

The property does not contain mapped wetlands. (USFWS Wetlands Map, Sagle Quad)

Bonner County intends to maintain or enhance present water quality.

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

Bonner County intends to maintain or enhance our fish and wildlife resource.

The U.S. Fish and Wildlife Service noted that the Pend Oreille River is bald eagle foraging habitat and formerly recommended a 200 foot buffer between the shoreline and the project. (C659-99) The Planning Commission previously concluded that the Bonner County 40 foot shoreline setback is appropriate.

The Department of Fish and Game did not respond.

COMMUNITY DESIGN

Bonner County intends for new development to locate in areas with similar densities and compatible uses.

The Smokehouse lies to the south, and the Long bridge Grill lies to the east. The subject property is developed with the Swan's Landing Restaurant. The former Mason lots are vacant.

Bonner County intends for new development to minimize the adverse impacts on adjacent areas.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services. In addition, the applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

2. **CONCLUSION:**

ECONOMIC DEVELOPMENT

This project is located in a suitable area for the growth of commercial development.

PUBLIC SERVICES

This project does provide essential public services, to the residents of Bonner County, at the least expense.

TRANSPORTATION

This project does provide a transportation system that is safe, uncongested and well maintained.

NATURAL RESOURCES

This project does manage natural resources to attain the greatest long-term public benefit.

COMMUNITY DESIGN

This project does maintain a variety of lifestyles and a rural character for the future development of Bonner County.

Therefore, the proposal is in accordance with the general and specific objectives of the Comprehensive Plan.

3. **FINDING:**

All development will be located above the 2,070 foot base flood elevation. (Site plan)

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

The **Department of Transportation (ITD)** reviewed a traffic study prepared by the project engineer for the conditional use permit and concluded that the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD.

The **Bonner County Road Department** recommends the following conditions:

- a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
- b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
- c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue.
- d. An encroachment permit for a commercial approach shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
- e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
- f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
- g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.

3. **CONCLUSION:**

The proposed use will not create a hazard or will not be dangerous to persons on or adjacent to the property.

CONDITIONS

1. The use shall be in accordance with the approved site plan.
2. The Conditional Use Permit shall not supersede deed restrictions.
3. All county setbacks shall be met.
4. The Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit, the applicant may make a written request to the Planning Director for a single extension of the Conditional Use Permit for a period up to two (2) years. The Planning and Zoning Commission may consider such request for extension at any public hearing. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit.
5. The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and storm water management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved.
6. Prior to conditional use permit issuance, the applicants shall relocate the on premise sign fronting on U.S. Highway 95 to a minimum 25 foot setback from the U.S. Highway 95 right of way boundary, and shall relocate the on premise sign fronting on the Pend Oreille River to a minimum

40 foot setback from the summer pool level/2,062.5 foot elevation. The project engineer shall provide written confirmation to the Planning Department verifying the relocation of the two signs.

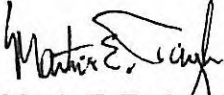
7. Prior to conditional use permit issuance, a rezone from Suburban 1/3 to Recreation shall become effective for Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79.
8. Prior to conditional use permit issuance, that applicant shall complete the following to the satisfaction of the Bonner County Public Works Department:
 - a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
 - b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
 - c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue, or an approach approved and constructed off of Lakeshore Drive, to the satisfaction of the Public Works Department.
 - d. An encroachment permit for a commercial approach(es) shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
 - e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
 - f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
 - g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.The project engineer shall provide written confirmation from the Road Department to the Planning Department verifying completion of Conditions 8a, 8b, 8c, 8d, 8e and 8f.
9. Prior to conditional use permit issuance, the applicant shall provide payment in advance for hook-up fees for water and sewer service to rebuild the Harford lift station in order for the station to effectively accommodate the expansion to 29 units. The applicant shall provide to the Planning Department written verification from the Southside Water and Sewer District upon completing this condition.
10. The project shall connect to the Southside Water and Sewer District for water and sewer services.
11. Prior to conditional use permit issuance, the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD. The applicant shall provide to the Planning Department written verification from ITD upon completing this condition.
12. Prior to conditional use permit issuance, Lots 1 through 10, Block 10, *Lakeside Place*, shall be combined into one lot, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, shall be combined into one lot, via lot line adjustments, and a final plat recorded.
13. Prior to inn occupancy a site obscuring barrier shall be constructed between Lots 10 and 11, Block 10 and Lots 5 and 6, Block 7, to the satisfaction of the lot owners and applicant.

Bonner County Revised Code, Section 12-451, provides an opportunity for affected persons to appeal Planning and Zoning Commission decisions to the Board of County Commissioners for the Board's consideration no more than 30 days after the final decision of the Planning and Zoning Commission. Any

such appeal must be submitted in accordance with the referenced code section no later than **5:00 p.m., Monday, November 6, 2000**. An appeal must be accompanied by a \$95.00 filing fee payable to the Bonner County Planning Department plus the actual cost of mailing notice and legal advertisement.

Please contact this department if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin E. Taylor".

Martin E. Taylor, AICP
Planning Director

c: Tucker, Brown & Vermeer, LLC, Project Representative
102 South Second Avenue
Sandpoint, Idaho 83864

MINUTE ORDER

BONNER COUNTY PLANNING AND ZONING COMMISSION REGULAR HEARING MINUTES THURSDAY, OCTOBER 5, 2000

CALL TO ORDER:

The Bonner County Planning and Zoning Commission hearing was called to order by Chair Jack Filipowski, at 6:00 p.m. in Courtroom 4, Bonner County Courthouse, 215 South First Avenue, Sandpoint, Idaho.

PRESENT: Commissioners Jack Filipowski, Chair; Doreen Anders, Vice Chair; Wayne Benner; Duane Wentz; Walt Larsen and Ray Hooker.

ABSENT: Commissioner Don Albertson.

ALSO PRESENT: Martin E. Taylor, AICP, Planning Director; Clare Marley, AICP, Senior Planner; Rob Wall, MRTP, Associate Planner and Karen Guidry, Administrative Secretary.

SUMMARY OF PUBLIC HEARING PROCEDURES:

For the benefit of members of the public present, Staff summarized the public hearing procedures.

PUBLIC HEARING:

CONDITIONAL USE PERMIT

FILE C693-00 - CONDITIONAL USE PERMIT FOR A COMMERCIAL RESORT - MAC, LLC, ET AL are requesting a conditional use permit for the expansion of a "commercial resort" consisting of dining, lodging, storage and retail sales. (The previous resort was approved under File C659-99.) A concurrent application proposing to rezone Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79, totaling 2.67 acres, from Suburban-1/3 to Recreation in order to establish the proper zoning for the expansion of a "commercial resort" is being concurrently reviewed. (File ZC 274-00) The property is commonly known as "Swan's Landing" and the former Mason lots.

CONFLICT OF INTEREST/DISCLOSURE DECLARATIONS:

The Chair requested that the Commission declare any conflicts of interest or disclosures. Commissioner Benner disclosed that he knows the neighbor across the street.

STAFF PRESENTATION:

The project was presented and the previously circulated staff report was reviewed.

Bonner County has no height restriction, the Commission was advised by Staff. There may be structural standards that apply to buildings with regard to fire safety. That, however, would be at the discretion of the Uniform Fire Code.

Staff reminded the Commission that setbacks are required to provide for a separation of use.

The Planning Department noted that this application is consistent with Bonner County Revised Code and evidence in the record submitted up to the time the Staff Report was prepared, with the addition of the Findings and Conditions listed in this Staff Report, and subject to the conclusions required by Bonner County Revised Code.

APPLICANT PRESENTATION:

Don Davis, Project Representative, described the proposed development and the thought process behind the concept. He commented on access, traffic, parking, pedestrian crossing and the intersection at Lakeshore and U.S. Highway 95.

Alex Verhoogen, owner of Swan's Landing, advised the Commission that he would not be putting in a public dock. The existing dock with eight slips will probably remain commercial, he stated. He commented on parking.

PUBLIC/AGENCY INPUT:

Brent Sleep commented on traffic.

Elwin Harford requested a privacy screen to mitigate the impacts of this project.

Staff read into the record the following exhibit:

Exhibit A: Letter dated October 5, 2000, from Richard and Dawn Struntz

RESPONSE TO INPUT:

Mr. Verhoogen commented on the site obscuring screening request.

Mr. Davis commented on the site obscuring screening request, estimated traffic and access to Lots 6, 7 and 8, south of Lakeshore.

Staff advised that the first standard condition in any use permit is that the use has to be in accordance with the approved site plan. The Public Works Department comment, conditioned in proposed Condition 8, requires that Lots 6, 7 and 8, south of Lakeshore, be accessed via Greenwood. There has been no review of an encroachment off of Lakeshore, as it was not proposed.

Staff suggested that proposed Condition 8(c) could be amended to read, as follows: "A 'Local C' road will be required in the dedicated right-of-way designated as Greenwood Avenue, or an approach approved and constructed off of Lakeshore Drive, to the satisfaction of the Public Works Department."

COMMISSION INPUT:

The hearing was closed to public testimony.

STAFF INPUT:

Staff suggested that a proposed Condition 13 could be added to read, as follows: "Prior to inn occupancy, a site obscuring barrier shall be constructed between Lots 10 and 11, Block 10 and Lots 5 and 6, Block 7, to the satisfaction of the lot owners and applicant."

COMMISSION INPUT:

The Commission discussed Findings and Conclusions.

MOTION: It was moved by Commissioner Benner, seconded by Commissioner Hooker, that based on the Bonner County Comprehensive Plan, Bonner County Revised Code, evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing, this project FILE C693-00, a conditional use permit request for a 150 seat restaurant, two single unit rental cabins, a 24 room inn, a 359 square foot retail area, a 2 unit rental cabin and a 3 unit rental cabin, a 2,400 square foot maintenance building, a single family residence, and auxiliary parking, and the storm water plan be approved subject to the Findings and Conditions as discussed and as listed in the Staff Report, and subject to the following Conclusions and the action that could be taken to obtain the conditional use permit is to complete the Conditions of Approval, as adopted.

This action does not result in a taking of private property.

VOTED upon and the Chair declared the motion carried, unanimously.

FINDINGS and CONCLUSIONS

1. FINDING:

This proposal was reviewed for compliance with the criteria and standards set forth at Sections 12-1801 et seq., 12-2101 et seq., Bonner County Revised Code, and storm water management criteria and standards set forth in Chapter 24, Title 12, Bonner County Revised Code.

2. FINDING:

ECONOMIC DEVELOPMENT

Bonner County intends to designate sufficient suitable areas for future commercial development.

The project site contains 6.19 acres and has been recognized as suitable for recreational and commercial uses since 1981. Lots 1 through 4 were previously recognized as Commercial through a series of previous actions (Zone Change Files 76-81 and 105-84). Lot 5 was rezoned from Suburban to Commercial in 1993 (Zone Change File 207-93; Ord. 233).

Bonner County intends for future commercial development, along major roads, to locate in defined areas.

The project is located on Lakeshore Drive, a Bonner County-classified "major collector," hard surfaced roadway.

Bonner County intends to consider the impact on natural resources in the location and density of future recreational development.

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and the Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

A land capability report was prepared by the project engineer recognizing that building sites exist above (outside of) the mapped 100 year flood plain; that the properties are served by the Southside Water and Sewer District; that storm water can be managed [subject to the joint development agreement discussed above: staff comment]; that temporary erosion can be mitigated through the use of "velocity restrictors;" and that the site is geologically stable.

PUBLIC SERVICES

Bonner County intends to consider the quality of existing services (police, schools, roads) in the location and density of new development.

The **Department of Transportation (ITD)** reviewed a traffic study prepared by the project engineer for the conditional use permit and concluded that the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD.

The **Bonner County Road Department** recommends the following conditions:

1. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
2. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
3. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue.
4. An encroachment permit for a commercial approach shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
5. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
6. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
7. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.

Bonner County intends to consider the quality of existing utilities (sewer, water) in the location and density of new development.

The **Southside Water and Sewer District** verified that the District can support the proposed inn together with the extended restaurant hours of operation.

Bonner County intends for new development to offset the capital costs of expanding services to their area.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

TRANSPORTATION

Bonner County intends to consider safety hazards and congestion in the location and design of future development.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

Bonner County intends for roads within new development to be built to county standards and at the expense of the developer.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

Bonner County intends for certain intense land use developments to provide paved roads.

Lakeshore Drive and U.S. Highway 95 are hard surfaced.

Bonner County intends to regulate roadside advertising signs.

Signage for the facility includes three on premises signs: one 128 square foot, double-sided, freestanding sign visible from Highway 95; one 64 square foot freestanding sign visible from the Pend Oreille River frontage; and one 64 square foot attached sign mounted to the restaurant. The highway sign is subject to a 25 foot setback and is presently located about 10 feet from the highway right of way. This sign will need to be relocated. (BCRC,

§12-630[c]) The water front sign is subject to a 40 setback and is presently located about 14 feet from summer pool. This sign will need to be relocated. (BCRC, §12-631) These are proposed use permit conditions.

NATURAL RESOURCES

Bonner County intends to regulate the location and density of new development in floodplains.

All development will be located above the 2,070 foot base flood elevation. (Site plan)

Bonner County intends to consider wetlands and aquifer recharge areas in the location and density of future development.

The property does not contain mapped wetlands. (USFWS Wetlands Map, Sagle Quad)

Bonner County intends to maintain or enhance present water quality.

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

Bonner County intends to maintain or enhance our fish and wildlife resource.

The U.S. Fish and Wildlife Service noted that the Pend Oreille River is bald eagle foraging habitat and formerly recommended a 200 foot buffer between the shoreline and the project. (C659-99) The Planning Commission previously concluded that the Bonner County 40 foot shoreline setback is appropriate.

The Department of Fish and Game did not respond.

COMMUNITY DESIGN

Bonner County intends for new development to locate in areas with similar densities and compatible uses.

The Smokehouse lies to the south, and the Long bridge Grill lies to the east. The subject property is developed with the Swan's Landing Restaurant. The former Mason lots are vacant.

Bonner County intends for new development to minimize the adverse impacts on adjacent areas.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services. In addition, the applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

2. CONCLUSION:

ECONOMIC DEVELOPMENT

This project is located in a suitable area for the growth of commercial development.

PUBLIC SERVICES

This project does provide essential public services, to the residents of Bonner County, at the least expense.

TRANSPORTATION

This project does provide a transportation system that is safe, uncongested and well maintained.

NATURAL RESOURCES

This project does manage natural resources to attain the greatest long-term public benefit.

COMMUNITY DESIGN

This project does maintain a variety of lifestyles and a rural character for the future development of Bonner County.

Therefore, the proposal is in accordance with the general and specific objectives of the Comprehensive Plan.

3. FINDING:

All development will be located above the 2,070 foot base flood elevation. (Site plan)

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

The **Department of Transportation (ITD)** reviewed a traffic study prepared by the project engineer for the conditional use permit and concluded that the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD.

The **Bonner County Road Department** recommends the following conditions:

- a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
- b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
- c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue.
- d. An encroachment permit for a commercial approach shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
- e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
- f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
- g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.

3. **CONCLUSION:**

The proposed use will not create a hazard or will not be dangerous to persons on or adjacent to the property.

CONDITIONS

1. The use shall be in accordance with the approved site plan.
2. The Conditional Use Permit shall not supersede deed restrictions.
3. All county setbacks shall be met.
4. The Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit, the applicant may make a written request to the Planning Director for a single extension of the Conditional Use Permit for a period up to two (2) years. The Planning and Zoning Commission may consider such request for extension at any public hearing. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit.
5. The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and storm water management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved.
6. Prior to conditional use permit issuance, the applicants shall relocate the on premise sign fronting on U.S. Highway 95 to a minimum 25 foot setback from the U.S. Highway 95 right of way boundary, and shall relocate the on premise sign fronting on the Pend Oreille River to a minimum 40 foot setback from the summer pool level/2,062.5 foot elevation. The project engineer shall provide written confirmation to the Planning Department verifying the relocation of the two signs.
7. Prior to conditional use permit issuance, a rezone from Suburban 1/3 to Recreation shall become effective for Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79.
8. Prior to conditional use permit issuance, that applicant shall complete the following to the satisfaction of the Bonner County Public Works Department:
 - a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
 - b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
 - c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue, or an approach approved and constructed off of Lakeshore Drive, to the satisfaction of the Public Works Department.
 - d. An encroachment permit for a commercial approach(es) shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
 - e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
 - f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.

- g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.

The project engineer shall provide written confirmation from the Road Department to the Planning Department verifying completion of Conditions 8a, 8b, 8c, 8d, 8e and 8f.

9. Prior to conditional use permit issuance, the applicant shall provide payment in advance for hook-up fees for water and sewer service to rebuild the Harford lift station in order for the station to effectively accommodate the expansion to 29 units. The applicant shall provide to the Planning Department written verification from the Southside Water and Sewer District upon completing this condition.
10. The project shall connect to the Southside Water and Sewer District for water and sewer services.
11. Prior to conditional use permit issuance, the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD. The applicant shall provide to the Planning Department written verification from ITD upon completing this condition.
12. Prior to conditional use permit issuance, Lots 1 through 10, Block 10, *Lakeside Place*, shall be combined into one lot, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, shall be combined into one lot, via lot line adjustments, and a final plat recorded.
13. Prior to inn occupancy a site obscuring barrier shall be constructed between Lots 10 and 11, Block 10 and Lots 5 and 6, Block 7, to the satisfaction of the lot owners and applicant.

EXHIBITS LIST

DATE: 10/5/00

FILE: C 693-00

P&Z/BOARD HEARING
(Circle one)

[illegible]

October 5, 2000

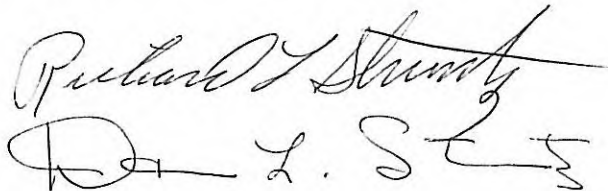
Bonner County Planning and Zoning
127 South 1st Ave.
Sandpoint, Idaho 83864

RE: Conditional Use Permit, File #C693-00, Mac LLC Commercial Resort

Dear Clare,

We are not writing in opposition to the above project, but only to request a condition be considered as part of the application request to require the developer to construct and maintain a sight obscuring fence along our West property line. That is between lots 5 and 6 of Block 7 Lakeside Place. Although we have never seen any plans for the property South of Lakeshore Drive, or for that matter the North side either, we hear through the rumor mill that this area is being pursued for parking and storage. We would like to minimize the visual impact and discourage people from entering our property.

Sincerely,



Richard and Dawn Struntz
The Smoke House RDRC



PTZ
EXHIBIT
A
C693-00

**BONNER COUNTY PLANNING DEPARTMENT
PLANNING AND ZONING COMMISSION
STAFF REPORT**

**MAC, LLC AND LEROY AND PENELOPE ARMSTRONG
CONDITIONAL USE PERMIT FOR EXPANSION OF A COMMERCIAL RESORT**

APPLICATION

1. Project Proposal: The applicants are requesting a conditional use permit for the expansion of a "commercial resort" presently consisting of dining, lodging and retail sales. (The previous resort was approved under File C659-99.) A concurrent application proposing to rezone Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79, totaling 2.67 acres, from Suburban-1/3 to Recreation in order to establish the proper zoning for the expansion of a "commercial resort" is being concurrently reviewed. (File ZC 274-00)
2. Legal Description: Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79.
3. Project Location: The project site is located approximately one mile south of Sandpoint. From U.S. Highway 95 south, cross the Long Bridge to Lakeshore Drive and turn west (right). The project site is the second driveway on the right (north side of Lakeshore Drive), and on the left side of Lakeshore Drive, across Lakeshore Drive from Swan's Landing. The property is commonly known as Swan's Landing Restaurant and the former Mason lots to the south of Swan's Landing.
4. Owner's Name and Address: Leroy and Penelope Armstrong and MAC, LLC
532 S. Boyer S. 5111 Freya
Sandpoint, Idaho 83864 Spokane, WA 99223
5. Applicant's Name and Address: Leroy and Penelope Armstrong and MAC, LLC
532 S. Boyer S. 5111 Freya
Sandpoint, Idaho 83864 Spokane, WA 99223
6. Project Representative's Name and Address: Tucker Engineering Consultants, 617 Church Street,
Sandpoint, Idaho 83864.
7. Application Filed: June 13, 2000. (Revised September 1, 2000 to include Lots 6, 7 and 8, Block 7,
Lakeside Place)
8. Notice of Public Hearing
Mailed: September 15, 2000
Published: September 19, 2000
Site Posted: September 27, 2000

9. Current Zoning: Suburban-1/3.

10. Current Comprehensive Plan Designation: Recreation.

The Recreation classification is intended to allow for urban residential densities in remote and scenic areas of the County centered around winter sports, lakes and rivers. If seasonal recreation areas can be developed without requiring year-round public services, the cost to taxpayers of servicing these remote areas can be minimized.

11. Current Site Use: The property is developed with the Swan's Landing restaurant. The Swan's Landing water front property is also developed with approved docks. The former Mason Lots 6, 7 and 8, Block 7, *Lakeside Place*, are vacant.

12. Surrounding Zoning: **NORTH:** Pend Oreille River; **EAST:** Recreation; **SOUTH:** Suburban 1/3; **WEST:** Suburban 1/3.

13. Surrounding Land Uses: **NORTH:** Pend Oreille River; **EAST:** U.S. Highway 95 and residential; **SOUTH:** Residential and non-conforming use; **WEST:** Residential.

14. Environmental Setting: The Swan's Landing site slopes from Lakeshore Drive at an elevation of 2104 feet to the Pend Oreille River at an elevation of 2062.5 feet. The lodging buildings (Inn at Swan's Landing, Lots 5-10, Block 10) will be built with the finished floor elevation at 2075 feet, which is five feet above the 2070 foot 100-year base flood elevation. The Swan's Landing site is on the shore of the Pend Oreille River. There are no springs or wells on site. The private home located on Lots 8 and 9 is to remain and the remainder of the properties are vacant. The former Mason lots are wooded, and are proposed to be developed with a maintenance/storage/shop building and auxiliary parking.

15. Parcel Size: 2.67 acres.

16. Access (Right-of-way and roadway): The Swan's Landing site is accessed by a driveway off of Lakeshore Drive. The former Mason properties are accessed off of Greenwood Avenue.

17. Service/Utility Provisions: **WATER:** Water is supplied by the existing public system (Southside Water and Sewer). **SEWAGE:** Sewage disposal is provided by Southside Water and Sewer. **FIRE:** The project site is located within the Sagle Fire District. **POWER:** Power to the site is provided by Avista Utilities.

18. Included in Planning and Zoning Commission Packets:
Site Plan
Application
Land Capability Report
Storm Water Management and Erosion Control Plan
Legal Notice/Map
9/19/00 Young letter
9/22/00 Harford letter

STAFF ANALYSIS

MAC, LLC, et al., are requesting a conditional use permit to expand the "commercial resort" previously approved October 7, 1999. (File C659-99) The previous approval included a restaurant with a seating capacity of 150 persons; two detached rental "cabins;" a 20 room "inn" (overnight lodging); and a 200 square foot retail shop connected to the west end of the restaurant.

The expanded proposal includes a 150 seat restaurant, two single unit rental cabins, a 24 room inn, a 359 square foot retail area, a 2 unit cabin and a 3 unit cabin, a 2,400 square foot maintenance building, a single family residence, and an auxiliary parking lot. The applicants are concurrently proposing to rezone Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79, totaling 2.67 acres, from Suburban-1/3 to Recreation in order to establish the proper zoning for the expansion of a "commercial resort." (File ZC274-00) Lots 1 through 5 and Lot 6, Block 10, were previously zoned Recreation in order to establish the proper zoning for a "commercial resort." (File ZC268-99; Ord. 383, eff. 11/2/99)

A "commercial resort" conditionally permitted within the Recreation District provides for the following:

Commercial resorts on one acre minimum which are operated for profit and may include facilities for food and beverage sales, rented seasonal living units, retail sales of equipment, supplies or services in conjunction with a resort, campgrounds and recreation vehicle parks. (BCRC, §12-1440[a])

Because of the proposal to provide food and beverage sales, rented seasonal living units, and retail sales, the applicants concluded to apply for a use permit for the operation of a "resort."

Parking for the resort under C693-00 is calculated as follows (BCRC, §12-1816):

Restaurant: 150 person seating capacity @ 1 space per 4 seats	= 38 spaces
30 employees @ 1 space per 2 employees	= 15 spaces
Inn and cabins: 31 lodging units (29 inn and 2 cabins) @ 1 ¼ spaces per unit	= 39 spaces
2 employees for the inn @ 1 space per employee	= 2 spaces
Retail shop: 400 square feet @ 1 space per 200 square feet	= 2 spaces
1 employee for the shop @ 1 space per employee	= 1 space
	97 spaces

The facility is designed for 100 parking stalls.

Signage for the facility includes three on premises signs: one 128 square foot, double-sided, freestanding sign visible from Highway 95; one 64 square foot freestanding sign visible from the Pend Oreille River frontage; and one 64 square foot attached sign mounted to the restaurant. The highway sign is subject to a 25 foot setback and is presently located about 10 feet from the highway right of way. This sign will need to be relocated. (BCRC, §12-630[c]) The water front sign is subject to a 40 setback and is presently located about 14 feet from summer pool. This sign will need to be relocated. (BCRC, §12-631) These are proposed use permit conditions.

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the

eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and the Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

A land capability report was prepared by the project engineer recognizing that building sites exist above (outside of) the mapped 100 year flood plain; that the properties are served by the Southside Water and Sewer District; that storm water can be managed; that temporary erosion can be mitigated through the use of "velocity restrictors;" and that the site is geologically stable.

A traffic impact study was conducted by the project engineer. The study concluded that "no improvements to Lakeshore Drive or U.S. 95 are warranted by the additional traffic projected to be generated by the addition of a Inn to the Swan's Landing site and expansion of the restaurant hours of operation." (Supplemental Traffic Impact Study, updated 6/1/00, *Recommendations*)

The project was distributed to the following agencies for comment:

The **Panhandle Health District** noted that the project is served by a public water and sewer district, and that the project will not affect sanitary restrictions.

The **Bonner County Road Department** recommends the following conditions:

- a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
- b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
- c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue.
- d. An encroachment permit for a commercial approach shall be applied for, approved and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
- e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
- f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
- g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.

The **Sagle Fire District** did not respond.

The **Southside Water and Sewer District** verified that the District can support the proposed rezone and recommends that:

Prior to conditional use permit issuance, the applicant shall provide payment in advance for hook-up fees for water and sewer service to rebuild the Harford lift station in order for the station to effectively accommodate the expansion to 29 units. The applicant shall provide to the Planning Department written verification from the Southside Water and Sewer District upon completing this condition.

The U.S. Fish and Wildlife Service noted that the agency does not have the staff to review Bonner County projects. However, the Service noted for File ZC268-99 and C659-99 that the Pend Oreille River is bald eagle foraging habitat and recommended a 200 foot buffer between the shoreline and any development. The Planning Commission previously concluded that the Bonner County 40 foot shoreline setback is appropriate.

Avista Power Company noted that the utility provider has no recommended conditions.

The Department of Fish and Game did not respond.

The Department of Health and Welfare (DEQ) recommended on the prior conditional use permit (C659-99) that the applicants obtain a "will serve" letter from the Southside Water and Sewer District "to establish capacity to serve and acceptance of the project by the district." As noted, the District commented that it can support the proposal.

The Department of Transportation (ITD) reviewed a traffic study prepared by the project engineer and concluded that the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD. This is a proposed use permit condition.

Written comment was provided by neighboring property owners Don and Ria Young, and Elwin Harford, summarizing opposition to the project due to impacts to residential lots. (letters attached.) No additional written public comment was received up to the time this report was written.

This application is consistent with Bonner County Revised Code and evidence in the record submitted up to the time the Staff Report was prepared, with the addition of the Findings and Conditions listed in this Staff Report, and subject to the conclusions required by Bonner County Revised Code.

FINDINGS and CONCLUSIONS

1. FINDING:

This proposal was reviewed for compliance with the criteria and standards set forth at Sections 12-1801 et seq., 12-2101 et seq., Bonner County Revised Code, and storm water management criteria and standards set forth in Chapter 24, Title 12, Bonner County Revised Code.

2. FINDING:

ECONOMIC DEVELOPMENT

Bonner County intends to designate sufficient suitable areas for future commercial development.

The project site contains 6.19 acres and has been recognized as suitable for recreational and commercial uses since 1981. Lots 1 through 4 were previously recognized as Commercial through a series of previous actions (Zone Change Files 76-81 and 105-84). Lot 5 was rezoned from Suburban to Commercial in 1993 (Zone Change File 207-93; Ord. 233).

Bonner County intends for future commercial development, along major roads, to locate in defined areas.

The project is located on Lakeshore Drive, a Bonner County-classified "major collector," hard surfaced roadway.

Bonner County intends to consider the impact on natural resources in the location and density of future recreational development.

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and the Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

A land capability report was prepared by the project engineer recognizing that building sites exist above (outside of) the mapped 100 year flood plain; that the properties are served by the Southside Water and Sewer District; that storm water can be managed [subject to the joint development agreement discussed above: staff comment]; that temporary erosion can be mitigated through the use of "velocity restrictors;" and that the site is geologically stable.

PUBLIC SERVICES

Bonner County intends to consider the quality of existing services (police, schools, roads) in the location and density of new development.

The **Department of Transportation (ITD)** reviewed a traffic study prepared by the project engineer for the conditional use permit and concluded that the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD.

The **Bonner County Road Department** recommends the following conditions:

- a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
- b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
- c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue.

- d. An encroachment permit for a commercial approach shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
- e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
- f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
- g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.

Bonner County intends to consider the quality of existing utilities (sewer, water) in the location and density of new development.

The Southside Water and Sewer District verified that the District can support the proposed inn together with the extended restaurant hours of operation.

Bonner County intends for new development to offset the capital costs of expanding services to their area.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

TRANSPORTATION

Bonner County intends to consider safety hazards and congestion in the location and design of future development.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

Bonner County intends for roads within new development to be built to county standards and at the expense of the developer.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

Bonner County intends for certain intense land use developments to provide paved roads.

Lakeshore Drive and U.S. Highway 95 are hard surfaced.

Bonner County intends to regulate roadside advertising signs.

Signage for the facility includes three on premises signs: one 128 square foot, double-sided, freestanding sign visible from Highway 95; one 64 square foot freestanding sign visible from the Pend Oreille River frontage; and one 64 square foot attached sign mounted to the restaurant. The highway sign is subject to a 25 foot setback and is presently located about 10 feet from the highway right of way. This sign will need to be relocated. (BCRC, §12-630[c]). The water front sign is subject to a 40 setback and is presently located about 14 feet from summer pool. This sign will need to be relocated. (BCRC, §12-631) These are proposed use permit conditions.

NATURAL RESOURCES

Bonner County intends to regulate the location and density of new development in floodplains.

All development will be located above the 2,070 foot base flood elevation. (Site plan)

Bonner County intends to consider wetlands and aquifer recharge areas in the location and density of future development.

The property does not contain mapped wetlands. (USFWS Wetlands Map, Sagle Quad)

Bonner County intends to maintain or enhance present water quality.

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

Bonner County intends to maintain or enhance our fish and wildlife resource.

The U.S. Fish and Wildlife Service noted that the Pend Oreille River is bald eagle foraging habitat and formerly recommended a 200 foot buffer between the shoreline and the project. (C659-99) The Planning Commission previously concluded that the Bonner County 40 foot shoreline setback is appropriate.

The Department of Fish and Game did not respond.

COMMUNITY DESIGN

Bonner County intends for new development to locate in areas with similar densities and compatible uses.

The Smokehouse lies to the south, and the Long bridge Grill lies to the east. The subject property is developed with the Swan's Landing Restaurant. The former Mason lots are vacant.

Bonner County intends for new development to minimize the adverse impacts on adjacent areas.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services. In addition, the applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

2. CONCLUSION:

ECONOMIC DEVELOPMENT

This project [is/is not] located in a suitable area for the growth of commercial development.

PUBLIC SERVICES

This project [does/does not] provide essential public services, to the residents of Bonner County, at the least expense.

TRANSPORTATION

This project [does/does not] provide a transportation system that is safe, unconfessed and well maintained.

NATURAL RESOURCES

This project [does/does not] manage natural resources to attain the greatest long-term public benefit.

COMMUNITY DESIGN

This project [does/does not] maintain a variety of lifestyles and a rural character for the future development of Bonner County.

Therefore, the proposal [is/is not] in accordance with the general and specific objectives of the Comprehensive Plan.

3. FINDING:

All development will be located above the 2,070 foot base flood elevation. (Site plan)

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

The **Department of Transportation (ITD)** reviewed a traffic study prepared by the project engineer for the conditional use permit and concluded that the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD.

The **Bonner County Road Department** recommends the following conditions:

- a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
 - b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
 - c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue.
 - d. An encroachment permit for a commercial approach shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
 - e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
 - f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
 - g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.
-
-
-

3. **CONCLUSION:**

The proposed use [will/will not] create a hazard or [will/will not] be dangerous to persons on or adjacent to the property.

CONDITIONS

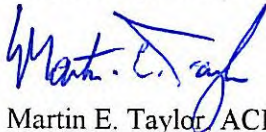
1. The use shall be in accordance with the approved site plan.
2. The Conditional Use Permit shall not supersede deed restrictions.
3. All county setbacks shall be met.

4. The Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit, the applicant may make a written request to the Planning Director for a single extension of the Conditional Use Permit for a period up to two (2) years. The Planning and Zoning Commission may consider such request for extension at any public hearing. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit.
5. The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and storm water management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved.
6. Prior to conditional use permit issuance, the applicants shall relocate the on premise sign fronting on U.S. Highway 95 to a minimum 25 foot setback from the U.S. Highway 95 right of way boundary, and shall relocate the on premise sign fronting on the Pend Oreille River to a minimum 40 foot setback from the summer pool level/2,062.5 foot elevation. The project engineer shall provide written confirmation to the Planning Department verifying the relocation of the two signs.
7. Prior to conditional use permit issuance, a rezone from Suburban 1/3 to Recreation shall become effective for Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79.
8. Prior to conditional use permit issuance, that applicant shall complete the following to the satisfaction of the Bonner County Public Works Department:
 - a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
 - b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
 - c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue.
 - d. An encroachment permit for a commercial approach(es) shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
 - e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
 - f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
 - g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.

The project engineer shall provide written confirmation from the Road Department to the Planning Department verifying completion of Conditions 8a, 8b, 8c, 8d, 8e and 8f.

9. Prior to conditional use permit issuance, the applicant shall provide payment in advance for hook-up fees for water and sewer service to rebuild the Harford lift station in order for the station to effectively accommodate the expansion to 29 units. The applicant shall provide to the Planning Department written verification from the Southside Water and Sewer District upon completing this condition.
10. The project shall connect to the Southside Water and Sewer District for water and sewer services.
11. Prior to conditional use permit issuance, the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD. The applicant shall provide to the Planning Department written verification from ITD upon completing this condition.
12. Prior to conditional use permit issuance, Lots 1 through 10, Block 10, *Lakeside Place*, shall be combined into one lot, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, shall be combined into one lot, via lot line adjustments, and a final plat recorded.

Respectfully submitted,



Martin E. Taylor ACP
Planning Director
September 26, 2000

PLANNING COMMISSION

MOTION: I move that, based on the Bonner County Comprehensive Plan, Bonner County Revised Code, evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing, this project FILE C693-00, a conditional use permit request for a 150 seat restaurant, two single unit rental cabins, a 24 room inn, a 359 square foot retail area, a 2 unit rental cabin and a 3 unit rental cabin, a 2,400 square foot maintenance building, a single family residence, and auxiliary parking, and the storm water plan be [approved/denied] subject to the Findings and Conditions as discussed and as listed in the Staff Report, and subject to the following Conclusions:

[SEE STAFF REPORT]

[IF MOTION IS TO APPROVE, INCLUDE:]

The action that could be taken to obtain the conditional use permit is to complete the Conditions of Approval as adopted.

This action does not result in a taking of private property.

[IF MOTION IS TO DENY, INCLUDE:]

The action that could be taken, if any, to obtain the conditional use permit is to:

- 1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
- 2) Appeal the Planning and Zoning Commission's decision to the County Commissioners.

This action does not result in a taking of private property.

REF: ZC 274-00

9-22-00

I am ELWIN HARFORD residing at 117 Lakeshore Dr. on Lots 11, 12 & 13 next door west of Lots 7, 8, 9 & 10, subject of rezone application. All of these lots have been residential for practically forever.

If you now rezone you will allow commercial development right up next to my long established home. To prevent such intrusions is why we have zoning laws, I always thought.

I have long expected to live in my home in a residential neighborhood until health dictated I leave, now it seems commercial development next door will change that.

Elwin Harford
PO Box 735
Sandpoint, Idaho .

SEP 22 2000

88 Smokehouse Road
Sagle, ID 83860
(208) 263-9652 (home)
(208) 263-5747 (office)

September 19, 2000

Bonner County Planning and Zoning
127 South First Ave.
Sandpoint, ID 83864

Re: File C693-00 Zone Change and Conditional Use Permit
Hearing scheduled for Thursday, October 5, 2000

20274.00

To Whom It May Concern:

At this time we are not sure we will be able to attend the 9:00 p.m. and 9:15 p.m. hearings regarding the above mentioned file, but would like to ensure our comments regarding this change are on file.

We have owned our home on Smoke House Road since the spring of 1989 and have watched and dealt with the continual growth of the area, the most pronounced being the congestion and growing danger of the intersection of Lakeshore Drive and Highway 95. With the increase in traffic it has become difficult, at high traffic times, to even exit Smoke House Road onto Lakeshore Drive, let alone begin to comment about attempting to gain access to Highway 95.

On many occasions we have to access our home by traveling through the parking and private residence area of the Smoke House. The owners of this business have been gracious about this inconvenience. Unfortunately homeowners are not the only people who use Smoke House Road. Mail carriers, newspaper carriers, UPS, Fed Ex and other delivery services, not to mention friends and relatives who visit the homes on this road. The owners of The Smoke House should not have to be subjected to public traffic using their private property.

We would ask the Planning and Zoning Department to look at the affect of the additional traffic congestion being added to an already dangerous traffic situation, i.e. to be pro-active in the planning stages instead of having to react, most likely in haste, later. In the past we have questioned the feasibility of traffic control (above and beyond a stop sign, for this intersection from the State Highway Department. The only response we received was a "thank you" for our interest).

RECEIVED

SEP 19 2000

BONNER COUNTY
PLANNING DEPARTMENT

Planning and Zoning Department
Re: File C693-00 Zone Change and Conditional Use Permit
September 19, 2000
Page 2

Also, as homeowners, we question the zoning change and how that will eventually impact the property directly to the south of the proposed change, which is currently undeveloped, the homes along Smoke House Road and the homes situated along the south side and to the west of the proposed change on Lakeshore Drive.

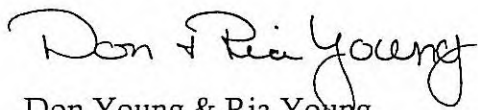
A past zoning change to recreation brought a go-kart track into the neighborhood. That change was above and beyond what fit into the area, even with business zoning in the immediate neighborhood. Has a definition been put on the limits of recreation zoning? Will any potential noise ordinance be null and void in a recreational zoned area regardless the immediate residential area? Will that open the currently undeveloped area immediately south of the proposed zoning change (south of Lakeshore Drive) to also apply and be granted a recreation zoning permit, again regardless of the private homes in this area?

We do not believe what Swan's Landing has planned will be as disruptive and as ill-fitting as a go-kart track. Our concern is in the future of this immediate area. What potential permits may be issued to property owners in the area that will disrupt the aesthetic and monetary value of the immediate residential area?

What we are asking of the Planning and Zoning Department of Bonner County is to look at what exists in the immediate area, make a determination of what will fit within that area to allow for harmonious growth, and act accordingly instead of reacting later when problems arise because of what was not examined at in the developing stages.

We have serious doubt that our comments will sway the Planning and Zoning Commission to do anything but issue the permit as requested since it is obvious work has already begun on the south side of Lakeshore Drive regardless the input by those who may also be submitting written comment and/or those who may take the time to attend the hearings. We would like to be on record as opposing the zoning change, not as a vote against Swan's Landing, but as a vote to avoid opening of the potential total degeneration of the long-time residences in this area.

Sincerely,


Don Young & Ria Young

AFFIDAVIT OF PUBLICATION

State of Idaho

SS.

County of Bonner,

Delra Bergman

being first duly sworn on oath

deposes and says that he/she is Boabbeep

of the Bonner County Daily Bee, a newspaper printed and

published at Sandpoint, Bonner County, Idaho; that the

said newspaper has been continuously and uninterruptedly

published in said Bonner County during a period of

months prior to the first publication of the hereto attached

notice of publication in the case of:

Public Hearing

as it was published in the regular and entire issue of the

said paper for a period of 1 ^{day} consecutive weeks,

commencing on 19th day of Sept., 2000

and ending on the 19th day of Sept., 2000

and that said notice was published in said newspaper.

On this 19th day of Sept. in the year

of 2000, before me, a Notary Public, personally

appeared Delra Bergman,

known or identified to me to be the person whose name

subscribed to the within instrument, and being by me

first duly sworn, declared that the statements therein are

true, and acknowledged to me that he executed the same.

Carolyn L. Inge
Notary Public for Idaho

My Commission expires: 9/06

NOTICE OF
PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Bonner County Planning and Zoning Commission will hold public hearings at the following times on **Thursday, October 5, 2000**, in Courtroom No. 4 of the Bonner County Courthouse, 215 S. First Avenue, Sandpoint, Idaho, to consider the following requests:

6:00 P.M. - FILE ZC276-00 - ZONE CHANGE RURAL TO RECREATION - LEONARD L. MONTAGUE ESTATE, JOANNE MONTAGUE AND ALAN AND JOYCE HORNISH

are seeking a rezone from Rural (5-acre minimum) to Recreation (1-acre minimum, where all urban services are not available) for an existing ±2.22-acre tract of land created in 1982. The zone change is being sought in order to bring the subject land into conformance with zoning code. The site is located in the Martin Bay area of Lake Pend Oreille, and is described Tax No. 22 located in Section 5,

Township 56 North, Range 1 East, B.M., Bonner County, Idaho.

6:30 P.M. - FILE ZC275-00 - ZONE CHANGE AGRICULTURAL TO RURAL - MELVIN AND DOROTHY SPRAKER are requesting a zone change from Agricultural (10-acre minimum) to Rural (5-acre minimum) on ±195 acres of property, currently used as a farm and undeveloped open space. The subject property is north of the city limits of Ponderay, east of U.S. Highway 95 and north of Bronx Road, in Section 36, Township 58 North, Range 2 West, B.M., Bonner County, Idaho.

7:00 P.M. - FILE S834-00 - WHITETAIL ACRES - PRELIMINARY PLAT - MELVIN AND DOROTHY SPRAKER are requesting preliminary plat approval to subdivide ±80 acres into 16 residential, 5-acre lots in two phases. The subject property is currently zoned Agricultural (10-acre minimum). A zone change request to Rural (5-acre minimum) (File #ZC275-00) is also being reviewed by the County for the same subject property. The subject property is north of the city limits of Ponderay, east of U.S. Highway 95 and north of Bronx Road, in Section 36, Township 58 North, Range 2 West, B.M., Bonner County, Idaho.

7:30 P.M. - FILE C696-00 - CONDITIONAL USE PERMIT FOR A LANDFILL (SEPTAGE DISPOSAL) - LOIS L. JENSEN is requesting conditional use permit approval to operate an 80-acre septage (septic sludge) land application site and a 178-foot x 178-foot x 13-foot deep, lined storage lagoon. The project site is located ±5 miles north of the City of Sandpoint, 1/2 mile north on Nettlingham Road (from Colburn Culver Road) Section 6, Township 58 North, Range 1 West, B.M., Bonner County, Idaho.

8:30 P.M. - FILE ZC277-00 - ZONE CHANGE SUBURBAN TO COMMERCIAL - ONWARD L. AND ANND H. BIRKHIMER are requesting to rezone about 2 acres from Suburban (residential) to Commercial (retail sales, service establishments) to bring into conformance with Bonner County Revised Code the historic commercial use of the premises. The property is located adjacent to, and west of, U.S. Highway 95, about 0.5 mile north of Mile Post 478, in a portion of Section 35, Township 58 North, Range 2 West, B.M., Bonner County, Idaho.

9:00 P.M. - FILE ZC274-00 - ZONE CHANGE SUBURBAN TO RECREATION - MAC, LLC, ET AL are proposing to rezone Lots 7, 8, 9 and 10, Block 10, Lakeside Place, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, Lakeside Place, Book of Plats 1, Page 79, totaling 2.67 acres, from Suburban-1/3 to Recreation in order to establish the proper zoning for the expansion of a "com-

mercial resort." A conditional use permit (File C693-00) is also being reviewed concurrently for the expansion of a "commercial resort" consisting of dining, lodging, storage and retail sales. (The previous resort was approved under File C659-99.) The property is commonly known as "Swan's Landing" and the former Mason lots.

9:15 P.M. - FILE C693-00 - CONDITIONAL USE PERMIT FOR A COMMERCIAL RESORT - MAC, LLC, ET AL

are requesting a conditional use permit for the expansion of a "commercial resort" consisting of dining, lodging, storage and retail sales. (The previous resort was approved under File C659-99.) A concurrent application proposing to rezone Lots 7, 8, 9 and 10, Block 10, Lakeside Place, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, Lakeside Place, Book of Plats 1, Page 79, totaling 2.67 acres, from Suburban-1/3 to Recreation in order to establish the proper zoning for the expansion of a "commercial resort" is being concurrently reviewed. (File ZC 274-00) The property is commonly known as "Swan's Landing" and the former Mason lots.

Please contact the Bonner County Planning Department the day before the scheduled hearings to verify if these items will be heard on the date and at the time specified or continued to another date and time.

Handicapped persons needing additional information or special assistance, please call the Bonner County Planning Department at (208) 265-1458.

WRITTEN COMMENTS SHOULD BE RECEIVED BY THE BONNER COUNTY PLANNING DEPARTMENT TEN (10) CALENDAR DAYS PRIOR TO THE SCHEDULED HEARING. COMMENTS MUST BE SENT TO: BONNER COUNTY PLANNING DEPARTMENT, 127 S. FIRST AVENUE, SANDPOINT, IDAHO, 83 864, FAX (208) 265-1463. ADDITIONAL INFORMATION AND DETAILED MAPS ARE AVAILABLE AT THE BONNER COUNTY PLANNING DEPARTMENT. STAFF REPORTS ARE AVAILABLE AT THE PLANNING DEPARTMENT OR MAY BE VIEWED AT www.co.bonner.id.us SEVEN DAYS PRIOR TO THE SCHEDULED HEARING. ANY AFFECTED PERSON AS DEFINED BY IDAHO CODE, TITLE 67, CHAPTER 65, MAY PRESENT AN APPEAL TO THE BOARD OF COUNTY COMMISSIONERS FROM ANY FINAL DECISION BY THE BONNER COUNTY PLANNING AND ZONING COMMISSION. (BONNER COUNTY REVISED CODE, SECTION 12-451)

gal SNP#2078
September 19, 2000

2078

Township 56 North, Range 1 East, B. M., Bonner County, Idaho.

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Legal SNP#2078

September 19, 2000

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NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Bonner County Planning and Zoning Commission will hold public hearings at the following times on **Thursday, October 5, 2000**, in Courtroom No. 4 of the Bonner County Courthouse, 215 S. First Avenue, Sandpoint, Idaho, to consider the following requests:

6:00 P.M. - FILE ZC276-00 - ZONE CHANGE RURAL TO RECREATION - LEONARD L. MONTAGUE ESTATE, JOANNE MONTAGUE AND ALAN AND JOYCE HORNISH are seeking a rezone from Rural (5-acre minimum) to Recreation (1-acre minimum, where all urban services are not available) for an existing ± 2.22 -acre tract of land created in 1982. The zone change is being sought in order to bring the subject land into conformance with zoning code. The site is located in the Martin Bay area of Lake Pend Oreille, and is described Tax No. 22 located in Section 5, Township 56 North, Range 1 East, B. M., Bonner County, Idaho.

6:30 P.M. - FILE ZC275-00 - ZONE CHANGE AGRICULTURAL TO RURAL - MELVIN AND DOROTHY SPRAKER are requesting a zone change from Agricultural (10-acre minimum) to Rural (5-acre minimum) on ± 195 acres of property, currently used as a farm and undeveloped open space. The subject property is north of the city limits of Ponderay, east of U.S. Highway 95 and north of Bronx Road, in Section 36, Township 58 North, Range 2 West, B.M., Bonner County, Idaho.

7:00 P.M. - FILE S834-00 - WHITETAIL ACRES - PRELIMINARY PLAT - MELVIN AND DOROTHY SPRAKER are requesting preliminary plat approval to subdivide ± 80 acres into 16 residential, 5-acre lots in two phases. The subject property is currently zoned Agricultural (10-acre minimum). A zone change request to Rural (5-acre minimum) (File #ZC275-00) is also being reviewed by the County for the same subject property. The subject property is north of the city limits of Ponderay, east of U.S. Highway 95 and north of Bronx Road, in Section 36, Township 58 North, Range 2 West, B.M., Bonner County, Idaho.

7:30 P.M. - FILE C696-00 - CONDITIONAL USE PERMIT FOR A LANDFILL (SEPTAGE DISPOSAL) - LOIS I. JENSEN is requesting conditional use permit approval to operate an 80-acre septage (septic sludge) land application site and a 178-foot x 178-foot x 13-foot deep, lined storage lagoon. The project site is located ± 5 miles north of the City of Sandpoint, $\frac{1}{2}$ mile north on Nettlingham Road (from Colburn Culver Road) Section 6, Township 58 North, Range 1, West, B.M., Bonner County, Idaho.

8:30 P.M. - FILE ZC277-00 - ZONE CHANGE SUBURBAN TO COMMERCIAL - ONWARD L. AND ANND H. BIRKHIMER are requesting to rezone about 2 acres from Suburban (residential) to Commercial (retail sales, service establishments) to bring into conformance with Bonner County Revised Code the historic commercial use of the premises. The property is located adjacent to, and west of, U.S. Highway 95, about 0.5 mile north of Mile Post 478, in a portion of Section 35, Township 58 North, Range 2 West, B.M., Bonner County, Idaho.

9:00 P.M. - FILE ZC274-00 - ZONE CHANGE SUBURBAN TO RECREATION - MAC, LLC, ET AL are proposing to rezone Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79, totaling 2.67 acres, from Suburban-1/3 to Recreation in order to establish the proper zoning for the expansion of a "commercial resort." A conditional use permit (File C693-00) is also being reviewed concurrently for the expansion of a "commercial resort" consisting of dining, lodging, storage and retail sales. (The previous resort was approved under File C659-99.) The property is commonly known as "Swan's Landing" and the former Mason lots.

9:15 P.M. - FILE C693-00 - CONDITIONAL USE PERMIT FOR A COMMERCIAL RESORT - MAC, LLC, ET AL are requesting a conditional use permit for the expansion of a "commercial resort" consisting of dining, lodging, storage and retail sales. (The previous resort was approved under File C659-99.) A concurrent application proposing to rezone Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79, totaling 2.67 acres, from Suburban-1/3 to Recreation in order to establish the proper zoning for the expansion of a "commercial resort" is being concurrently reviewed. (File ZC 274-00) The property is commonly known as "Swan's Landing" and the former Mason lots.

Please contact the Bonner County Planning Department the day before the scheduled hearings to verify if these items will be heard on the date and at the time specified or continued to another date and time.

Handicapped persons needing additional information or special assistance, please call the Bonner County Planning Department at (208) 265-1458.

WRITTEN COMMENTS SHOULD BE RECEIVED BY THE BONNER COUNTY PLANNING DEPARTMENT TEN (10) CALENDAR DAYS PRIOR TO THE SCHEDULED HEARING. COMMENTS MUST BE SENT TO: BONNER COUNTY PLANNING DEPARTMENT, 127 S. FIRST AVENUE, SANDPOINT, IDAHO, 83864, FAX (208) 265-1463. ADDITIONAL INFORMATION AND DETAILED MAPS ARE AVAILABLE AT THE BONNER COUNTY PLANNING DEPARTMENT. STAFF REPORTS ARE AVAILABLE AT THE PLANNING DEPARTMENT OR MAY BE VIEWED AT www.co.bonner.id.us SEVEN DAYS PRIOR TO THE SCHEDULED HEARING. ANY AFFECTED PERSON AS DEFINED BY IDAHO CODE, TITLE 67, CHAPTER 65, MAY PRESENT AN APPEAL TO THE BOARD OF COUNTY COMMISSIONERS FROM ANY FINAL DECISION BY THE BONNER COUNTY PLANNING AND ZONING COMMISSION. (BONNER COUNTY REVISED CODE, SECTION 12-451)

To be published in the Bonner County Daily Bee **TUESDAY, SEPTEMBER 19, 2000.**

9/14/00
12:15
D. Bergman

SITE POSTED

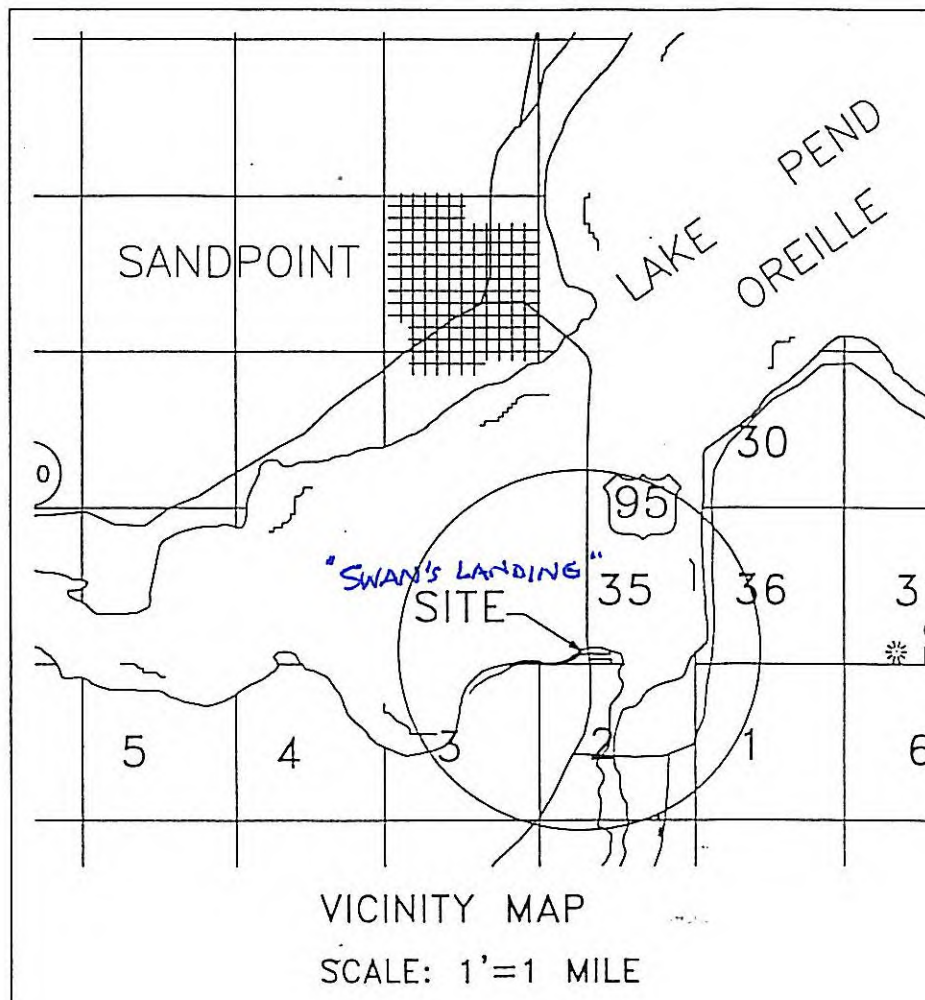
FILE NO.: C693-00
DIRECTIONS TO SITE:

POSTED BY: [Signature]
DATE: 9/27/00

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Bonner County Planning and Zoning Commission will hold public hearing at the following time on **Thursday, October 5, 2000**, in Courtroom No. 4 of the Bonner County Courthouse, 215 S. First Avenue, Sandpoint, Idaho, to consider the following request:

9:15 P.M. - FILE C693-00 - CONDITIONAL USE PERMIT FOR A COMMERCIAL RESORT - MAC, LLC, ET AL are requesting a conditional use permit for the expansion of a "commercial resort" consisting of dining, lodging, storage and retail sales. (The previous resort was approved under File C659-99.) A concurrent application proposing to rezone Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79, totaling 2.67 acres, from Suburban-1/3 to Recreation in order to establish the proper zoning for the expansion of a "commercial resort" is being concurrently reviewed. (File ZC 274-00)



Please contact the Bonner County Planning Department the day before the scheduled hearing to verify if this item will be heard on the date and at the time specified or continued to another date and time.

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I hereby certify that a true and correct copy of the foregoing "Notice of Public Hearing" was mailed (postage prepaid) on this 15th day of September, 2000.

Bucky Witt
Deputy Clerk

RECORD OF MAILING

RP 002340020080 A 36-00*
HARVEY, CHRISTINE FRIES
& FRIES, R S
162 LAKESHORE DR
SAGLE ID 83860

RP 002340100078 A 36-00*
ARMSTRONG, LEROY W & PENELOPE
532 S BOYER
SANDPOINT ID 83864

RP 002340020070 A 36-00*
HARVEY, JAY & CHRISTINE F
162 LAKESHORE DR
SAGLE ID 83860

RP 00234002001A A 36-00*
FREDSTROM, DARRELL A & ROSE C
112 SMOKEHOUSE RD
SAGLE ID 83860

RP 00234002003A A 36-00*
JUDNICH, ANTON P & PATRICIA J
317 ROSE MARIE PLACE
BAYPOINT CA 94565

RP 00234010016A A 36-00*
HAGEN, DONALD W & NANCY A
169 LAKESHORE DR
SAGLE ID 83860

RP 00234002003B A 36-00*
JUDNICH, ANTON P & PATRICIA J
317 ROSE MARIE PLACE
BAYPOINT CA 94565

RP 00234010011B A 36-00*
HARFORD, E R
P O BOX 735
SANDPOINT ID 83864

RP 002340100018 A 36-00*
MAC LLC
5111 S FREYA
SPOKANE WA 99223

RP 002340020040 A 36-00*
HARFORD, ELWIN R
P O BOX 735
SANDPOINT ID 83864

RP 00234010005A A 36-00*
MAC LLC
5111 S FREYA
SPOKANE WA 99223

RP 002340070090 A 36-00*
HARFORD, ELWIN R
P O BOX 735
SANDPOINT ID 83864

RP 00234010014A A 36-00*
HARFORD, ELWIN R
P O BOX 735
SANDPOINT ID 83864

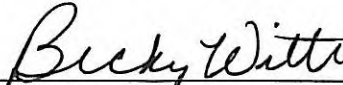
FILE NO.: ZC274-00 and C693-00

HEARING DATE: 10/5/00

PAGE 1 OF 3

RECORD OF MAILING APPROVED BY: 

I hereby certify that a true and correct copy of the Notice Of Public Hearing was mailed to the persons listed above (postage prepaid), on this 15th day of September, 2000.


Deputy Clerk

RECORD OF MAILING

RP 00234007005A A 36-00*
STRUNTZ, RICHARD L & DAWN L
1475 LAKESHORE DR
SAGLE ID 83860

RP 002340100060 A 36-00*
MAC LLC
S 5111 FREYA
SPOKANE WA 99223

RP 00234002002A A 36-00*
YOUNG, DONALD A & RIA A
88 SMOKEHOUSE RD
SAGLE ID 83860

RP 00234007006B A 36-00*
MASON, RICHARD K & WILLA B
P O BOX 768
CRESCENT CITY CA 95531

RICHARD K. AND WILLA B. MASON
C/O STEPHEN F. SMITH, ATTORNEY
102 SUPERIOR
SANDPOINT, IDAHO 83864

RP 00234002001C A 36-00*
MOILAN, ROBERT M & SUE ELLEN
7680 HWY 95 S
SAGLE ID 83860

IDAHO DEPARTMENT OF TRANSPORTATION
DISTRICT 1
600 WEST PRAIRIE
COEUR D'ALENE, IDAHO 83814

RP 002340020060 A 36-00*
SCOTT, LEONARD
P O BOX 313
SANDPOINT ID 83864

TUCKER, BROWN & VERMEER, LLC
102 SOUTH SECOND AVENUE
SANDPOINT, IDAHO 83864

LAKE PEND OREILLE SCHOOL DISTRICT, #84
ADMINISTRATION OFFICE
1123 LAKE STREET
SANDPOINT, IDAHO 83864

RP 002340020050 A 36-00*
SCOTT, LEONARD A
P O BOX 313
SANDPOINT ID 83864

PEND OREILLE HOSPITAL DISTRICT
BONNER GENERAL HOSPITAL
520 NORTH THIRD AVENUE
SANDPOINT, IDAHO 83864

RP 00234007001B A 36-00*
STRUNTZ, RICHARD L & DAWN L
1475 LAKESHORE DR
SAGLE ID 83860

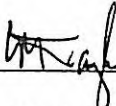
EAST BONNER LIBRARY
1407 CEDAR STREET
SANDPOINT, IDAHO 83864

SAGLE FIRE DISTRICT
POST OFFICE BOX 385
SAGLE, IDAHO 83860

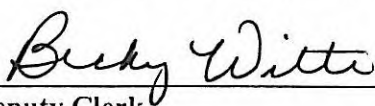
FILE NO.: ZC274-00 and C693-00

HEARING DATE: 10/5/00

PAGE 2 OF 3

RECORD OF MAILING APPROVED BY: 

I hereby certify that a true and correct copy of the Notice Of Public Hearing was mailed to the persons listed above (postage prepaid), on this 15th day of September, 2000.


Deputy Clerk

RECORD OF MAILING

KSPT-KPND RADIO
327 MARION
SANDPOINT, IDAHO 83864

NORTHLAND CABLE TV
POST OFFICE BOX 1488
SANDPOINT, IDAHO 83864

KMJY RADIO STATION
POST OFFICE BOX 1740
OLDTOWN, IDAHO 83822

SPOKESMAN REVIEW
120 E. LAKE STREET, STE. 2011
SANDPOINT, IDAHO 83864

PRIEST RIVER TIMES
POST OFFICE BOX 10
PRIEST RIVER, IDAHO 83856

GEM STATE MINER
POST OFFICE BOX 349
OLDTOWN, IDAHO 83822

BONNER COUNTY DAILY BEE
POST OFFICE BOX 159
SANDPOINT, IDAHO 83864

KPBX-FM 91 SPOKANE
PUBLIC RADIO
NORTH 2319 MONROE
SPOKANE, WASHINGTON 99205

BOARD OF REALTORS
216 NORTH FIRST AVENUE
SANDPOINT, IDAHO 83864

SOUTHSIDE SEWER & WATER DISTRICT
POST OFFICE BOX D
SANDPOINT, IDAHO 83864

BONNER COUNTY ROAD DEPARTMENT

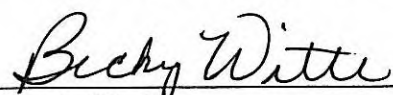
FILE NO.: ZC274-00 and C693-00

HEARING DATE: 10/5/00

PAGE 3 OF 3

RECORD OF MAILING APPROVED BY: 

I hereby certify that a true and correct copy of the Notice Of Public Hearing was mailed to the persons listed above (postage prepaid), on this 15th day of September, 2000.


Deputy Clerk



THE INN AT
SWANS LANDING

SCALE: 1"=100'

SEC. 35, GOV. LOT 4
T. 57 N., R. 2 W., B.M.
BONNER COUNTY, ID.



BONNER COUNTY
PLANNING DEPARTMENT



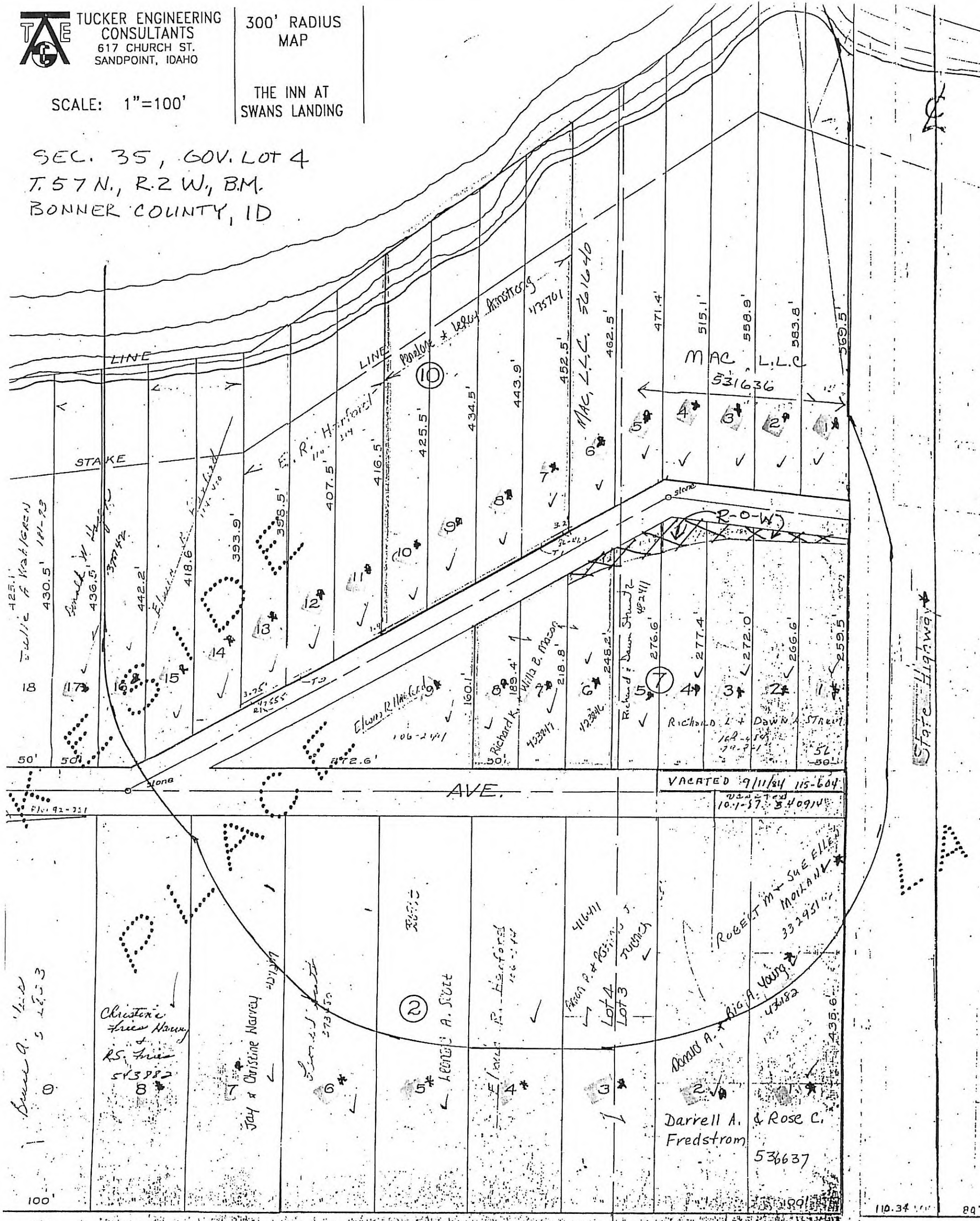
TUCKER ENGINEERING
CONSULTANTS
617 CHURCH ST.
SANDPOINT, IDAHO

300' RADIUS
MAP

SCALE: 1"=100'

THE INN AT
SWANS LANDING

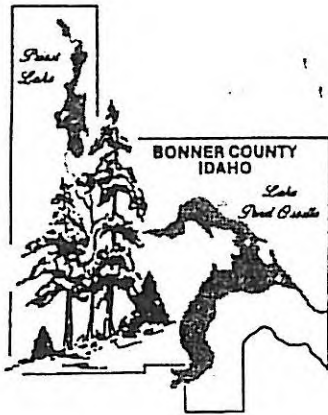
SEC. 35, GOV. LOT 4
T. 57 N., R. 2 W., BM.
BONNER COUNTY, ID



RECEIVED

SEP 11 2000

BONNER COUNTY
PLANNING DEPARTMENT



BONNER COUNTY

PLANNING DEPARTMENT

Martin E. Taylor, AICP
Planning Director

September 19, 2000

TO: MAC, LLC, and Leroy and Penelope Armstrong, Applicants
Tucker Engineering Consultants, Project Representative

FROM: Martin E. Taylor, AICP *ME*
Planning Director

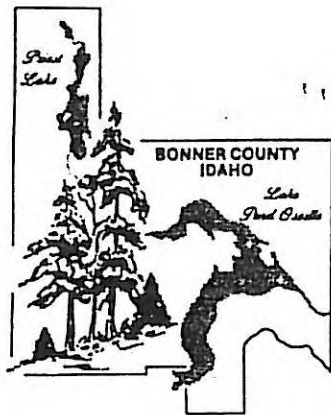
SUBJECT: MAC/Armstrong Suburban 1/3 to Recreation Rezone (ZC274-00)
Inn at Swan's Landing "Commercial Resort" Expansion Conditional Use Permit
Application (C693-00)

☒ **INFORMATION ONLY**

The attached public comment is for your information. No response is necessary.

9/19/00 Young letter

Attachment: 9/19/00 Young letter



BONNER COUNTY

PLANNING DEPARTMENT

Martin E. Taylor, AICP

Planning Director

September 14, 2000

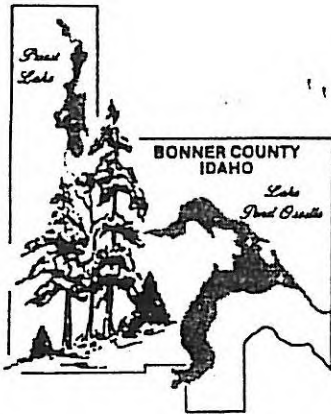
TO: MAC, LLC, and Leroy and Penelope Armstrong, Applicants
Tucker Engineering Consultants, Project Representative

FROM: Martin E. Taylor, AICP *ME*
Planning Director

SUBJECT: Inn at Swan's Landing "Commercial Resort" Expansion Conditional Use Permit
Application (C693-00)

[X] AGENCY REVIEW COMPLETE - HEARING SCHEDULED

The referenced application has been scheduled for the October 5, 2000, Planning and Zoning Commission hearing. Additional information may be required by the Planning and Zoning Commission at the hearing.



BONNER COUNTY

PLANNING DEPARTMENT

Martin E. Taylor, AICP
Planning Director

September 6, 2000

TO: MAC, LLC; Leroy & Penelope Armstrong; Richard & Willa Mason, Applicants
Tucker Engineering Consultants, Project Representative

FROM: Martin E. Taylor, AICP *[Signature]*
Planning Director

SUBJECT: Inn at Swan's Landing "Commercial Resort" Expansion Conditional Use Permit
Application (C693-00)

[X] **INFORMATION ONLY**

The attached agency comments are for your information. No response is necessary.

9/1/00 SWSD letter

NOTE: This comment will result in the following proposed condition:

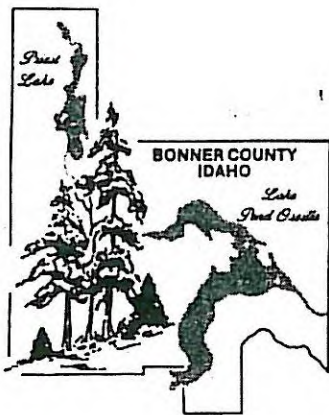
Prior to conditional use permit issuance, the applicants shall provide payment in advance for hook-up fees for water and sewer service to rebuild the Harford lift station in order for the station to effectively accommodate the expansion as approved. The applicants shall provide to the Planning Department written verification from the Southside Water and Sewer District upon completing this condition.

9/6/00 Bonner County Public Work Department letter

Note: These comments will result in the following proposed condition:

Prior to conditional use permit issuance:

- a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
- b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
- c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue.
- d. An encroachment permit for a commercial approach shall be applied for and approved, or bonded for. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
- e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
- f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
- g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.



BONNER COUNTY

PLANNING DEPARTMENT

Martin E. Taylor, AICP

Planning Director

September 6, 2000

TO: MAC, LLC; Leroy & Penelope Armstrong; Richard & Willa Mason, Applicants
Tucker Engineering Consultants, Project Representative

FROM: Martin E. Taylor, AICP 
Planning Director

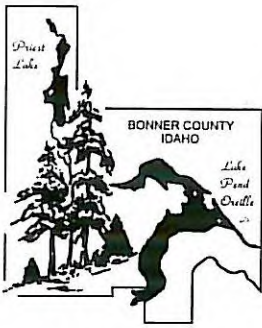
SUBJECT: Inn at Swan's Landing "Commercial Resort" Expansion Conditional Use Permit
Application (C693-00)

[X] APPLICATION INCOMPLETE

1. A revised "radius map" including Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79, is necessary.
2. A revised "land capability report" including Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79, is necessary.
3. A copy of the deed for Lots 6, 7 and 8, Block 7, *Lakeside Place*, is necessary.
4. The signature of the Masons is necessary.

NOTE: While the application and site plan were revised September 1, 2000, to include the additional lots in the amended proposal, the above information was not submitted. In order to remain on track for the October 5, 2000, Planning Commission hearing, the above information must be submitted to the Planning Department no later than **Monday, September 11, 2000.**

n:\planning\forms\lappstat.mem
revised 2/14/00



BONNER COUNTY PUBLIC WORKS

ROAD DEPARTMENT

123 South First Ave. • Sandpoint, Idaho 83864 • Phone (208) 265-1497 – Fax: 263-9751
E-mail: roads@netw.com

Memorandum

To: Martin Taylor, AICP
Planning Director

From: Tim Elsea, P.E.
Public Works Director

Date: September 6, 2000

Re: Conditional Use Permit, File #C695-99 and ZC268-99, Inn at Swan's Landing

Marty,

I have reviewed the above referenced Conditional Use Permit and Zone Change and have the following comments and requirements:

1. An extension of the previously granted right-of-way from Lot 6, Block 7 through Lots 7 & 8, Block 7 will be required due to the existing 40' right-of-way.
2. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the road department to determine the exact location of the crosswalk.
3. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue.
4. An encroachment permit for a commercial approach shall be applied for and approved, or bonded for, prior to issuance of a conditional use permit. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
5. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' right-of-way.
6. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
7. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.

If you have any questions or require further information, feel free to contact me at your convenience.



**SOUTHSIDE WATER & SEWER DISTRICT
DRAWER D
SANDPOINT, IDAHO 83864
(208)263-1074 FAX: 255-4946**

September 1, 2000

Marty Taylor
Bonner County Planning & Zoning
FAX: 265-1463

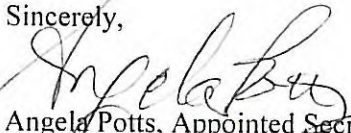
Dear Marty:

RE: SWANS LANDING REZONE and CONDITIONAL USE PERMIT **C693-00**

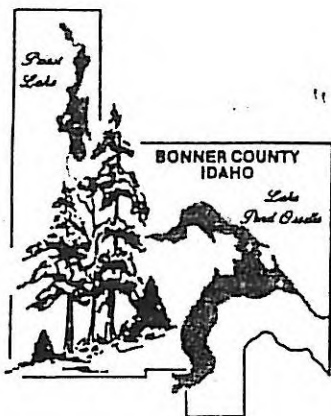
In July, Southside Sewer and Water District sent conditional approval of the rezone and expanded conditional use to your department. We have found that MAC, LLC/Swan's Landing has sufficient pre-paid sewer and water hookups for their expanded project.

The District does anticipate the need to rebuild the lift station serving this project. It will be important to coordinate the improvements with their construction plans.

Sincerely,


Angela Potts, Appointed Secretary/Treasurer
Southside Water & Sewer District





BONNER COUNTY

PLANNING DEPARTMENT

Martin E. Taylor, AICP
Planning Director

September 1, 2000

TO: ☐ Panhandle Health District
☒ Bonner County Road Department
☐ Fire District
☒ Southside Sewer/Water Assoc.
☐ School District # _____
☐ Power Company
☐ Dept. of Fish and Game
☐ Dept. of Health and Welfare
☐ Dept. of Transportation
☐ Dept. of Lands(Coolin)
☐ Dept. of Lands (Sandpoint)
☐ Dept. of Lands (Coeur d'Alene)
☐ Dept. of Lands, Nav. Waters
☐ Sandpoint Independent Hwy Dist
☐ Federal Aviation Admin.

☐ Dept. of Water Resources
☐ Army Corps (Newport)
☐ Army Corps (Coeur d'Alene)
☐ Natural Resource Conservation Service
☐ Fish and Wildlife Service
☐ Forest Service
☐ State Historical Society
☐ Bonner County Schools - Transportation
☐ Irrigation Districts
☐ Drainage Districts
☐ GTE
☐ Area of City Impact: _____
☐ Bonner County: _____
☐ Pacific Gas Transmission
☐ Bonner County Sheriff

FROM: Martin E. Taylor, AICP *ME*
Planning Director

SUBJECT: Inn at Swan's Landing "Commercial Resort" Expansion Conditional Use Permit Application (C693-00)

The enclosed application has been submitted to the Bonner County Planning Department for processing. The applicants are requesting a conditional use permit for the expansion of a "commercial resort" consisting of dining, lodging, storage and retail sales. (The previous resort was approved under File C659-99.) A concurrent application proposing to rezone Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79, totaling 2.67 acres, from Suburban 1/3 to Recreation in order to establish the proper zoning for the expansion of a "commercial resort" is being concurrently reviewed. (File ZC 274-00) Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.

Please specify in writing if additional information is requested by your agency prior to Planning Department Staff scheduling this project for public hearing. This request for additional information will be forwarded to the project applicant and project representative for their response. Please reference the project name and file number in your response.

Please respond by **Monday, September 11, 2000**. If no response is provided, staff will conclude your agency has no objections to the project or recommended conditions. Thank you for your assistance.

c: MAC, LLC; Leroy & Penelope Armstrong; Richard & Willa Mason, Applicants (w/o enclosures)
Tucker Engineering Consultants, Project Representative (w/o enclosures)

ROGER L. WILLIAMS
301 ½ North First Avenue #209
Sandpoint, Idaho 83864
(208) 263-1737

August 21, 2000

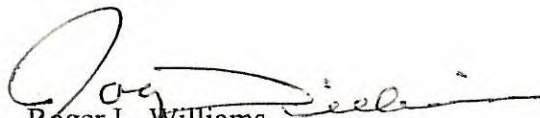
Bonner County Planning & Zoning
127 South First Ave., Ste 1
Sandpoint, ID 83864

Attn: Claire:

On July 14, 2000, Angela Potts, appointed Secretary and Treasurer of Southside Water and Sewer District, faxed you a letter in which she stated in the final paragraph, that MAC/Armstrong would bear the liability for any line replacement and restoration of the property identified as C693-00 and 2C27400, which may be disturbed during repair, maintenance, inspection or replacement.

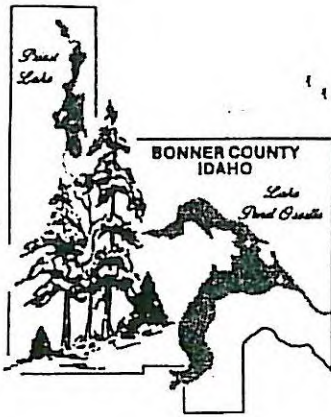
This statement is not true as respects Leroy and Penelope Armstrong. They have entered into a contract of sale of their lots to Alex and Mary Lee Verhoogen, who are the principal owners of Swan's Landing and MAC. The Armstrongs have made no agreement for which they would be responsible or liable for any line replacement and restoration.

Sincerely,


Roger L. Williams

RLW/rb
Cc: Southside Water and Sewer





BONNER COUNTY

PLANNING DEPARTMENT

Martin E. Taylor, AICP
Planning Director

August 3, 2000

TO: MAC, LLC, and Leroy and Penelope Armstrong, Applicants
Tucker Engineering Consultants, Project Representative

FROM: Martin E. Taylor, AICP *[Signature]*
Planning Director

SUBJECT: Inn at Swan's Landing "Commercial Resort" Expansion Conditional Use Permit
Application (C693-00)

[X] INFORMATION ONLY

The attached agency comments are for your information. No response is necessary.

6/30/00 Avista e-mail

6/30/00 PHD checklist

7/14/00 SWSD letter

NOTE: This comment will result in the following proposed condition:

Prior to conditional use permit issuance, the applicant shall provide payment in advance for hook-up fees for water and sewer service to rebuild the Harford lift station in order for the station to effectively accommodate the expansion to 29 units. The applicant shall provide to the Planning Department written verification from the Southside Water and Sewer District upon completing this condition.

7/17/00 ITD letter

NOTE: This comment will result in the following proposed condition:

Prior to conditional use permit issuance, the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD. The applicant shall provide to the Planning Department written verification from ITD upon completing this condition.

7/18/00 USFWS e-mail

[X] AGENCY REVIEW COMPLETE

Staff met with Applicant Alex Verhoogen and Project Representative Don Davis July 24, 2000, wherein the applicant concluded that the project description may be changing based upon the involvement of additional partners. Accordingly, this application is considered "on hold" pending direction from the applicant.



TRANSPORTATION DEPARTMENT

DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

July 17, 2000

Martin E. Taylor, AICP
Planning Director
Bonner County Planning Department
127 South First Avenue, Suite 1
Sandpoint, ID 83864

RE: Recreation Rezone, Lakeside Place, ZC274-00
Conditional Use Permit, Inn at Swan's Landing, C693-00

Dear Marty:

Idaho Transportation Department has received and reviewed the application for both rezone and conditional use for the above referenced project.

The Transportation Department has no objection with the request, providing the applicant construct a right hand turn lane on Lakeshore prior to preceding with on-site improvements. Please refer the applicant to coordinate with our Traffic Engineer, John Perfect, for turn lane requirements. John can be reached at (208)772-1218.

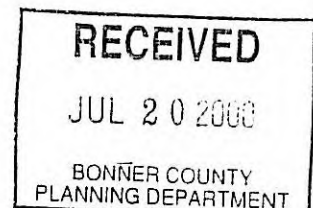
Thank you for coordinating with ITD on this issue.

Sincerely,

Carole Richardson, P.E.
District Transportation Planner

C: DTE
Mtce-Spicklemire

CRR/sjw



From: <Rick_Donaldson@r1.fws.gov>
To: GWDOM.GWPO(Mail-Plan)
Date: 7/18/00 4:20PM
Subject: FWS response to four (4) Bonner Co. Planning Actions

To: Martin E. Taylor, Planning Director, Bonner County Planning
From: Rick Donaldson, U.S. Fish and Wildlife Service (FWS),
Spokane
Subject: FWS response to four (4) Bonner County Planning Actions

Based on the unavailability of staff at this time, we are unable to review
or comment on the following Bonner County Planning actions:

C693-00, Inn at Swan's Landing "Commercial Resort"
ZC274-00, MAC/Armstrong Suburban 1/3 to Recreation Rezone
C691-00, Iwano Surface Mine, Conditional Use Permit Request
V281-00, Patton Front Yard Setback Variance

Thank you for the opportunity to review and comment on the proposed
actions.

Rick Donaldson
Federal Activities
Ecological Services, USFWS-Spokane
Phone: 509-893-8009
FAX : 509-891-6748
email: : rick_donaldson@fws.gov



SOUTHSIDE WATER & SEWER DISTRICT
DRAWER D
SANDPOINT, IDAHO 83864
(208)263-1074 FAX: 255-4946

July 14, 2000

Claire
Bonner County Planning & Zoning
BY FAX: 265-1463

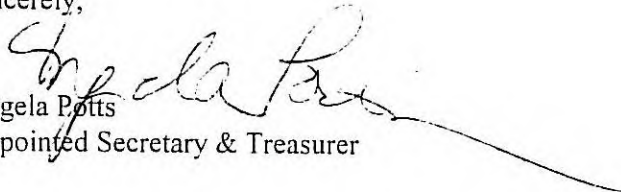
Dear Claire:

RE: C693-00 & ZC274-00

Southside Water & Sewer District is NOT opposed to expansion of the conditional use permit and recreation-rezone for Inn at Swan's Landing and MAC/Armstrong. However, the District does have some conditions to its support which are:

- Advance payment of hookup fees for water and sewer service to rebuild Harford lift station. This station will not be able to effectively accommodate the expansion to 29 units.
- A recorded access easement will be required to maintain, service and inspect lines, pipes and lift station.
- Any line replacement and restoration of the above property, which may be disturbed during repair, maintenance, inspection or replacement, will be borne by Swan's Landing and/or MAC/Armstrong.

Sincerely,


Angela Potts
Appointed Secretary & Treasurer

cc: Don Davis/Tucker Engineering



PANHANDLE HEALTH DISTRICT I

Plat Review Check List

For: Inn at Swan's Commercial
Resort

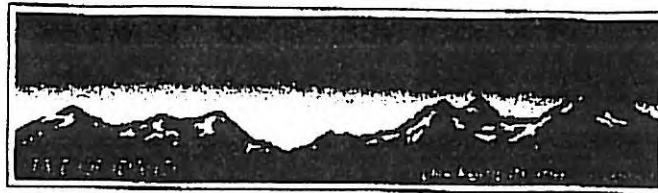
Bonner County file : C693-00

- () Needs application completed
- () Needs fees paid
- () Needs water statement on face of plat
- () Needs water system letter
- () Needs sanitary restriction statement on face of plat
- () Needs DEQ sewer and water approval letter
- () Needs testholes dug for drainfield sites
- () Needs drainfield site(s) located on each lot of final plat
- (x) Will Will Not affect sanitary restriction
- () Plat is complete and can be signed by Panhandle Health District
- () Other No requirement Southside Sewer

James E. Braun
Environmental Health Specialist

6/30/2000
Date



**TRANSPORTATION DEPARTMENT****DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200**

July 28, 2000

Don Davis, P.E.
Tucker Engineering, Inc.
617 Church Street
Sandpoint, Idaho 83864

RE: INN AT SWAN'S LANDING CUP

Dear Mr. Davis:

The Idaho Transportation Department (ITD) is unable to support your proposal to just stripe the Lakeshore Drive approach, as provided in your July 25, 2000 letter.

When ITD agreed to no improvements for the twenty-room hotel and retail space, it was a compromise that considered the difficulties at the intersection. Now that your client wishes to add nine more rooms, ITD is unable to offer the same compromise for the twenty-nine-room hotel and retail space. The addition of striping with modification to the signing does not add to right-turn storage or accessibility. It only makes the currently available turning storage more obvious to drivers.

Your client can build the twenty-room hotel with no improvements, or if your client wishes to build a twenty-nine-room hotel, ITD will accept the addition of the right-turn lane that you presented at the August 24, 2000 field review as mitigation for the traffic impact. This mitigation is small in scale and does not require your client to fix the larger problem at the Lakeshore Drive/US-95 intersection. ITD considers this a fair and reasonable mitigation effort. ITD does not consider this improvement short term. The FY 2005 project that you have noted is still six years in the future before it is usable by the public, assuming that there are no difficulties or delays.

ITD does have a CRAB project that is currently in the process of being awarded to Interstate Asphalt. If awarded, this project will be completed this summer. If your client wishes to take advantage of the economy of scale and already mobilized forces at the site, he should make a separate contract with the contractor.

Sincerely,

John F. Perfect, P.E.
District 1 Traffic Engineer

Cc: Bonner County Planning and Zoning
Bonner County Road and Bridge
DE ADE DTP DF

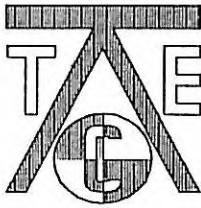
JUL 28 2000

- An Equal Opportunity Employer -

From: "Wallace, Lula" <Lula.Wallace@avistacorp.com>
To: "planning@co.bonner.id.us" <planning@co.bonner.i...>
Date: 6/30/00 2:47PM
Subject: C693-00 & ZC274-00

In response to MAC/Armstrong Suburban 1/3 to Recreation Rezone and also Swans Landing Commercial Resort expansion:
Avista utilities has reviewed proposals and has no recommendations for any additional requirements to approval.
Lula Wallace, Sandpoint Office, 265-6969





TUCKER ENGINEERING CONSULTANTS

617 CHURCH STREET, SANDPOINT, IDAHO 83864 * (208) 263-8558 * FAX (208) 263-5522

CIVIL ENGINEERING - SURVEYING - CONSTRUCTION

July 25, 2000

Mr. John Perfect, P.E.
Idaho Transportation Department
600 W. Prairie Ave.
Coeur d'Alene, ID 83814-8764

Dear John :

Subject: U.S. 95/Lakeshore Drive Intersection

(C693-00)
(ZC 274-00)

Thank you for meeting at the subject intersection yesterday. Alex Verhoogen appreciates the interest you and Tim Elsea have put into trying to find a solution to the operational problems at the intersection. In light of our observations and discussion about what to do as a condition of approval for an additional nine rooms at the Inn, the following is offered.

Based on the October, 2000, Bonner County Planning Commission decision on the Commercial Resort Conditional Use Permit for the Inn at Swan's Landing, Alex can build a 20 room Inn with no improvements to the intersection of Lakeshore Drive and U.S. 95. The currently proposed additional nine rooms have precipitated the review comment from ITD that, as a condition of approval of the use permit, a right turn lane be constructed on Lakeshore prior to proceeding with onsite improvements.

As we saw at the intersection, one of the main problems is that there is no definition to the lanes at the approach to U.S. 95. If the stop sign was placed either at the north end of the Jersey Barrier or in a traffic island (see sketch) and stop bars and lane stripes and arrows were painted on the existing pavement, it seems that the drivers would be much more likely to efficiently stage for left and right turns.

During our discussion yesterday we noted that any improvement done at the intersection would be short-lived. If the south end of the North-South Sandpoint project is on the program for 2005, and major changes come out of the design process (a strong likelihood), then it is valid to say any improvement done at the intersection will be removed or greatly modified by the full scale improvements.

Dr. Verhoogen is not opposed to helping solve the problems at the intersection but he is opposed to taking on more than his share of the burden or to spending a lot of money on something that will soon be removed. Rather than spending more time and money to further quantify the level of impact, the total cost of some defined

July 25, 2000

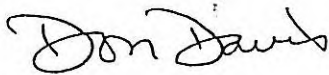
improvement and the Inn's proportionate share of that cost, we propose to have the striping and signing installed as shown on the accompanying sketch. With such visual definition at the intersection, those turning right will have a far better opportunity to get into a striped right turn lane if three or perhaps four vehicles are staged to turn left. The existing pavement is sufficient to accommodate the striping. When the highway gets the CRABS project next year the intersection will be overlaid and perhaps the county can pay for some extent of overlay of the county road as part of the state's project.

In conclusion, we are proposing to place the much needed striping and signing at the intersection on the existing paving as the development's contribution to solving some of the operational capacity problems at the intersection.

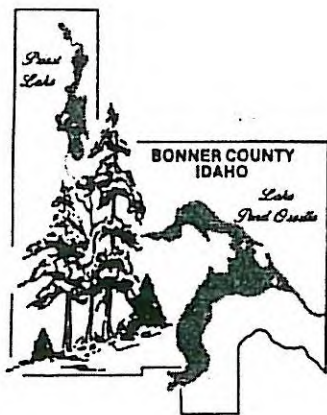
Please feel free to call me if you want to discuss this further.

Sincerely,

TUCKER ENGINEERING CONSULTANTS

A handwritten signature in cursive script, appearing to read "Don Davis".

Donald C. Davis, P.E.
Civil Engineer



BONNER COUNTY

PLANNING DEPARTMENT

Martin E. Taylor, AICP

Planning Director

June 28, 2000

TO: ☒ Panhandle Health District
☒ Bonner County Road Department
☒ Sagle Fire District
☒ Southside Sewer/Water Assoc.
☐ Bonner County School Dist.#____
☒ Avista Power Company
☒ Dept. of Fish and Game
☒ Dept. of Health and Welfare (DEQ)
☒ Dept. of Transportation (ITD)
☐ Dept. of Lands (Coolin)
☐ Dept. of Lands (Sandpoint)
☐ Dept. of Lands (Coeur d'Alene)
☐ Dept. of Lands, Nav. Waters
☐ Sandpoint Independent Hwy Dist
☐ Federal Aviation Admin.
☐ Dept. of Water Resources
☐ Army Corps (Newport)
☐ Army Corps (Coeur d'Alene)
☐ Natural Resource Cons. Service
☒ Fish and Wildlife Serv.
☐ Forest Service
☐ State Historical Soc.
☐ Bonner County Schools - Trans.
☐ Irrigation Districts
☐ Drainage Districts
☐ GTE
☐ Area of City Impact: _____
☐ Bonner County: _____
☐ Pacific Gas Transmission
☐ Bonner County Sheriff

FROM: Martin E. Taylor, AICP *ME*
Planning Director

SUBJECT: Inn at Swan's Landing "Commercial Resort" Expansion Conditional Use Permit Application (C693-00)

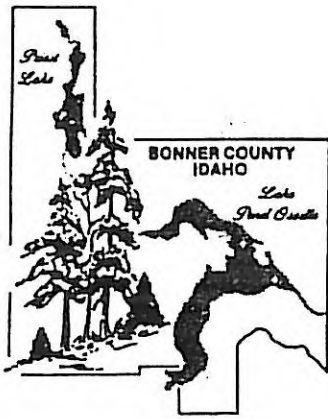
The enclosed application has been submitted to the Bonner County Planning Department for processing. The applicants are requesting a conditional use permit for the expansion of a "commercial resort" consisting of dining, lodging and retail sales. (The previous resort was approved under File C659-99.) A concurrent application proposing to rezone Lots 7 and 8, and the East 33.6 Feet of Lot 9, *Lakeside Place*, totaling 1.35 acres, from Suburban 1/3 to Recreation in order to establish the proper zoning for the expansion of a "commercial resort" is being concurrently reviewed. (File ZC 274-00) Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.

Please specify in writing if additional information is requested by your agency prior to Planning Department Staff scheduling this project for public hearing. This request for additional information will be forwarded to the project applicant and project representative for their response. Please reference the project name and file number in your response.

Please respond by **Friday, July 28, 2000**. If no response is provided, staff will conclude your agency has no objections to the project or recommended conditions.

Thank you for your assistance.

c: MAC, LLC, and Leroy and Penelope Armstrong, Applicants (w/o enclosures)
Tucker Engineering Consultants, Project Representative (w/o enclosures)



BONNER COUNTY

PLANNING DEPARTMENT

Martin E. Taylor, AICP
Planning Director

June 27, 2000

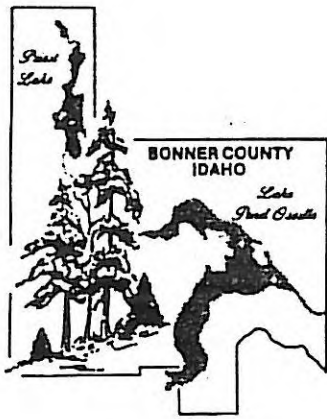
TO: MAC, LLC, and Leroy and Penelope Armstrong, Applicants
Tucker Engineering Consultants, Project Representative

FROM: Martin E. Taylor, AICP *MTE*
Planning Director

SUBJECT: Inn at Swan's Landing "Commercial Resort" Expansion Conditional Use Permit
Application (C693-00)

[X] APPLICATION COMPLETE

The referenced application contains the elements required by Bonner County Revised Code and is accepted as complete by the Planning Department. The application will be distributed to reviewing agencies for a 30 day comment period.



BONNER COUNTY

PLANNING DEPARTMENT

Martin E. Taylor, AICP
Planning Director

June 21, 2000

TO: MAC, LLC, and Leroy and Penelope Armstrong, Applicants
Tucker Engineering Consultants, Project Representative

FROM: Martin E. Taylor, AICP *[Signature]*
Planning Director

SUBJECT: Inn at Swan's Landing "Commercial Resort" Expansion Conditional Use Permit
Application (C693-00)

[X] APPLICATION INCOMPLETE

Additional information is required by Bonner County Revised Code prior to the Planning Department accepting the application as complete and distributing the application to reviewing agencies for comment. Please refer to the following comments and respond to the Planning Department within 30 days. Please reference the project name and file number above.

1. Parking for the resort under C659-99 was calculated as follows (BCRC, §12-1816):

Restaurant: 150 person seating capacity @ 1 space per 4 seats	= 38 spaces
30 employees @ 1 space per 2 employees	= 15 spaces
Inn and cabins: 22 lodging units (20 inn and 2 cabins) @ 1 1/4 spaces per unit	= 28 spaces
2 employees @ 1 space per employee	= 2 spaces
Retail shop: 200 square feet @ 1 space per 200 square feet	= 1 space
1 employee @ 1 space per employee	= 1 space
	85 spaces

The facility was designed for 90 parking stalls.

Parking for the resort under C693-00 shall be as follows (BCRC, §12-1816):

- | | |
|--|-------------|
| Restaurant: 150 person seating capacity @ 1 space per 4 seats | = 38 spaces |
| 30 employees @ 1 space per 2 employees | = 15 spaces |
| Inn and cabins: 31 lodging units (29 inn and 2 cabins) @ 1 1/4 spaces per unit | = 39 spaces |
| 2 employees for the inn @ 1 space per employee | = 2 spaces |

Retail shop: 400 square feet @ 1 space per 200 square feet	= 2 spaces
1 employee for the shop @ 1 space per employee	= <u>1 space</u>
	97 spaces

The facility is proposed for 88 parking stalls.

Please revise the site plan and Page 1 of the application accordingly.

2. Adequate on-site snow storage is necessary resulting from parking lot clearing due to the extended buildout of the site and accompanying parking needs.

.Please revise the site plan depicting areas reserved for on-site snow storage.

BONNER COUNTY PLANNING DEPARTMENT
CONDITIONAL USE PERMIT APPLICATION

RECEIVED

REVISED

SEP 01 2000

BONNER COUNTY
PLANNING DEPARTMENT

FILE# C693-00

FILED:

Applicant's Name: MAC LLC/Leroy & Penelope Armstrong/Richard K. & Willa B. Mason
Phone # 509-448-5555 / 263-6376 / 263-3115 (Stephen F. Smith Atty. for Mason)

Address: S. 5111 Freya, Spokane, WA. 99223 / 532 S. Boyer Sandpoint, ID 83864/
P.O.Box 768 Crescent City, CA 95531 or 102 Superior Sandpoint, ID (Smith)

Landowner's Name: Leroy & Penelope Armstrong/ MAC,LLC - Contract Purchaser(Lots
7-10, Block 10) Richard K. & Willa B. Mason (Lots 6-8, Block 7) Phone # Same as
above

Address: Same as above

Project Representative's Name: Tucker Engineering Consultant Phone # 263-8558

Address: 617 Church Street Sandpoint, Idaho 83864

PROJECT DESCRIPTION:

1. Describe the proposed use: Modification to an approved Commercial Resort(C659-99) to
change the Inn form 20 to 24 rooms and build a 2 unit and a 3 unit cabin (standard Inn units)
2. The use is conditionally provided for at Bonner County Revised Code, Section 12-1441(a)
3. Describe in detail all applicable uses/plans for subject property, including: 1) Size of
buildings; 2) Type of unit; 3) # of units 4) Any machinery to be located on the site 5) Any
storage area, etc.; 6) Phasing plans, expected start-up and completion dates; 7) Complete
detail of scope/process; 8) # of people on site (employees, visitors, etc.); 9) Hours of
operation 10) Traffic to be generated (vehicles per day or week); 11) Associated functions
(receptions, outdoor activities, additional processes, etc.); 12) Parking, loading areas; 13)
Advertising sign, size and location. (Attach additional pages if necessary.)

Same descriptions as in C659-99 with changes or additions in *italics* :

Existing buildings on the site include *two* single family residences (one to be demolished), a restaurant with a seating capacity of 150 persons and 2 rental cabins. A *24* room Inn and *359* sq.ft of retail *area* are planned as an addition to the west end of the restaurant. *Two cabins(2 units and 3 unit without kitchens) will also be built. A Maintenance/Storage/Shop building and auxiliary parking will be built on Lots 6, 7 & 8, Block 7.* The plan is to build the Inn and shops with additional parking and revised driveway in a single phase. The site at full occupancy would accommodate between *250 and 349* persons including guests and employees. Operation hours for the all elements of the resort will be 6 am to midnight. The resort will be available for special events such as weddings or special celebrations, and outdoor sports events. The existing site has *77* parking spaces. (The code requires *38* for the restaurant plus 15 for *30* restaurant employees, *39* for the Inn and cabins, 2 for the shop for a total of *94* parking stalls.) An additional *28* spaces will be added along the exit driveway near the Inn bringing the total off-street parking to *100* stalls, *considering the loss of 5 spaces due to the addition of the Inn.* The restaurant has a specified loading area for the kitchen and the main entrance as will the Inn. Signage for the Resort will be accommodated on the existing signs along the site's frontage on the state highway, on the restaurant. (Total 256 square feet)

Section: 35 Township: 5 North Range: 2 West Site Acreage: Approx. 6.19

Common Area/Open Space, if applicable: N/A Number of Dwelling Units: 32

Detailed directions to site: From U.S.95, west on Lakeshore Drive to the first driveway on the right.

Nearest City: Sandpoint Distance to Nearest City: 1 mile

Uses of Surrounding Land (Describe lot sizes, structures, uses.):

North: Pend Oreille River

East: State highway and residential

West: residential

South: Residential and nonconforming uses

Current site zoning: Suburban 1/3(Lots 7-10 Blk 10, 6-8, Block 7) Recreation (Lots 1-6, Blk 10)

Comprehensive Plan Designation: Recreation

What zoning districts bound the project site?

North: River

East: Sub 1/3

South: Sub 1/3

West: Sub 1/3

ACCESS INFORMATION:

Describe existing access to project site: Driveways off Lakeshore Drive and Greenwood Ave.

Access is: ☒ Public ☐ Private

Road maintenance is by: N/A

If any road improvements are proposed, describe (Include surface type, maximum and typical grades, width of right-of-way, width of improved surface, curbing, etc.): Parking onsite is asphalt surfaced.

SERVICE INFORMATION:

Distance (in miles) to the nearest:

Public/Community sewer system: Onsite Fire Station: 3 mi. Secondary school: 6 mi.

Public/Community water system: Onsite County Road: Adj. Elementary school: 2 mi.

Solid waste collection facility: 4 mi.

Sewage disposal will be provided by: ☒ Existing community system ☐ Individual system

☐ Proposed community system ☐ Other _____

If existing community system, provide name of facility: Southside Water and Sewer District
Explain type of sewage system, capacity, maintenance plan, location of facilities, if applicable,
and other details: Public facilities

Water to be supplied by:

☒ Existing public or community system ☐ Individual well ☐ Proposed community/public system

If new system, explain water source, capacity, system maintenance plan, storage and delivery system and other details: _____

Which fire district is project site within? Sagle

Which power company will service project site? Avista

What are the potential effects of the use/plan on the quality or availability of present or future public services for the proposed site? No detrimental effects on public services are expected from the uses existing or proposed on the site.

SITE INFORMATION:

Provide detailed description of the following land features:

1. Topography (lay of land), including estimated maximum slope, rock outcroppings, benches, etc.: Land slopes from the road at elevation 2104' to the river at elev. 2062.5'. New structures will be built with finish floor elev. 2075 which is 4' above the 100 year flood elev.

2. Water courses (lakes, streams, rivers, other bodies of water): On the shore of the Pend Oreille River

3. Springs and wells: none

4. Existing structures (size & use): Single family res. on lot 6 to be demolished, single family res. on lots 8/9 to remain, 2 rental cabins and a restaurant on lots 1-4 with a maximum occupancy of 157 persons.

5. Land cover (timber, pasture, etc.): Sparse trees with undergrowth near the river. Some trees and undergrowth will be removed but extensive landscaping of the site will more than replace the removed trees.

6. Other pertinent information (Use additional pages, if necessary.): The Inn will be built on lots 5-8. Parking will be extended for the Inn and the existing 13 access will be modified to be the site's exit driveway.

Describe any planned berming, grading, contouring or filling of lands within proposed project:

Grading will occur after the single family residence on lot 6 is removed and the area is prepared for the Inn and associated parking area. Some grading south of Lakeshore will occur.

Will the conditional use create a hazard or be dangerous to persons on or adjacent to the property? No, the overall concept of the resort is that all activities on the site will be coordinated and under the control and observation of the management.

How will the proposed use maintain the harmony with existing uses and intended character of the vicinity? The Inn will be an adjunct use to the restaurant and will bring the site into the status of a recreational resort. Properties along the river are mainly single family residential with boating facilities along the shoreline. The resort will be in keeping with the existing character of the neighborhood.

How is the use/plan in accordance with the general and specific objectives of the Comprehensive Plan? (Copy of goals/objectives are available from the Planning Department.)

Economic: The site is a logical location for recreational use, will be in concert with the other recreational uses along the lakeshore and will not require the degradation or displacement of any natural resources.

Public Services: The zone change on these lots and their subsequent development in conjunction with the existing commercial/recreational uses on the site will have only a slight impact on public services.

Transportation: The additional recreational use (the Inn and associated activities) will not impact the transportation system sufficiently to warrant mitigation (see the Traffic Impact Study). The additional traffic added to the already deficient U.S.95/Lakeshore Drive intersection, will not warrant the installation of a traffic signal . A right turn lane on the Lakeshore Drive approach to U.S. 95 will be constructed as impact mitigation.

Natural Resources: There will be no impact on natural resources. There are no wetlands or aquifer involvement and development will be above the floodplain. Stormwater will be controlled so the lake, fish and wildlife will not be impacted.

Community Design: The addition of the Inn will result in one residential dwelling being eliminated and replaced by a different form of residential use. This use will have minimal impact on adjacent residential uses.

I hereby certify that all the information, statements, attachments and exhibits submitted herewith are true to the best of my knowledge.

Landowner's signature: MHC LLC / [Signature] Date: _____

Landowner's signature: [Signature] Date: 2/2/00

Landowner's signature: Penelope G. Armstrong Date: 8/29/00

423847

INSTRUMENT NO.



WARRANTY DEED

AFTER DEED RECORDING

For Value Received JERRY L. WALL and JUDITH ANN WALL, HUSBAND AND WIFE, AS TO AN UNDIVIDED ONE-HALF INTEREST and JERRY L. MORRIS and PHYLLIS JOAN MORRIS, AS TO AN UNDIVIDED ONE-HALF INTEREST, AS JOINT TENANTS AS BETWEEN THE MARITAL COMMUNITIES. The grantor(s), do(es) hereby grant, bargain, sell and convey unto RICHARD K. MASON and WILLA B. MASON, husband and wife

the grantee(s), whose current address is 327 EUCLID, SANDPOINT, ID 83864

the following described premises, in BONNER

County Idaho, to-wit:

See Exhibit A Attached hereto and made a part hereof.

Assessor's Parcel No: RP00234007005EA

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances except specific matters of record as shown above,

and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 29th 1993

JERRY L. WALL

JERRY L. MORRIS

JUDITH ANN WALL

PHYLLIS JOAN MORRIS

STATE OF Idaho

SS.

COUNTY OF Kootenai

On this 29th day of April, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry L. Wall and Judith Ann Wall, husband and wife

known or identified to me to be the person(s) whose names is/are subscribed to the within instrument and acknowledged to me that he executed the same.

Notary Public in and for said County and State

Residing in Coeur d'Alene Idaho
Commission Exp. 9-22-95

RECORDING DATA:

FILED BY
93 APR 30 PM 4:14
RECORDED
COUNTY REC. ST. DEPT.

Sandpoint Title Insurance

RECEIVED

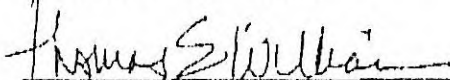
SEP 11 2000

BONNER COUNTY
PLANNING DEPARTMENT

4238471

STATE OF IDAHO)
) ss.
COUNTY OF BONNER)

On this 29TH day of APRIL, 1993, before me, the undersigned,
a Notary Public in and for said State, personally appeared
JERRY L. MORRIS AND PHYLLIS JOAN MORRIS, known or identified
to me to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he
executed the same.



Residing at: SANDPOINT
Commission expires: 10/10/95

42.3847

EXHIBIT "A"

IN THE STATE OF IDAHO, COUNTY OF BONNER

Lots 7 and 8 of Block 7 of LAKESIDE PLACE ADDITION,
according to the plat thereof, recorded in Book 1 of Plats,
Page 79, records of Bonner County, Idaho.

EXCEPTING THEREFROM that portion of said land conveyed to
Bonner County by Deed recorded October 19, 1953, as
Instrument No. 47279, records of Bonner County, Idaho.

SUBJECT TO:

GENERAL TAXES FOR THE YEAR 1993, A LIEN IN THE PROCESS OF
ASSESSMENT, NOT YET DUE OR PAYABLE.



INSTRUMENT NO.

WARRANTY DEED

For Value Received JERRY L. WALL and JUDITH ANN WALL, HUSBAND AND WIFE, AS TO AN UNDIVIDED ONE-HALF INTEREST and JERRY L. MORRIS and PHYLLIS JOAN MORRIS, AS TO AN UNDIVIDED ONE-HALF INTEREST, AS JOINT TENANTS AS BETWEEN THE MARITAL COMMUNITIES. The grantor(s), do(es) hereby grant, bargain, sell and convey unto RICHARD K. MASON and WILLA B. MASON, husband and wife

the grantee(s), whose current address is 327 EXCLID, SANDPOINT, ID 83864

the following described premises, in BONNER

County Idaho, to-wit:

See Exhibit A Attached hereto and made a part hereof.

Assessor's Parcel No:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances except specific matters of record as shown above,

and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 20th, 1993

X
JERRY L. WALL

X
JERRY L. MORRIS

X
JUDITH ANN WALL

X
PHYLLIS JOAN MORRIS

STATE OF Idaho

COUNTY OF BONNER

On this 20th day of April, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared

Jerry L. Morris & Phyllis Joan Morris

known or identified to me to be the person(s) whose names is/are subscribed to the within instrument and acknowledged to me that he executing the same.

Notary Public in and for said County and State

Residing at Sandpoint
Commission Exp: 10/10/95

RECORDING DATA:

RECEIVED

SEP 11 2000

BONNER COUNTY
PLANNING DEPARTMENT

4255/L

EXHIBIT "A"

IN THE STATE OF IDAHO, COUNTY OF BONNER

Lots 6, of Block 7 of LAKESIDE PLACE ADDITION, according to the plat thereof, recorded in Book 1 of Plats, Page 79, records of Bonner County, Idaho.

EXCEPTING THEREFROM that portion of said land conveyed to Bonner County by Deed recorded October 19, 1953, as Instrument No. 47279, records of Bonner County, Idaho.

SUBJECT TO:

GENERAL TAXES FOR THE YEAR 1993, A LIEN IN THE PROCESS OF ASSESSMENT, NOT YET DUE OR PAYABLE.

35701

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the care, attention, service, assistance and other valuable consideration, the receipt of which is hereby acknowledged, the undersigned, HELEN PETERSON, a single woman, does hereby convey, release, remise and forever quit claim all her right, title and interest in and to the following described real property unto PENELOPE A. ARMSTRONG and LEROY W. ARMSTRONG wife and husband, said property being described as follows:

34/35-57-2W
Lots Seven, Eight, Nine and Ten and Block Ten of Lakeside Place, according to the records and Plat thereof recorded in Bonner County, State of Idaho, including instrument number 28344, recorded in Book 77 of Deeds at Page 414, and less any prior conveyances heretofor made by the undersigned and recorded in Bonner County, Idaho.

TOGETHER WITH the appurtenances thereunto belonging and in anyway appertaining.

IN WITNESS WHEREOF, I have hereunto set my hand this

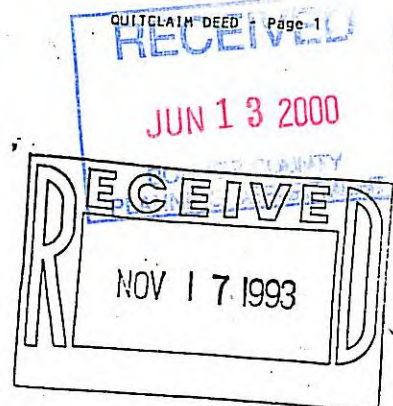
11th day of November, 1993.

Helen Peterson M.D.
HELEN PETERSON, M.D.

STATE OF IDAHO)
County of Bonner) ss

On this 11th day of Novmeber, 1993, before me, the undersigned Notary Pulbic, personally appeared HELEN PETERSON, known to me to be the person whose name is subscribed to the within and forgoing instrument and acknowledged to me that she executed the same and did so in my presence.

EVERETT D. HOFMEISTER
Attorney at Law
Sunset Mall, Suite 20
296 Sunset Ave. & Highway 95 North
Coeur d'Alene, Idaho 83814



FILED #32605/70095

WHEN RECORDED MAIL TO:

PEND OREILLE BANK
476655 HIGHWAY 95 NORTH
SANDPOINT, ID 83864

FILED BY
First American Title
2000 MAR 29 A 11:45
2100
MARIE SCOTT
BONNER COUNTY RECORDER
DEPUTY

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

561641 DEED OF TRUST

THIS DEED OF TRUST IS DATED MARCH 28, 2000, among MAC, L.L.C., AN IDAHO LIMITED LIABILITY COMPANY, whose address is S 5111 FREYA, SPOKANE, WA 99223 (referred to below as "Grantor"); PEND OREILLE BANK, whose address is 476655 HIGHWAY 95 NORTH, SANDPOINT, ID 83864 (referred to below sometimes as "Lender" and sometimes as "Beneficiary"); and FIRST AMERICAN TITLE COMPANY, whose address is PO BOX 802, SANDPOINT IDAHO 83864 (referred to below as "Trustee").

CONVEYANCE AND GRANT. For valuable consideration, Grantor does hereby irrevocably grant, bargain, sell and convey in trust, with power of sale, to Trustee for the benefit of Lender as Beneficiary, all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, located in BONNER County, State of Idaho (the "Real Property"):

LOT 6 IN BLOCK 10, LAKESIDE PLACE, ACCORDING TO THE PLAT THEREOF, RECORDED IN BOOK 1 OF PLATS, PAGE 79, RECORDS OF BONNER COUNTY, IDAHO; EXCEPT THAT PORTION LYING WITHIN COUNTY ROAD RIGHT-OF-WAY.

The Real Property or its address is commonly known as 63 LAKESHORE DRIVE, SANDPOINT, ID 83864.

Grantor presently assigns to Lender (also known as Beneficiary in this Deed of Trust) all of Grantor's right, title, and interest in and to all present and future leases of the Property and all Rents from the Property. In addition, Grantor grants Lender a Uniform Commercial Code security interest in the Rents and the Personal Property defined below.

DEFINITIONS. The following words shall have the following meanings when used in this Deed of Trust. Terms not otherwise defined in this Deed of Trust shall have the meanings attributed to such terms in the Uniform Commercial Code. All references to dollar amounts shall mean amounts in lawful money of the United States of America.

Beneficiary. The word "Beneficiary" means PEND OREILLE BANK, its successors and assigns. PEND OREILLE BANK also is referred to as "Lender" in this Deed of Trust.

Deed of Trust. The words "Deed of Trust" mean this Deed of Trust among Grantor, Lender, and Trustee, and includes without limitation all assignment and security interest provisions relating to the Personal Property and Rents.

Grantor. The word "Grantor" means any and all persons and entities executing this Deed of Trust, including without limitation MAC, L.L.C..

Guarantor. The word "Guarantor" means and includes without limitation any and all guarantors, sureties, and accommodation parties in connection with the Indebtedness.

Improvements. The word "Improvements" means and includes without limitation all existing and future improvements, buildings, structures, mobile homes affixed on the Real Property, facilities, additions, replacements and other construction on the Real Property.

Indebtedness. The word "Indebtedness" means all principal and interest payable under the Note and any amounts expended or advanced by Lender to discharge obligations of Grantor or expenses incurred by Trustee or Lender to enforce obligations of Grantor under this Deed of Trust, together with interest on such amounts as provided in this Deed of Trust. In addition to the Note, the word "Indebtedness" includes all obligations, debts and liabilities, plus interest thereon, of Grantor to Lender, or any one or more of them, as well as all claims by Lender against Grantor, or any one or more of them, whether now existing or hereafter arising, whether related or unrelated to the purpose of the Note, whether voluntary or otherwise, whether due or not due, absolute or contingent, liquidated or unliquidated and whether Grantor may be liable individually or jointly with others, whether obligated as guarantor or otherwise, and whether recovery upon such Indebtedness may be or hereafter may become barred by any statute of limitations, and whether such Indebtedness may be or hereafter may become otherwise unenforceable.

Lender. The word "Lender" means PEND OREILLE BANK, its successors and assigns.

Note. The word "Note" means the Note dated March 28, 2000, in the original principal amount of \$364,537.38 from Grantor to Lender, together with all renewals, extensions, modifications, refinancings, and substitutions for the Note. The maturity date of the Note is March 28, 2001. NOTICE TO GRANTOR: THE NOTE CONTAINS A VARIABLE INTEREST RATE.

Personal Property. The words "Personal Property" mean all equipment, fixtures, and other articles of personal property now or hereafter owned by Grantor, and now or hereafter attached or affixed to the Real Property; together with all accessions, parts, and additions to, all replacements of, and all substitutions for, any of such property; and together with all proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the Property.

Property. The word "Property" means collectively the Real Property and the Personal Property.

FILED BY
Donna L. Larkin
 1998 SEP 23 A 9:57
 300
 MARIE SCOTT
 BONNER COUNTY RECORDER

531636

QUIT CLAIM DEED

FOR VALUE RECEIVED, WAB PARTNERSHIP, an Idaho general partnership, the sole remaining partner of which is Alex R. Verhoogen, does hereby convey, release, remise and forever quit claim unto MAC, L.L.C., an Idaho limited liability company, whose address is 5111 S. Freya, Spokane, WA 99223, the following described premises, to-wit:

Lots 1, 2, 3, 4, and 5, Block 10; LAKESIDE PLACE, according to the plat thereof recorded in Book 1 of Plats, page 79, records of Bonner County, Idaho; EXCEPT that portion lying within the right of way of the State Highway.

together with their appurtenances.

DATED September 14, 1998.

WAB PARTNERSHIP

By: Alex R. Verhoogen
Alex R. Verhoogen
Sole Remaining Partner

STATE OF WASHINGTON)
) ss.
County of Spokane)

On this 15th day of September, 1998, before me, a notary public in and for said state, personally appeared ALEX R. VERHOOGEN known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as the sole remaining partner of WAB Partnership.

Name Printed: Maxie B. Eaton
Notary Public in and for the State
of Washington, residing at Spokane
Commission Expires: 11-30-2000



AFTER RECORDING, MAIL TO GRANTEE.
FATCO #20095/32605

First American Title

2000 MAR 29 10:44

MARIE SCOTT
BONNER COUNTY RECORDER

DEPUTY

561640

WARRANTY DEED

For Value Received,

LOU GOODNESS, Trustee L.G. LIVING TRUST

the grantor, does hereby grant, bargain, sell, and convey unto

FMAC, L.L.C. an Idaho Limited Liability Company

the grantee, whose current address is:

S. 5111 Freya, Spokane, WA, 99223

the following described premises, to-wit:

[Lot 6 in Block 10, Lakeside Place] according to the Plat thereof, recorded in Book 1 of Plats, Page 79, records of Bonner County, Idaho; EXCEPT that portion lying within County Road right-of-way.

SUBJECT TO: 2000 General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and Assessments for the Southside Water & Sewer District, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he will warrant and defend the same from all claims whatsoever.

Dated: March 27, 2000

L.G. LIVING TRUST

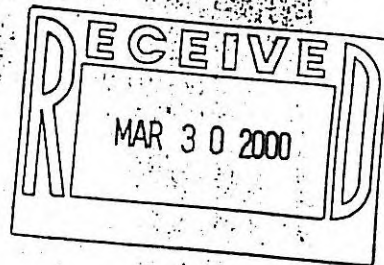
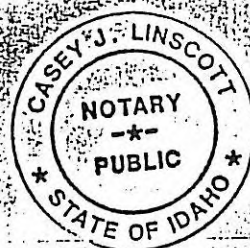
LOU GOODNESS, Trustee

STATE OF IDAHO

COUNTY OF BONNER

On This 27th day of March in the year 2000
before me, a Notary Public in and for said State, personally appeared LOU GOODNESS, Trustee of the L.G. LIVING TRUST, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument as Trustee(s), and acknowledged to me that he/she/they executed the same as such Trustee(s).

Notary Public
Residing at State ID
Commission Expires 12/4/2001



UPDATED SUPPLEMENTAL TRAFFIC IMPACT STUDY

The Inn at Swan's Landing

I. Introduction and Summary

A. **Purpose and Objectives.** The purpose of the following report is to update the trip generation information and conclusions of the August 30, 1999 Supplemental Traffic Impact Study of the proposed Inn at Swans Landing. This information is presented because of the proponent's desire to increase the number of rooms in the Inn from the previously approved 20 to 29, and increase the retail space from 200 to 400 square feet.

B. Executive Summary.

1. Development Description. The subject development is the addition to the Swan's Landing restaurant of a 29 room Inn with a small retail gift shop and a separate wine shop. The Inn will use the same access as the Swans Landing restaurant in addition to the driveway access presently used by the existing residence that will be demolished in order to make room for the Inn. The Swans Landing restaurant will be open for business for breakfast with the addition of the Inn to the site.
3. Principal Findings. The additional traffic generated by a 29 room Inn, two small retail shops and expanded hours of operation for the restaurant will not significantly impact the intersection of Lakeshore Drive and U.S. 95. Using Institute of Transportation Engineers trip generation figures, it is estimated that 267 daily trip ends including 47 trips (28 site outbound, 19 site inbound) during the a.m. peak hour through the intersection will be added by the 29 room Inn (full occupancy) and the morning operation of the restaurant. It is estimated that 14 trips (6 site outbound, 8 site inbound) during the p.m. peak hour of the intersection would be added through the intersection by the 29 room Inn (full occupancy). (Of the trips shown above, the restaurant will generate an estimated 38 trips during the a.m. peak hour of the intersection. It is estimated that 32 of the 38 trips would use the intersection.) The volume on U.S. 95 during the a.m. peak hour is high enough to cause delays in the eastbound to northbound left turns onto U.S. 95 from Lakeshore Drive. The delays are not continuous but can result in as many as twelve vehicles waiting to enter the intersection from Lakeshore Drive. The level of service of the eastbound left turn with and without the Inn and restaurant generated traffic is "F".
4. Conclusions. The west approach leg of intersection of Lakeshore Drive and U.S. 95 is operating at level of service F during the morning and evening peak hours. A single lane serves all turning movements. The addition of 6 trips outbound from the Inn during the a.m. peak hour and 9 trips during the p.m. peak hour will not significantly worsen the level of service for any of the movements through the intersection. Additional turn lanes on Lakeshore Drive will not improve the level of service for the left turns onto U.S. 95 due to the high through volumes on U.S. 95. Neither individual nor combination warrants for a traffic signal have been met. The increased traffic from 29 rooms rather than the previously approved 20 rooms is statistically insignificant. The additional traffic generated by the proposed Inn does not warrant improvements to Lakeshore Drive or the intersection of U.S. 95 and Lakeshore Drive.
5. Recommendations. No improvements to Lakeshore Drive or U.S. 95 are warranted by the additional traffic projected to be generated by the addition of an Inn and increased restaurant activity at the Swan's Landing site. The intersection should be continuously monitored for



safety and congestion and, when warrants are met, the ITD and the county should program improvements.

II. Proposed Development

A. Offsite Development

None is planned.

B. Description of Onsite Development

1. Land Use and Density. The present land use on the property is commercial, a restaurant and residential, three dwelling units. One dwelling on the western most lot will be demolished to make room for the Inn addition to the restaurant. The lot coverage will be less than the 60% allowed by county code.
2. Location. The site is located in the northwest quadrant of the intersection of Lakeshore Drive and U.S. 95 in Bonner County.
3. Site Plan. The site plan accompanying the January 19, 1999, Traffic Study remains unchanged.
4. Zoning. As of October, 1999, the lots the restaurant sits on and the lot to the west with the house that will be removed are zoned Recreation.
5. Project Phasing and Timing. The owner intends to build the Inn in 2000 with opening in mid 2001.

III. Area Conditions

A. Study Area

1. Area of Influence. The study is limited to the affects of the traffic generated by the Inn on the intersection of Lakeshore Drive and U.S. 95.
2. Area of Significant Traffic Impact. The majority of the traffic generated by the Inn will use the intersection of Lakeshore Drive and U.S. 95. The high through volume on U.S. 95 results in a lack of adequate gaps in the traffic flow causing the poor level of service for the left turn movement onto U.S. 95. The addition of 47, a.m. peak hour and 14, p.m. peak hour trips to the Lakeshore Drive approach to U.S. 95 will not significantly lower the level of service of the left turns.

B. Study Area Land Use

1. Existing Land Uses. Three quadrants of the intersection of Lakeshore Drive and U.S. 95 have commercial uses while the fourth quadrant, the northeast, is presently residential. Land beyond the immediate intersection area is predominantly residential use with some commercial south along U.S. 95.
2. Existing Zoning. The southeast quadrants of the intersection of Lakeshore Drive and U.S. 95 are presently zoned Commercial while the northwest quadrant is zoned Recreation. The northeast and southwest quadrants are presently zoned Suburban 1/3

but the southwest quadrant has a nonconforming commercial use. The areas beyond the Commercial zones are all Suburban 1/3.

3. Anticipated Future Development. In addition to the subject Inn, a subdivision with 18 lots (Buck Run) is proposed on property 500 feet south of the intersection of Lakeshore Drive and U.S. 95. No other subdivisions or commercial uses in the vicinity of the intersection have been proposed as of this date. There is interest in commercial and residential growth in the Sagle area three miles south of the intersection but no estimate of the affect of the growth on traffic has been made. If the Southside Water and Sewer District expands to serve the Sagle area and increases the capacity of the treatment plant, additional development may occur along Lakeshore Drive. The District extends to the Springy Point area, approximately three miles west of U.S. 95.

C. Site Accessibility

1. Area Roadway System.

- a) The existing system of roadways in the vicinity of the site is comprised of two lane, county and state highways. U.S. 95 has two lanes on the Long Bridge then transitions to and adds a two way left turn lane between Lakeshore Drive and Bottle Bay Road. A right turn drop lane on the southbound approach to Lakeshore Drive exists. The intersection of Lakeshore Drive and U.S. 95 is unsignalized with stop sign controlled approaches on Lakeshore Drive. Smokehouse Road enters Lakeshore Drive not more than 30 feet from the pavement edge of the southbound lane on U.S. 95.
- b) Long range ITD forecasts indicate that U.S. 95 will be expanded to a five lane section between Sagle and the Long Bridge with additional auxiliary lanes and traffic signals where warrants are met. Planning, design and construction for the expansion will be programmed after the Sandpoint bypass EIS is finalized.

The Bonner County Road Department is investigating the addition of turn lanes on the Lakeshore Drive approach to U.S. 95. There is no projected time frame for adding the lanes. It is unknown whether additional right of way is needed to add the lanes or if a grade change is necessary. Also under discussion is the potential for developing a grade separated, full diamond interchange at U.S. 95 and Greenwood Ave. Preliminary discussions have not escalated the issue to project status as of the date of this report.

2. Traffic Volumes and Conditions. The 1999 Traffic Volume ITD District Report lists the two way average annual daily traffic (AADT) volume on U.S. 95 between mileposts 471.046 and 473.493 as 18,000. The 1995 volume on the west leg of the intersection was 1,436 AADT. (More current intersection volumes were not available.) During the a.m. peak period, left turns onto northbound U.S. 95 were measured at 95 vehicles against a total through volume on U.S. 95 of 1,159 vehicles. Increasing these 1995 volumes at 4% per year, the respective 1999 volumes would be 1680 on the west leg and 111 left turns against 1,356 vehicles through traffic. Recent observations indicate that the traffic during the morning commute is traveling at speeds less than the posted 55 mph. At times, the flow can be in the 30 to 45 mph range thus reducing the size and frequency of gaps in the traffic flow for vehicles entering from the minor roads. In past discussions with ITD District 1 Traffic Engineering personnel it was stated that neither volume, safety nor combination warrants have been met for a traffic signal at the intersection.

Typically, when the volume on a two lane, high speed highway reaches 10,000 to 12,000 AADT, planning and design efforts are begun for improvements that would increase the highway's capacity, improve the level of service and maintain the safety of the roadway. To date, this intersection is not programmed for study, design or improvement.

3. Public Transportation Service. There is no regularly scheduled public transportation presently serving the area around the intersection nor is any such service planned for the foreseeable future.

IV. Projected Traffic

A. Site Traffic (Each Horizon Year)

1. Trip Generation. Lacking any specific, locally derived traffic generation figures for an Inn, the Institute of Transportation Engineers (ITE) Trip Generation manual, 5th Edition, was used to estimate traffic generation. The January, 1999 Traffic Study used Land Use Code 310, Hotel, indicating an average generation of 8.7 trips per occupied room on a weekday. Trip generation during the a.m. peak hour of the roadway under the Hotel category was found to be, on average, 0.67 trips per occupied room. The Motel category (Land Use Code 320) indicates by the fitted curve equation, $\ln(T) = 1.033 \ln(x) - 0.641$, that 17 trips can be generated during the a.m. peak hour of the roadway. Generation averages shown under the Resort Hotel category (Land Use Code 330) are based on too few studies to justify their use even though the description of the category most squarely fits the proposed land use.

With the addition of the Inn, the restaurant will be serving breakfast and will be open to customers beyond those staying at the Inn. The restaurant trip generation is most appropriately modeled by the High-Turnover (Sit Down) Restaurant category (Land Use Code 832). During the a.m. peak hour of the roadway, a High-Turnover Restaurant averages 0.51 vehicle trips per seat. With 75 seats, a generation of 38 vehicle trips can be expected.

The Hotel or Motel generation rates seem appropriate for use in this case. The result is that the 29 rooms can be expected to generate 13 vehicle trips during the a.m. peak hour of the roadway.

2. Trip Distribution. Most of the trips generated by the Inn will go to and come from U.S. 95, especially during the peak hours of operation of U.S. 95. For the purposes of this study, it is assumed that 85% of the traffic generated during the peak hours of operation of the adjacent roads travels through the subject intersection. Based on the ITE trip generation information directional distribution was found to be 63% entering (site inbound) and 37% exiting (site outbound) during the a.m. peak hour and 56% entering and 44% exiting during the p.m. peak hour. Inbound a.m. peak hour trips through the intersection to the Inn are therefore estimated at 5 and outbound at 10. Trips through the intersection due to the restaurant are estimated at 14 inbound and 18 outbound for the same period.
3. Modal Split. Since no public transportation serves the site, all trip ends will be single occupancy vehicles.
4. Trip Assignment. Base on the distributions shown above it is estimated that 29 occupied Inn rooms would add 6 vehicle trips to the left turn volume during the a.m. peak hour and 4 vehicle trips to the left turn volume during the p.m. peak hour. Of the total 55 trips at the site's driveway generated by the Inn and restaurant during the a.m. peak hour of the roadway, it is estimated that 22 would be left turns onto U.S. 95, 15 left turns from U.S. 95 onto Lakeshore

Drive, 6 right turns onto U.S. 95 and 4 right turns from U.S. 95 onto Lakeshore Drive. The trip generation figures shown here apply to the buildout year (2000) and beyond.

B. Through Traffic

1. Method of Projection. The growth factor for traffic volumes used by the ITD for the Sandpoint area is 4%. The additional trips generated by the Inn are considered part of the annual growth in traffic.
2. Non-site Traffic for Anticipated Development in the Study Area. The only proposed development in the immediate area of the subject intersection is the Buck Run subdivision (22 single family residential lots) which could add 16 peak hour trips (a.m. or p.m.) through the subject intersection. The subdivision could be built and fully occupied by 2003. Traffic generated by the subdivision is included in the projected volumes for 2003.
3. Through Traffic. The projected traffic volumes during the a.m. and p.m. peak hours at the Inn build out date (2000) and for 2003 are shown on the intersection diagrams attached to the January, 19 1999, Traffic Study. Lacking any updated turning movement counts at the intersection, the volumes shown on the January 19, 1999, attachment remain valid as projected traffic.
4. Estimated Volumes. Volumes for all through and turning movements were estimated by compounding the 1995 counted volumes by 4% per year to the horizon year.

C. Total Traffic

Based on the projections the total traffic on U.S. 95 just north of the intersection is as follows:

1995	13,918 AADT
1998	15,655 AADT
2000	16,933 AADT
2003	19,046 AADT

The recorded traffic volume on Lakeshore Drive in May 1998 was 892 ADT. This volume has not been adjusted or projected by any of the relevant factors. The AADT noted on the 1999 Traffic Volume ITD District Report is 18,000 for the subject location. A straight line annual increase of 7.3 percent is indicated by the difference between the 1995 actual and the 1999 reported AADT. It is not known what factors were applied to either set of numbers. A revised annual growth percentage has not been stated by the ITD.

V. TRAFFIC ANALYSIS

A. Site Access

The driveways to the site on Lakeshore Drive do not have high enough volume to cause level of service deficiencies on Lakeshore Drive nor is the two-way through volume on Lakeshore Drive (138 trips in the a.m. peak hour) high enough to cause the driveway traffic to have level of service problems. It is estimated that 28 vehicles would be making a left turn from the site's driveway onto Lakeshore Drive during the a.m. peak hour of the roadway. A volume of 28 vehicles entering Lakeshore drive into an eastbound hourly volume of approximately 124 vehicles becomes congested only if the traffic flow entering U.S. 95 is slow. By observation,

there are only a few instances in the morning peak hour that more than five vehicles are queued on Lakeshore waiting to turn left onto U.S.95.

B. Capacity and Level of Service

The 1985 Highway Capacity Manual computer software was used to determine the capacities and levels of service of the intersection and the various turning and through movements. The critical movement was found to be the eastbound left turn from Lakeshore Drive onto U.S. 95. Both the a.m. and p.m. peak hours have level of service F conditions at present and at the horizon years. The high traffic volumes of the movements that oppose the left turns are the cause for the deficient level of service. Tabulated results of the level of service and capacity calculations were attached to the January, 19, 1999 report and remain unchanged. Additional volume on the eastbound approach does not significantly degrade the level of service F for the left turn.

C. Traffic Safety

The accident history at the intersection for the period 1/1/97 through 12/31/99 showed eight accidents. Based on the reports, various factors contributed to the causes of the accidents. Icy or wet conditions existed in three of the eight accidents. The majority of the accidents were attributed to inattention and driver error.

The intersection has more than adequate sight distance for the left and right turns from Lakeshore Drive (in excess of 1000 feet). Some of the accidents appear to be related to the lack of adequately sized gaps in the through traffic on U.S. 95 for left turning vehicles to safely enter the flow. Drivers are either misjudging the oncoming vehicles' speed or their own ability to accelerate to merge with the flow. It has been observed that most drivers staging to make a left turn onto U.S. 95 stop eight to twelve feet before the fog line of the southbound through lane. Stopping at that location can leave a driver's site momentarily obscured when a vehicle is in the southbound right turn drop lane. Additional lanes on Lakeshore and on U.S. 95 would spread out the traffic volume to generate larger gaps in the traffic. A traffic signal would eliminate the gap problem but could, as is often the case with a traffic signal, generate rear end accidents in place of some of the accidents now occurring.

D. Traffic Signals

This report does not contain a warrant analysis for a traffic signal at the intersection. In discussions with the ITD Traffic Section personnel, past investigation has shown that a signal is not warranted. The location is not a good location for a traffic signal due to the proximity to the end of the Long Bridge, the commercial activity on the east side of U.S. 95 and the approach grade of Lakeshore Drive. Many of those elements would have to be revised in order for a safe and effective traffic signal to be installed.

E. Site Circulation and Parking

The site plan accompanying the January 19, 1999, Traffic Study shows the access driveways and the parking layout. The circulation through the layout allows free traffic flow for restaurant and Inn patrons as well as delivery vehicles. The parking spaces and aisle widths are in compliance with Bonner County Code.

IV. Improvement Analysis

A. Improvements to Accommodate Base Traffic.

At present, neither the state nor the county has any improvements programmed for the intersection of Lakeshore Drive/U.S. 95 that would improve the level of service.

B. Additional Improvements to Accommodate Site Traffic

The traffic volumes projected to be generated by the Inn do not warrant, in and of themselves, any improvements to the intersection or Lakeshore Drive.

C. Evaluation of Improvements

From a volume standpoint, the addition of a right turn lane on Lakeshore Drive would allow segregation of the left and right turning vehicles but the level of service for the left turns would remain the same. Additional through lanes on U.S. 95 would provide for more platooning of the through traffic and create a better frequency of adequate length gaps for entering vehicles. However, additional lanes would slightly increase the likelihood of accidents because of more lanes to cross while entering the highway from the minor approach.

A traffic control signal at the intersection would improve the left turn level of service dramatically. However, it would impose a level of service problem on the U.S. 95 through volume and would have great potential to cause a different kind of safety problem than now exists at the intersection. Traffic signals quite often increase the number and frequency of rearend accidents. In addition, a traffic signal will result in vehicles queuing onto the Long Bridge waiting for the signal to turn green. If a rearend accident occurs in the queue on the bridge, very long delays will result and emergency vehicle access may be severely impeded. (The intersection is approximately 470 feet from the guardrail on the bridge.)

VII. Conclusions

A. Site Accessibility

The Inn addition to the Swan's Landing site utilizes the existing driveways and basic onsite circulation. The Inn and the breakfast activity at the restaurant will not generate enough traffic to warrant a change in the existing configuration.

B. Traffic Impacts

The addition through the intersection of 267 daily trips with 47 trips occurring during the a.m. peak hour and 14 trips during the p.m. peak hour of the adjacent roadway does not cause any measurable decrease in the level of service on Lakeshore Drive or at the intersection of Lakeshore Drive at U.S. Highway 95.

C. Need For Improvements

The mechanism used to determine when road improvements are necessary has many factors and indicators. Two such factors are level of service and safety. Rarely do these two factors alone determine the necessity for improvements. When the various other factors such as geometry, forecasted volumes, population growth, funding and others have been properly

weighed, an improvement program will be established. At the present time, the ITD's program does not include the intersection of U.S. 95 and Lakeshore Drive nor does Bonner County have Lakeshore Drive on its improvement program. The county Public Works Department and the ITD have begun investigation of the right of way and possible design concepts for improving the Lakeshore Drive/ U.S.95 intersection situation.

D. Compliance with Applicable Local Codes

The Bonner County Comprehensive Plan (1978), in the Transportation section states, "A safe, efficient, and well maintained transportation system is vital to the growth of commerce. Development of any area most closely follows the major transportation routes. Consequently, congestion and the capabilities of the transportation system should be closely considered in the future growth and development of Bonner County." In Subsection A of the Transportation Section it is stated, "To minimize the future costs of delivering services, including road maintenance, police protection, and the school bus, new development should not overload the capability of existing roads..."

Performance thresholds or indicators by which to quantify traffic impact and the "congestion and capabilities of the transportation system", and requirements for improvements have not yet been codified in Bonner County Code. The only reasonable measure then is the quantifiable direct impact of the development generated traffic on the road system. The additional traffic generated does not cause the need for an additional right turn lane on Lakeshore Drive nor for additional through lanes or traffic signal on U.S. 95.

VIII. Recommendation

No improvements to Lakeshore Drive or U.S. 95 are warranted by the additional traffic projected to be generated by the addition of an Inn to the Swan's Landing site and expansion of the restaurant hours of operation. The intersection should be continuously monitored for safety and, when warrants are met, the ITD and the county should program improvements. Funding for state and county improvements should be sought from available sources.

Prepared by **TUCKER ENGINEERING CONSULTANTS**

Donald C. Davis, P.E.
Civil Engineer
June 1, 2000



U.S. 95

ITD DISTRICT NUMBER 1

SEGMENT	*** MILEPOST *** BEGIN END	ACTUAL MILEAGE	ADT	COMM DHV %	TRUCK FACTOR	FACTOR	DESCRIPTION FROM	DESCRIPTION TO	CITY
MAIN ROUTE	ASCENDING			ROAD	POPULATION	URBAN AREA			KOOTENAI COUNTY
001540	433.796 434.300	.50	25000	12.54	5.6	3.9	PRAIRIE AVE	HONEYSUCKLE	
001540	434.300 434.804	.50	22000	12.56	6.3	4.4	HONEYSUCKLE	HAYDEN AVE	
001540	434.804 435.305	.50	20000	12.57	7.0	4.9	HAYDEN AVE	MILES AVE	
001540	435.305 435.807	.50	19000	12.58	7.3	5.1	MILES AVE	WYOMING AVE	
001540	435.807 436.815	1.00	19000	12.58	6.3	4.4	WYOMING AVE	LANCASTER RD	
001540	436.815 438.925	2.11	16000	12.61	7.5	5.2	LANCASTER RD	JCT SH 53	
001540	438.925 440.000	1.07	13000	12.66	9.2	6.4	JCT SH 53	GARWOOD RD	
001540	440.000 441.164	1.16	14000	12.64	8.5	5.9	GARWOOD RD	OHIO MATCH RD	
001540	441.164 445.975	4.81	13000	12.66	9.2	6.4	OHIO MATCH RD	BUNCO RD	
001540	445.975 448.602	2.61	11000	12.71	10.9	7.6	BUNCO RD	REMINGTON RD	
001540	448.602 449.099	.49	11000	12.71	10.9	7.6	REMINGTON RD	JCT SH 54	
001540	449.099 449.160	.06	8700	12.79	11.0	7.7	JCT SH 54	GROVE AVE	
001540	449.160 449.356	.19	8700	11.29	10.2	7.1	GROVE AVE	GROVE AVE	
001540	449.356 451.135	1.77	8700	11.29	10.2	7.1	GROVE AVE	GROVE AVE	
MAIN ROUTE	ASCENDING			ROAD	POPULATION	URBAN AREA			BONNER COUNTY
001540	451.135 452.435	1.30	8700	11.29	10.2	7.1	GROVE AVE	ENT HOODOO CREEK RA	
001540	452.435 455.680	3.24	8200	11.31	11.4	7.9	HOODOO CREEK RA	S113 RD	
001540	455.680 456.725	1.04	7900	11.33	9.7	6.7	S113 RD	COCALALLA CR/BLACKTAIL	
001540	456.725 461.403	4.67	8000	11.32	16.2	11.3	COCALALLA CR/BLACKTAIL	SOUTHSIDE SCH.RD.(S121)	
001540	461.403 461.665	.26	7200	11.36	10.5	7.3	SOUTHSIDE SCH.RD.(S121)		
001540	461.665 463.835	2.17	8500	11.30	10.2	7.1		WESTMOND RD	
001540	463.835 464.078	.24	7500	11.35	10.4	7.2	WESTMOND RD		
001540	464.078 465.608	1.53	9500	11.26	8.0	5.6			
001540	465.608 466.633	1.02	9700	11.25	8.6	6.0			
001540	466.633 468.800	2.16	9400	11.26	12.7	8.8	HEATH LAKE RD	SAGEL/GARFIELD RDS	
001540	468.800 469.234	.43	11000	11.21	10.9	7.6			
001540	469.234 471.046	1.81	12000	11.18	9.1	6.3	MONARCH RD/GUN CLUB RD	BOTTLE BAY RD	
001540	471.046 473.493	2.44	18000	10.00	8.3	5.8	BOTTLE BAY RD	BOTTLE BAY RD	
001540	473.493 474.023	.53	18000	10.00	8.3	5.8	BOTTLE BAY RD	RIVERSIDE AVE SANDPOINT	
001540	474.023 474.090	.06	17000	10.00	5.2	3.6	RIVERSIDE AVE SANDPOINT	1ST AVE SANDPOINT	
001540	474.090 474.175	.08	19000	10.00	5.0	3.5	SUPERIOR ST SANDPOINT	LAKE ST SANDPOINT	
001540	474.175 474.242	.06	21000	10.00	3.9	2.7	LAKE ST SANDPOINT	PINE ST SANDPOINT	
MAIN ROUTE	ONE WAY FORWARD			ROAD	POPULATION	URBAN AREA			BONNER COUNTY
001540	474.242 474.290	.04	17000	10.00	3.7	2.5	PINE ST SANDPOINT	BRIDGE ST SANDPOINT	

U.S. 95

ITD DISTRICT NUMBER 1

SEGMENT	*** MILEPOST *** BEGIN	END	ACTUAL MILEAGE	ADT	DHV %	COMM FACTOR	TRUCK FACTOR	DESCRIPTION FROM	DESCRIPTION TO	CITY
MAIN ROUTE	ONE WAY FORWARD				ROAD	POPULATION		URBAN AREA		BONNER COUNTY
001540	474.290	474.361	.07	9700	10.00	5.7	3.9	BRIDGE ST SANDPOINT	MAIN ST SANDPOINT	
001540	474.361	474.452	.09	9800	10.00	5.6	3.9	MAIN ST	CEDAR ST	
001540	474.452	474.507	.05	12000	10.00	4.8	3.3	1ST AVE	2ND AVE	
001540	474.507	474.640	.13	11000	10.00	5.2	3.6	2ND AVE	4TH AVE	
001540	474.640	474.716	.07	12000	10.00	6.1	4.2	4TH AVE	5TH AVE	
MAIN ROUTE	ONE WAY REVERSE				ROAD	POPULATION		URBAN AREA		BONNER COUNTY
001590	28.725	28.700	.02	16000	10.00	6.0	4.2	MAIN ST	CEDAR ST	
001590	28.700	28.649	.05	15000	10.00	6.6	4.6	OAK ST	MAIN ST	
001590	28.649	28.515	.13	15000	10.00	4.9	3.4	PINE ST	OAK ST	
MAIN ROUTE	ONE WAY REVERSE				ROAD	POPULATION		URBAN AREA		BONNER COUNTY
001591	.000	.195	.19	14000	10.00	6.0	4.2	5TH AVE	2ND AVE RT	
001591	.195	.250	.05	15000	10.00	4.4	3.0	2ND AVE RT	1ST AVE	
MAIN ROUTE	ASCENDING				ROAD	POPULATION		URBAN AREA		BONNER COUNTY
001540	474.716	474.850	.13	24000	10.00	7.9	5.5	CEDAR ST	POPLAR ST	
001540	474.850	475.000	.15	25000	11.04	3.6	2.5	POPLAR ST	LARCH ST	
001540	475.000	475.691	.69	21000	11.07	13.8	9.6	LARCH ST	LARCH ST	
001540	475.691	475.731	.04	21000	11.07	13.8	9.6	LARCH ST	JCT SH 200-PONDERAY	
001540	475.731	476.530	.79	13000	11.16	6.7	4.6	JCT SH 200-PONDERAY	BONNER MALL ENTR.	
001540	476.530	477.078	.54	11000	11.21	8.0	5.6	BONNER MALL ENTR.	KOOTENAI CUTOFF RD	
001540	477.078	477.285	.20	8800	11.28	10.0	7.0	KOOTENAI CUTOFF RD	KOOTENAI CUTOFF RD	
MAIN ROUTE	ASCENDING				ROAD	POPULATION		5,001- 10,000 URBAN AREA	SANDPOINT	BONNER COUNTY
001540	477.285	477.357	.07	8800	11.28	10.0	7.0	KOOTENAI CUTOFF RD	PIEHL RD	
001540	477.357	478.450	1.09	9800	11.25	8.1	5.6	PIEHL RD	PIEHL RD	
MAIN ROUTE	ASCENDING				ROAD	POPULATION		URBAN AREA		BONNER COUNTY
001540	478.450	478.451	.00	9800	11.25	8.1	5.6	PIEHL RD	BRONX CUT OFF RD	

Idaho Transportation Department
Office of Highway Safety
Intersection Analysis Report
Intersection Related Accidents
LAKE SHORE & Lake Shore
County: Bonner City: Sandpoint

09:28 Wednesday, May 3, 2000 1

STREET1

STREET2

ON: LAKSH- 0 FT FROM: US95H LANE: 50A SEGMENT CODE: 000000 MILEPOST: 0.000 12/24/1998 Wed 1009
SERIAL: 984380012 LOCAL CODE: 98-4602 LIGHT: Day WEATHER: Snow WET/DRY: Snw OTHER SURF COND: N/A
UNITS: 2 FATALITIES: 0 INJURIES: 1 SEVERITY: C-Inj-Acc AGENCY: BONNER CO-SHERIFF Int Related
V1: Car DIR: E ACTION: Go-Strt EVENT: Rear-end LOC: On Roadway CONTRB: None
DR1-AGE: 20 M RES: County INJURY: None PROT-DEV: Shld-Lap-Us EJECT: No-Ejec CIT: N/A
V2: PuVanSUV DIR: E ACTION: Stop-In-Tfc EVENT: Rear-end LOC: On Roadway CONTRB: None
DR1-AGE: 49 M RES: County INJURY: C-Inj PROT-DEV: Shld-Lap-Us EJECT: No-Ejec CIT: N/A

ON: US95H 0 FT FROM: LAKSH- LANE: 51D SEGMENT CODE: 001540 MILEPOST: 471.650 02/21/1997 Fri 0825
SERIAL: 972130003 LOCAL CODE: 1169 LIGHT: Day WEATHER: Cldy WET/DRY: Ice OTHER SURF COND: N/A
UNITS: 3 FATALITIES: 0 INJURIES: 0 SEVERITY: PD/Rpt AGENCY: ISP Dist 1 Int Related
V1: Bus DIR: S ACTION: Turn-Lt EVENT: Rear-end LOC: On Roadway CONTRB: None
DR1-AGE: 72 M RES: County INJURY: None PROT-DEV: LpBlt-Us EJECT: No-Ejec CIT: N/A
V2: Car DIR: S ACTION: Go-Strt EVENT: Rear-end LOC: On Roadway CONTRB: Inatten
DR1-AGE: 18 M RES: County INJURY: None PROT-DEV: Shld-Lap-Us EJECT: No-Ejec CIT: LANE BOUND
V3: Car DIR: S ACTION: Go-Strt EVENT: SS Same LOC: On Roadway CONTRB: Follow-2-Clos
DR1-AGE: 19 M RES: County INJURY: None PROT-DEV: Shld-Lap-Us EJECT: No-Ejec CIT: FTC

ON: US95H 0 FT FROM: LAKSH- LANE: 50D SEGMENT CODE: 001540 MILEPOST: 471.650 08/02/1997 Sat 0910
SERIAL: 975360001 LOCAL CODE: 4974 LIGHT: Day WEATHER: Clr WET/DRY: Dry OTHER SURF COND: N/A
UNITS: 2 FATALITIES: 0 INJURIES: 4 SEVERITY: B-Inj-Acc AGENCY: ISP Dist 1 At Intersection
V1: PuVanSUV DIR: S ACTION: Go-Strt EVENT: Angle LOC: On Roadway CONTRB: None
DR1-AGE: 32 M RES: State INJURY: C-Inj PROT-DEV: Shld-Lap-Us EJECT: No-Ejec CIT: N/A
V2: PuVanSUV DIR: E ACTION: Start-In-Tfc EVENT: Angle LOC: On Roadway CONTRB: Fail-2-Yld/Vision-Obs by rt turn
DR1-AGE: 43 F RES: County INJURY: C-Inj PROT-DEV: Shld-Lap-Us EJECT: No-Ejec CIT: 498072 Veh?

ON: US95H 0 FT FROM: LAKSH- LANE: 99A SEGMENT CODE: 001540 MILEPOST: 471.650 10/17/1997 Mon 1400
SERIAL: 977880001 LOCAL CODE: XR97415 LIGHT: Day WEATHER: Clr WET/DRY: Dry OTHER SURF COND: N/A
UNITS: 2 FATALITIES: 0 INJURIES: 1 SEVERITY: C-Inj-Acc AGENCY: BONNER CO-SHERIFF At Intersection
V1: Car DIR: E ACTION: Turn-Lt EVENT: Angl Trning LOC: On Roadway CONTRB: Inatten
DR1-AGE: 33 F RES: County INJURY: C-Inj PROT-DEV: Shld-Lap-Us EJECT: No-Ejec CIT: INATTENTIV
V2: ConstEqp DIR: S ACTION: Go-Strt EVENT: Angl Trning LOC: On Roadway CONTRB: None
DR1-AGE: 34 M RES: State INJURY: None PROT-DEV: None EJECT: No-Ejec CIT: N/A

ON: US95H 0 FT FROM: LAKSH- LANE: 50D SEGMENT CODE: 001540 MILEPOST: 471.650 05/24/1998 Sun 1704
SERIAL: 982050004 LOCAL CODE: XR-0152 LIGHT: Day WEATHER: Clr WET/DRY: Dry OTHER SURF COND: N/A
UNITS: 2 FATALITIES: 0 INJURIES: 0 SEVERITY: PD/Rpt AGENCY: BONNER CO-SHERIFF Int Related
V1: PuVanSUV DIR: S ACTION: U-Turn EVENT: SS Same LOC: On Roadway CONTRB: Impropr-Turn/Fail-2-Yld
DR1-AGE: 28 M RES: County INJURY: None PROT-DEV: None EJECT: No-Ejec CIT: DWP
V2: Car DIR: S ACTION: Go-Strt EVENT: SS Same LOC: On Roadway CONTRB: Left-Of-Cntr
DR1-AGE: 38 F RES: County INJURY: None PROT-DEV: Shld-Lap-Us EJECT: No-Ejec CIT: N/A

ON: US95H 0 FT FROM: LAKSH- LANE: 50D SEGMENT CODE: 001540 MILEPOST: 471.650 06/08/1999 Tue 1715
SERIAL: 991810024 LOCAL CODE: 99-3901 LIGHT: Day WEATHER: Cldy WET/DRY: Wet OTHER SURF COND: None
UNITS: 2 FATALITIES: 0 INJURIES: 2 SEVERITY: C-Inj-Acc AGENCY: BONNER CO-SHERIFF At Intersection
V1: Car DIR: E ACTION: Turn-Lt EVENT: Angl Trning LOC: On Roadway CONTRB: Fail-2-Yld
DR1-AGE: 31 M RES: State INJURY: C-Inj PROT-DEV: Shld-Lap-Us EJECT: No-Ejec CIT: OBEY SIGNS
V2: Car DIR: S ACTION: Go-Strt EVENT: Angl Trning LOC: On Roadway CONTRB: None
DR1-AGE: 18 F RES: State INJURY: C-Inj PROT-DEV: Shld-Lap-Us EJECT: No-Ejec CIT: N/A

ON: US95H 0 FT FROM: LAKSHD LANE: 50D SEGMENT CODE: 001540 MILEPOST: 471.650 07/03/1999 Sat 1412
SERIAL: 992480001 LOCAL CODE: 99-2710 LIGHT: Day WEATHER: Clr WET/DRY: Dry OTHER SURF COND: None
UNITS: 2 FATALITIES: 0 INJURIES: 2 SEVERITY: C-Inj-Acc AGENCY: ISP Dist 1 At Intersection
V1: PuVanSUV DIR: E ACTION: Turn-Lt EVENT: Angl Trning LOC: On Roadway CONTRB: Inatten/Fail-2-Yld
DR1-AGE: 49 F RES: State INJURY: None PROT-DEV: Shld-Lap-Us EJECT: No-Ejec CIT: OBEY SIGNS
V2: PuVanSUV DIR: S ACTION: Go-Strt EVENT: Angl Trning LOC: On Roadway CONTRB: None
DR1-AGE: 64 M RES: State INJURY: C-Inj PROT-DEV: Shld-Lap-Us EJECT: No-Ejec CIT: N/A

Idaho Transportation Department
Office of Highway Safety
Intersection Analysis Report
Intersection Related Accidents
LAKE SHORE & Lake Shore
County: Bonner City: Sandpoint

09:28 Wednesday, May 3, 2000 2

STREET1

STREET2

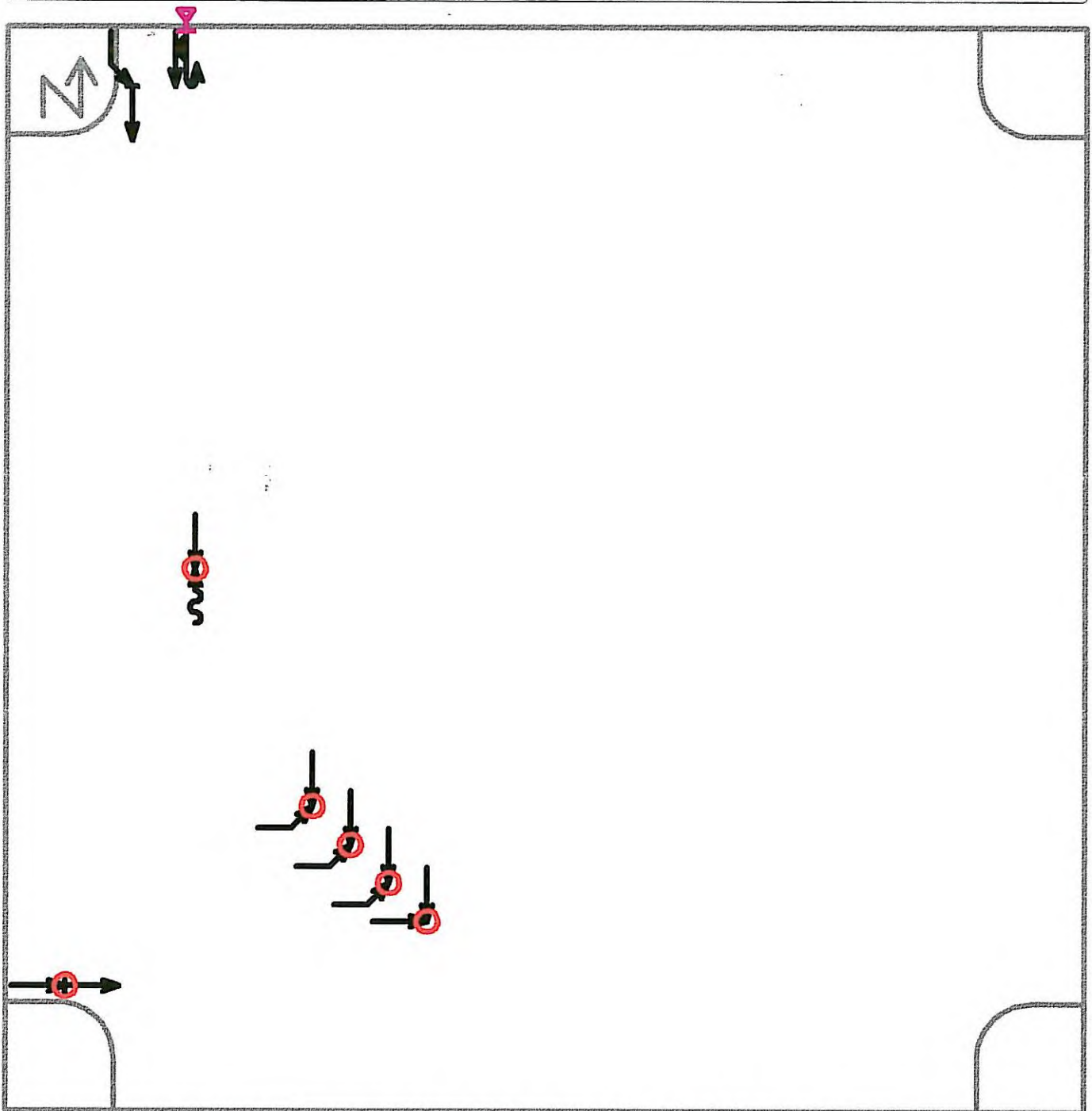
ON: US95H 458 FT/140 M N FROM: LAKSHD LANE: 50A SEGMENT CODE: 001540 MILEPOST: 471.737 09/10/1999 ~~Fri~~ 0905
SERIAL: 992990002 LOCAL CODE: 99-3393 LIGHT: Day WEATHER: Clr WET/DRY: Dry OTHER SURF COND: None
UNITS: 2 FATALITIES: 0 INJURIES: 1 SEVERITY: B-Inj-Acc AGENCY: ISP Dist 1 Int Related
X V1: Car DIR: N ACTION: Avoid-Obs EVENT: Other LOC: On Roadway CONTRB: None
DR1-AGE: 22 F RES: State INJURY: B-Inj PROT-DEV: Shld-Lap-Us EJECT: No-Ejec CIT: N/A
V2: PuVanSUV DIR: S ACTION: Go-Strt EVENT: Other LOC: On Roadway CONTRB: None
DR1-AGE: 46 M RES: State INJURY: None PROT-DEV: Shld-Lap-Us EJECT: No-Ejec CIT: N/A

Number of Accidents: 8

8 Accidents

LAKE SHORE & Lake Shore

01/01/97 - 12/31/99



(clear filter), (0) accidents with insufficient data for display

← Straight	▢ Parked	× Pedestrian	Fixed objects:	
← Stopped	← Erratic	× Bicycle	□ General	▣ Pole
← Unknown	← Out of control	○ Injury	▣ Signal	▣ Curb
↔ Backing	↘ Right turn	⊙ Fatality	▣ Tree	⌘ Animal
↔ Overtaking	↙ Left turn	⚡ Nighttime	◁ 3rd vehicle	
↔ Sideswipe	↪ U-turn	⚡ DUI	* Extra data	

1985 HCM: Unsignalized Intersections

Capacity and Level of Service Summary

1995 Volumes

Dir.	Mov.	Flow Rate	Pot. Cap.	Act. Cap.	Shared Cap.	Res.Cap.	LOS
WB	LT	0	64	62 >	62 >	62	E
	THRU	0	79	77 > 0	77 > 0	77	E
	RT	0	501	501 >	501 >	501	A
EB	LT	102	66	64 >	64 >	-38 >	F
	THRU	0	81	79 > 67	79 > -4 0	77 > F	E
	RT	5	778	778	778>	772 >	A
NB	LT	10	609	609	609	599	A
SB	LT	8	282	282	282	274	C

1998 Volumes

Dir.	Mov.	Flow Rate	Pot. Cap.	Act. Cap.	Shared Cap.	Res.Cap.	LOS
WB	LT	0	46	44 >	44 >	44 >	E
	THRU	0	62	60 > 460	60 > 459	60 > A	E
	RT	1	460	460>	460 >	459 >	A
EB	LT	115	48	46 >	46 >	-68 >	F
	THRU	0	63	61 > 49	61 > -72	61 > F	E
	RT	6	759	759>	759	753 >	A
NB	LT	12	573	573	573	561	A
SB	LT	9	239	239	239	229	C

2000 Volumes

Dir.	Mov.	Flow Rate	Pot. Cap.	Act. Cap.	Shared Cap.	Res.Cap.	LOS
WB	LT	1	45	43 >	43 >	42 >	E
	THRU	0	60	58 > 78	58 > 75	58 > E	E
	RT	1	429	429 >	429 >	428 >	A
EB	LT	124	45	43 >	43 >	-81 >	F
	THRU	0	60	58 > 45	58 > -86	58 > F	E
	RT	6	747	747>	747>	741 >	A
NB	LT	13	547	547	547	534	A
SB	LT	9	209	209	209	200	C

2003 Volumes

Dir.	Mov.	Flow Rate	Pot. Cap.	Act. Cap.	Shared Cap.	Res.Cap.	LOS
WB	LT	4	45	42 >	42 >	38 >	E
	THRU	0	60	57 > 66	57 > 59	57 > E	E
	RT	3	386	386 >	386 >	384 >	B
EB	LT	139	45	42 >	42 >	-97 >	F
	THRU	0	60	57 > 45	57 > -102	59 > F	E
	RT	8	725	725 >	725	718 >	A
NB	LT	14	502	502	502	488	A
SB	LT	10	171	171	171	161	D

1985 HCM: Unsignalized Intersections

Capacity and Level of Service Summary

1995 Volumes

Dir.	Mov.	Flow Rate	Pot. Cap.	Act. Cap.	Shared Cap.	Res.Cap.	LOS
WB	LT	0	64	62 >	62 >	62	E
	THRU	0	79	77 > 0	77 > 0	77	E
	RT	0	501	501 >	501 >	501	A
EB	LT	102	66	64 >	64 >	-38 >	F
	THRU	0	81	79 > 67	79 > -4 0	77 > F	E
	RT	5	778	778	778 >	772 >	A
NB	LT	10	609	609	609	599	A
SB	LT	8	282	282	282	274	C

1998 Volumes

Dir.	Mov.	Flow Rate	Pot. Cap.	Act. Cap.	Shared Cap.	Res.Cap.	LOS
WB	LT	0	46	44 >	44 >	44 >	E
	THRU	0	62	60 > 460	60 > 459	60 > A	E
	RT	1	460	460 >	460 >	459 >	A
EB	LT	115	48	46 >	46 >	-68 >	F
	THRU	0	63	61 > 49	61 > -72	61 > F	E
	RT	6	759	759 >	759	753 >	A
NB	LT	12	573	573	573	561	A
SB	LT	9	239	239	239	229	C

2000 Volumes

Dir.	Mov.	Flow Rate	Pot. Cap.	Act. Cap.	Shared Cap.	Res.Cap.	LOS
WB	LT	1	45	43 >	43 >	42 >	E
	THRU	0	60	58 > 78	58 > 75	58 > E	E
	RT	1	429	429 >	429 >	428 >	A
EB	LT	124	45	43 >	43 >	-81 >	F
	THRU	0	60	58 > 45	58 > -86	58 > F	E
	RT	6	747	747 >	747 >	741 >	A
NB	LT	13	547	547	547	534	A
SB	LT	9	209	209	209	200	C

2003 Volumes

Dir.	Mov.	Flow Rate	Pot. Cap.	Act. Cap.	Shared Cap.	Res.Cap.	LOS
WB	LT	4	45	42 >	42 >	38 >	E
	THRU	0	60	57 > 66	57 > 59	57 > E	E
	RT	3	386	386 >	386 >	384 >	B
EB	LT	139	45	42 >	42 >	-97 >	F
	THRU	0	60	57 > 45	57 > -102	59 > F	E
	RT	8	725	725 >	725	718 >	A
NB	LT	14	502	502	502	488	A
SB	LT	10	171	171	171	161	D

BONNER COUNTY PLANNING DEPARTMENT
CONDITIONAL USE PERMIT APPLICATION



FILE# C693-00

FILED:

Applicant's Name: MAC LLC/Leroy & Penelope Armstrong
263-6376

Phone # 509-448-5555 /

Address: S. 5111 Freya, Spokane, WA. 99223 / 532 S. Boyer Sandpoint, ID 83864

Landowner's Name: Leroy & Penelope Armstrong/ MAC, LLC - Contract Purchaser

Phone # Same as above

Address: Same as above

Project Representative's Name: Tucker Engineering Consultant **Phone #** 263-8558

Address: 617 Church Street Sandpoint, Idaho 83864

PROJECT DESCRIPTION:

1. Describe the proposed use: Modification to an approved Commercial Resort(C659-99) to change the Inn from 20 to 29 rooms and to be built on Lots 5-9, Block 10 (Lot 1A of replat)

2. The use is conditionally provided for at Bonner County Revised Code, Section 12-1441(a)

3. Describe in detail all applicable uses/plans for subject property, including: 1) Size of buildings; 2) Type of unit; 3) # of units 4) Any machinery to be located on the site 5) Any storage area, etc.; 6) Phasing plans, expected start-up and completion dates; 7) Complete detail of scope/process; 8) # of people on site (employees, visitors, etc.); 9) Hours of operation 10) Traffic to be generated (vehicles per day or week); 11) Associated functions (receptions, outdoor activities, additional processes, etc.); 12) Parking, loading areas; 13) Advertising sign, size and location. (Attach additional pages if necessary.)

Same descriptions as in C659-99 with changes or additions in *italics* :

Existing buildings on the site include a single family residence on lot 6 (to be demolished), a restaurant with a seating capacity of 150 persons and 2 rental cabins. A 29 room Inn and 359 sq.ft of retail area are planned as an addition to the west end of the restaurant. The plan is to build the Inn and shops with additional parking and revised driveway in a single phase. The site at full occupancy would accommodate between 250 and 349 persons including guests and employees. Operation hours for the all elements of the resort will be 6 am to midnight. The resort will be available for special events such as weddings or special celebrations, and outdoor sports events. The existing site has 77 parking spaces. (The code requires 39 for the restaurant plus 8 for 15 restaurant employees, 39 for the Inn and cabins, 2 for the shop for a total of 88 parking stalls.) An additional 17 spaces will be added on Lots 6, 7 and 8 along the exit driveway near the Inn bringing the total off-street parking to 88 stalls, considering the loss of 5 spaces due to the addition of the Inn. The restaurant has a specified loading area for the kitchen and the main entrance as will the Inn. Signage for the Resort will be accommodated on the existing signs along the site's frontage on the state highway, on the restaurant. (Total 256 square feet)

BONNER COUNTY PLANNING DEPARTMENT
CONDITIONAL USE PERMIT APPLICATION

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3. Describe in detail all applicable uses/plans for subject property, including: 1) Size of buildings; 2) Type of unit; 3) # of units 4) Any machinery to be located on the site 5) Any storage area, etc.; 6) Phasing plans, expected start-up and completion dates; 7) Complete detail of scope/process; 8) # of people on site (employees, visitors, etc.); 9) Hours of operation 10) Traffic to be generated (vehicles per day or week); 11) Associated functions (receptions, outdoor activities, additional processes, etc.); 12) Parking, loading areas; 13) Advertising sign, size and location. (Attach additional pages if necessary.)

Same descriptions as in C659-99 with changes or additions in *italics* :

Existing buildings on the site include a single family residence on lot 6 (to be demolished), a restaurant with a seating capacity of 150 persons and 2 rental cabins. A 29 room Inn and 359 sq.ft of retail area are planned as an addition to the west end of the restaurant. The plan is to build the Inn and shops with additional parking and revised driveway in a single phase. The site at full occupancy would accommodate between 250 and 349 persons including guests and employees. Operation hours for the all elements of the resort will be 6 am to midnight. The resort will be available for special events such as weddings or special celebrations, and outdoor sports events. The existing site has 77 parking spaces. (The code requires 38 for the restaurant plus 15 for 30 restaurant employees, 39 for the Inn and cabins, 2 for the shop for a total of 94 parking stalls.) An additional 25 spaces will be added on ***Lots 6,7,8 and 9*** along the exit driveway near the Inn bringing the total off-street parking to ***97 stalls, considering the loss of 5 spaces due to the addition of the Inn.*** The restaurant has a specified loading area for the kitchen and the main entrance as will the Inn. Signage for the Resort will be accommodated on the existing signs along the site's frontage on the state highway, on the restaurant. (Total 256 square feet)

Section: 35 Township: 57 North Range: 2 West Site Acreage: Approx. 4.9

Common Area/Open Space, if applicable: N/A Number of Dwelling Units: 32

Detailed directions to site: From U.S.95, west on Lakeshore Drive to the first driveway on the right.

Nearest City: Sandpoint Distance to Nearest City: 1 mile

Uses of Surrounding Land (Describe lot sizes, structures, uses.):

North: Pend Oreille River

East: State highway and residential

West: residential

South: Residential and nonconforming uses

Current site zoning: Suburban 1/3(Lot 7-9 Blk 10) Recreation (Lots 1-6,Blk 10)

Comprehensive Plan Designation: Recreation

What zoning districts bound the project site?

North: River

East: Sub 1/3

South: Sub 1/3

West: Sub 1/3

ACCESS INFORMATION:

Describe existing access to project site: Driveways off Lakeshore Drive

Access is: ☒ Public ☐ Private

Road maintenance is by: N/A

If any road improvements are proposed, describe (Include surface type, maximum and typical grades, width of right-of-way, width of improved surface, curbing, etc.): Parking onsite is asphalt surfaced.

SERVICE INFORMATION:

Distance (in miles) to the nearest:

Public/Community sewer system: Onsite Fire Station: 3 mi. Secondary school: 6 mi.

Public/Community water system: Onsite County Road: Adj. Elementary school: 2 mi.

Solid waste collection facility: 4 mi.

Sewage disposal will be provided by: ☒ Existing community system ☐ Individual system
☐ Proposed community system ☐ Other _____



If existing community system, provide name of facility: Southside Water and Sewer District
Explain type of sewage syst, capacity, maintenance plan, location of facilities, if applicable,
and other details: Public facilities

Water to be supplied by:

☒ Existing public or community system ☐ Individual well ☐ Proposed community/public system

If new system, explain water source, capacity, system maintenance plan, storage and delivery system and other details: _____

Which fire district is project site within? Sagle

Which power company will service project site? Avista

What are the potential effects of the use/plan on the quality or availability of present or future public services for the proposed site? No detrimental effects on public services are expected from the uses existing or proposed on the site.

SITE INFORMATION:

Provide detailed description of the following land features:

1. Topography (lay of land), including estimated maximum slope, rock outcroppings, benches, etc.: Land slopes from the road at elevation 2104' to the river at elev. 2062.5'. New structures will be built with finish floor elev. 2075 which is 4' above the 100 year flood elev.

2. Water courses (lakes, streams, rivers, other bodies of water): On the shore of the Pend Oreille River

3. Springs and wells: none

4. Existing structures (size & use): Private home on lot 6 (to be demolished). 2 rental cabins and a restaurant on lots 1-4 with a maximum occupancy of 157 persons.

5. Land cover (timber, pasture, etc.): Sparse trees - a few will be removed but extensive landscaping of the site will more than replace the removed trees.



6. Other pertinent information (Use additional pages, if necessary): The Inn will be built on lots 5-8. Parking will be expanded for the Inn and the existing lot 6 access will be modified to be the site's exit driveway.

Describe any planned berming, grading, contouring or filling of lands within proposed project: Grading will occur after the single family residence on lot 6 is removed and the area is prepared for the Inn and associated parking area.

Will the conditional use create a hazard or be dangerous to persons on or adjacent to the property? No, the overall concept of the resort is that all activities on the site will be coordinated and under the control and observation of the management.

How will the proposed use maintain the harmony with existing uses and intended character of the vicinity? The Inn will be an adjunct use to the restaurant and will bring the site into the status of a recreational resort. Properties along the river are mainly single family residential with boating facilities along the shoreline. The resort will be in keeping with the existing character of the neighborhood.

How is the use/plan in accordance with the general and specific objectives of the Comprehensive Plan? (Copy of goals/objectives are available from the Planning Department.)

Economic: The site is a logical location for recreational use, will be in concert with the other recreational uses along the lakeshore and will not require the degradation or displacement of any natural resources.

Public Services: The zone change on these lots and their subsequent development in conjunction with the existing commercial/recreational uses on the site will have only a slight impact on public services.

Transportation: The additional recreational use (the Inn and associated activities) will not impact the transportation system sufficiently to warrant mitigation (see the Traffic Impact Study). The additional traffic added to the already deficient U.S.95/Lakeshore Drive intersection, will not warrant the installation of a traffic signal.

Natural Resources: There will be no impact on natural resources. There are no wetlands or aquifer involvement and development will be above the floodplain. Stormwater will be controlled so the lake, fish and wildlife will not be impacted.

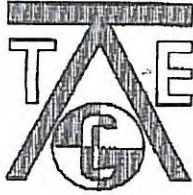
Community Design: The addition of the Inn will result in one residential dwelling being eliminated and replaced by a different form of residential use. This use will be of minimal impact on adjacent residential uses.

I hereby certify that all the information, statements, attachments and exhibits submitted herewith are true to the best of my knowledge.

Landowner's signature: *Stephen Armstrong* Date: 6-2-00

Landowner's signature: *Robert C. Armstrong* Date: 5-30-00





TUCKER ENGINEERING CONSULTANTS

617 CHURCH STREET, SANDPOINT, IDAHO 83864 * (208) 263-8558 * FAX (208) 263-5522

CIVIL ENGINEERING - SURVEYING - CONSTRUCTION

Land Capability Report

MAC, LLC Zone Change and Conditional Use Permit Modification

Swans Landing, Bonner County, Idaho

Project Description

Lots 7,8,9 and 10, Block 10, and Lots 6,7and 8, Block 7, of the Plat of Lakeside Place are the subject of this report. The property is located in Section 35, Township 57 North, Range 2 West of the Boise Meridian, in Bonner County, Idaho. Lots 7,8,9 and 10 have frontage on and direct access to Lakeshore Drive and the Pend Oreille River. Lots 6,7and 8 have frontage on both Lakeshore Drive and Greenwood Avenue. Access to lots 6,7 and 8 will be more easily taken from Greenwood Avenue when the property is developed. The property has one house on Lots 8 and 9 while the remainder of the property is vacant. Lots 7, 8, 9 and 10 slope up from the river to Lakeshore Drive. Lots 6, 7 and 8 slope up between Lakeshore Drive and Greenwood Avenue. (Two lot line adjustments have been applied for combining Lots 1-10, Block 10 Lot 1A, and Lot 10 and Lots 6, 7 and 8, Block 7, into Lot 6A.)

The land use proposal for the property is a zone change from Suburban 1/3 to Recreation and a modification to the existing Conditional Use Permit that allows a Commercial Resort.

Floods

The 100 year flood plain along the Pend Oreille River near the long bridge is at elevation 2071 feet according to Panel 300 of the Flood Insurance Rate Map for Bonner County. The portion of the Inn at Swan's Landing to be built on Lots 7and 8 will have its lowest floor elevation at 2075 feet elevation. Lots 6, 7 and 8 are at elevations above 2100 feet.

Sewage

The property is presently served by a municipal sewer system. The sewer line will be relocated to the north of the location for the portion of the Inn at Swan's Landing to be built on Lots 7 and 8.

Stormwater Management

A stormwater management plan has been developed for the addition of the Inn at Swan's Landing and the associated parking. The plan calls for additional detention of stormwater runoff in ponds to be located between the Inn and the shoreline. The existing detention pond along the state right of way has been approved for use by the Idaho Transportation Department. (See attached permit) Stormwater detention for Lots

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BONNER COUNTY
PLANNING DEPARTMENT

• Page 2
Land Capability Report
MAC, LLC Setback Variance

August 29, 2000

6, 7 and 8 will be handled by a detention pond on the downslope end of the lots. All ponds will have outlet metering devices gauged at predevelopment runoff rates.

Erosion & Sedimentation

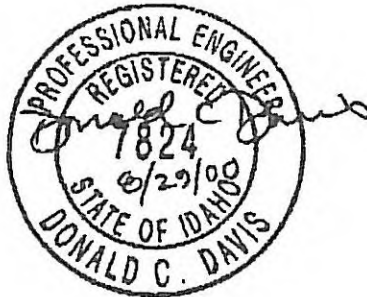
Soils on the steep slope below the Inn location are stable with the established vegetation. Erosion or sedimentation control measures as outlined in the Stormwater Management Plan will be implemented during construction of the Inn. Construction on Lots 6, 7 and 8 will require appropriate Best Management Practices to control erosion and sediment transport.

Geological or Surface Slippage

Lots 1 through 6, Block 10, and Lots 1 and 2, Block 7, adjacent to the east of the subject property, have been extensively developed and show no signs of geologic or surface slippage. There is no evidence of any geological or surface slippage on the site or in the surrounding area.

Conclusions

Adequate provisions can be taken during further development of the property to protect against erosion or sediment transport and to provide proper stormwater management. As is evidenced by the existing conditions, the land is capable of withstanding the proposed use without risk of substantial harmful consequences of floods, sewage, drainage, erosion, sedimentation, or geological or surface slippage.





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CIVIL ENGINEERING – SURVEYING - CONSTRUCTION

Land Capability Report

MAC, LLC Zone Change and Conditional Use Permit Modification

Swans Landing, Bonner County, Idaho

Project Description

Lots 7, 8, and 9, Block 10, of the Plat of Lakeside Place are the subject of this report. The property is located in Section 35, Township 57 North, Range 2 West of the Boise Meridian, in Bonner County, Idaho. Lots 7, 8, and 9 have frontage on and direct access to Lakeshore Drive and the Pend Oreille River. The property has one house on Lots 8 and 9 while the remainder of the property is vacant. The parcel slopes up from the river to Lakeshore Drive. (A lot line adjustment has been applied for combining Lots 1-8 and the easterly 33.6 feet of Lot 9 into Lot 1A, and Lot 10 and the westerly 16.4 feet of Lot 9 into Lot 10B.)

The land use proposal for the property is a zone change from Suburban 1/3 to Recreation and a modification to the existing Conditional Use Permit that allows a Commercial Resort.

Floods

The 100 year flood plain along the Pend Oreille River near the long bridge is at elevation 2071 feet according to Panel 300 of the Flood Insurance Rate Map for Bonner County. The portion of the Inn at Swan's Landing to be built on Lots 7 and 8 will have its lowest floor elevation at 2075 feet elevation.

Sewage

The property is presently served by a municipal sewer system. The sewer line will be relocated to the north of the location for the portion of the Inn at Swan's Landing to be built on Lots 7 and 8.

Stormwater Management

A stormwater management plan has been developed for the addition of the Inn at Swan's Landing and the associated parking. The plan calls for additional detention of stormwater runoff in ponds to be located between the Inn and the shoreline. The existing detention pond along the state right of way has been approved for use by the Idaho Transportation Department. (See attached permit)

Erosion & Sedimentation

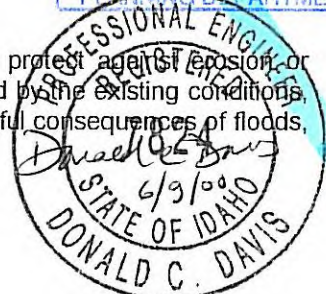
Soils on the steep slope below the Inn location are stable with the established vegetation. Erosion or sedimentation control measures as outlined in the Stormwater Management Plan will be implemented during construction of the Inn.

Geological or Surface Slippage

Lots 1 through 6, immediately adjacent to the east of the subject property, have been extensively developed and show no signs of geologic or surface slippage. There is no evidence of any geological or surface slippage on the site or in the surrounding area.

Conclusions

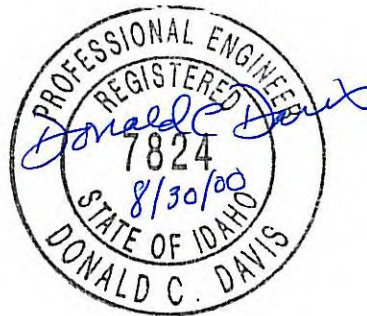
Adequate provisions can be taken during further development of the property to protect against erosion or sediment transport and to provide proper stormwater management. As is evidenced by the existing conditions, the land is capable of withstanding the proposed use without risk of substantial harmful consequences of floods, sewage, drainage, erosion, sedimentation, or geological or surface slippage.



Stormwater Management Plan

THE INN AT SWANS LANDING
LAKESHORE DRIVE
BONNER COUNTY, IDAHO

AUGUST 30, 2000



TUCKER ENGINEERING CONSULTANTS
617 CHURCH STREET,
SANDPOINT IDAHO 83864

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BONNER COUNTY
PLANNING DEPARTMENT

Stormwater Management Plan
For The Inn at Swans Landing
Lakeshore Drive, Bonner County, Idaho

Project Summary

Conditional Use Permit (C659-99) approved a 20 unit Inn, along with the Swans Landing restaurant, the two cabins on the site and the shoreline amenities on the Pend Oreille River as a commercial resort in 1999. MAC,LLC has applied for a conditional use permit to allow a 24 unit Inn on Lots 4, through 8, and a two unit and a three unit cabin on Lots 8 through 10 of Block 10, and a storage/shop building with some parking on Lots 6, 7 and 8, Block 7, of Lakeside Place. The property is located on the north and south sides of Lakeshore Drive west of U.S. Highway 95 in Bonner County, Idaho.

A Stormwater Management Plan dated July 21, 1999, was presented with the application under C659-99. The Stormwater Management Plan is hereby updated to reflect the runoff from a 24 unit Inn, two cabins of two and three units each, and the expanded parking layout. South of Lakeshore Drive, the Plan considers runoff from the new storage/shop building and associated parking. All impervious areas are as shown on the site plan.

Design Parameters

Bonner County Revised Code section 12-2440 (a) requires retention and treatment of the first 1/2 inch of storm water runoff from impervious areas including structures and paved surfaces. Also required is that the stormwater management system provide capacity for the collection, conveyance and detention of runoff from the 25-year design storm. The system and adjacent properties must also be protected from erosion or sedimentation due to the runoff caused by the development. The following design conforms to these requirements.

Existing Conditions (Pre-development)

The site has been developed to shed some runoff to the east to a detention/retention pond situated on the easterly 20+ feet of the property and on the state's right of way for U.S. 95. The remainder of the property sheds runoff to the north through the forest vegetation to the Pend Oreille River. At present, runoff shedding to the north is neither retained nor detained however, erosion and sediment transport are very minor. The lots south of Lakeshore Drive are undeveloped, recently logged sites. Runoff from the lots is handled by the roadside ditch along the south side of Lakeshore Drive.

Additional Development Conditions (Post-development)

The intent is to construct an Inn with a roof area of 15,900 square feet and to pave a driveway and parking lot between the Inn and Lakeshore Drive. In addition, a patio area between the easterly portion of the Inn and the river front and two cabins with roof areas of 1,200 and 1,800 square feet are planned. South of Lakeshore Drive, the storage/shop building will have 2,400 square feet of roof area and approximately 7,500 square feet of parking area will be constructed. All of the additional impervious area except a small portion of the easterly half of the Inn's roof will shed runoff toward the river. Approximately 400 square feet of the easterly half of the Inn's roof will shed runoff toward the detention pond on the east side of the site.

Flow analysis

For this analysis the 25 year, 24 hour storm sets the standard for the runoff storage design. The system will be designed to collect, convey, and detain the runoff from the first one-half inch of runoff as well. The retention/detention ponds sized to handle the 25 year, 24 hour storm runoff

Stormwater Management Plan
For The Inn at Swans Landing
Lakeshore Drive, Bonner County, Idaho

will also adequately handle the lesser volume of the first one-half inch of runoff.

According to the Soil Survey of the Bonner County Area, Idaho, conducted by the Soil Conservation Service, there is Pend Oreille soil type on the property, which has the following characteristics:

Depth (inches)	Percentage Clay	Permeability (in/hr.)	Available Water Capacity (in/in)
0-13	3-5	0.6-2.0	0.19-0.21
13-17	2-8	0.2-0.6	0.17-0.20
17-41	2-5	2.0-6.0	0.07-0.09
41-60	2-5	2.0-6.0	0.04-0.07

As the soil characteristics show, the low percentage of clay results in moderate permeability. Runoff during all but frozen conditions will predominately infiltrate the soil on slopes of less than 5%.

The first step in the analysis is to determine the anticipated increase in the amount of storm water runoff caused by the addition of impervious surfacing on the property. The Rational Method will be used to determine the peak rate of runoff from the 25 year, 24 hour duration storm event. The calculations show that the runoff rate to the east (existing detention pond) increases by 0.6 cubic feet per second (cfs). (See the complete calculations at the end of this report)

As indicated in the July 21, 1999, Stormwater Management Plan, the house on Lot 6 and the concrete slab below the house will be removed to make room for the Inn. Both of the structures to be removed currently shed runoff to the river. Existing impervious surfaces on Lot 6 total 6,859 square feet. The remainder of Lots 6,7,8, 9 and 10 shed stormwater runoff to the river. The development plan modifies some of the runoff pattern from the southerly portions of Lot 6 (400 sq.ft.) and redirects the runoff to the east, to the detention pond at the east end of the property. The parking lot paving on Lots 5 and 6 constructed in 1999 sheds all of the runoff to the east

The Inn's roof, the new driveway, the parking lot and the patio adds a net new impervious area of 25,599 square feet to the site, of which all but 400 square feet sheds to the north. Total area in Lots 6 through 10 is 2.0 acres, therefore, the net impervious area is 0.59 acres or 29.5% of the total area. The net amount of impervious surfaces on Lots 1 through 5 will not change significantly (less than 300 square feet, therefore, no discussion of runoff is necessary.)

Lots 6 through 8, Block 7, cover 0.69 acres of ground. Impervious surfaces are estimated at 9,900 square feet or 32.9% of the area. Detention ponds to contain the runoff will be located at the lower elevations of the lots near Lakeshore Drive.

Design

Using the Rational Method to compare the predevelopment and postdevelopment conditions, a calculated total of 826 cubic feet of storage for the 25 year, 24 hour storm event is required. The first half-inch of runoff from the net new impervious surface is 1067 cubic feet. These volumes are calculated based on the percentage of impervious surface compared to the entire acreage of the lots and is therefore very conservative on the low side. Considering only the net new impervious surfaces without comparing them to the entire lot acreage, the 25 year, 24 hour storm runoff volume to detain is calculated at 4,267 cubic feet, based on a runoff depth of 2 inches from impervious surfaces.

Stormwater Management Plan
For The Inn at Swans Landing
Lakeshore Drive, Bonner County, Idaho

A reasonable solution to the disparity between volumes derived by the two methods is to use the average of the two. Therefore, the total storage volume for all net new impervious surfaces would be 2,667 cubic feet. Breaking down the total volume based on the percentage each impervious surface is of the entire impervious area, the following detention pond volumes are calculated.

Inn roof and patio: 933 cu.ft. 2 unit cabin: 128 cu.ft. 3 unit cabin: 187 cu.ft.

Upper parking area: 688 cu.ft. Mid parking area: 424 cu.ft. Driveway: 307 cu.ft.

The Stormwater Management Plan site plan indicates the locations of these ponds. Each pond will be constructed along the contour of the slope with a depth of one foot or less and side slopes of 3:1 or flatter. Level spreader overflow devices will regulate any excess volume causing it to sheet flow across the ground down slope from the ponds.

Details for construction of the detention ponds and the level spreader devices are attached to this report. The site plan shows the location of the detention ponds and conveyance swales.

Construction

The stormwater management system elements shall be constructed as part of the building site excavation and preparation. (See the Stormwater Management System Site Plan for location and dimension of the ponds.)

The ponds and surrounding areas will be seeded with grasses that can be maintained by mowing and supplemental seeded as necessary. Prior to any site disturbance, temporary erosion control measures, silt fencing in this case, will be installed along the northerly edge of the disturbed area. This measure is to prevent sediment from reaching the river during construction of the site.

Maintenance Plan

INSPECTION SCHEDULE FOR STORM WATER MANAGEMENT SYSTEM

The Design Engineer who shall certify that the completed facilities are in accordance with the plans shall conduct inspection of the constructed stormwater system elements.

The inspection schedule for the storm water management system shall be as follows:

Inspection	Inspector	Schedule	Elements Inspected
Site	Design Engineer	During final shaping of pond area	Ponds and site grading
System Maintenance	Owner	During each major storm event	Detention pond outlet to ensure free flow of runoff
System Maintenance	Owner	Yearly inspection prior to winter rains.	Clean ponds and outlet pipes and channel of any sediment buildup or debris

Stormwater Management Plan
For The Inn at Swans Landing
Lakeshore Drive, Bonner County, Idaho

PERSONS RESPONSIBLE FOR OPERATION AND MAINTENANCE

The stormwater management system shall be maintained and operated by the Owner.

CONTACT PERSON

The contact person shall be the Owner.

FINANCIAL ARRANGEMENT FOR CONTINUED MAINTENANCE

The owner is financially responsible for the maintenance of the stormwater management system.

Erosion Control Plan

EROSION AND SEDIMENTATION CONTROL MEASURES

Silt fencing will be installed along the northerly edge of the area to be disturbed to prevent sediment from being transported to the river. The silt fences will be maintained in good condition and sediment trapped behind the fencing will be removed whenever the depth reaches eight inches above the surrounding ground. The silt fencing will remain in place and in good repair until the grass in and around the detention/retention ponds has been firmly established. The construction site will be terraced in order to construct the Inn. The terracing will temporarily control the flow of runoff as it proceeds toward the river.

All disturbed areas around the building, parking and driveways will be landscaped as the permanent erosion control measure.

Stormwater Management Plan
For The Inn at Swans Landing
Lakeshore Drive, Bonner County, Idaho

STORMWATER MANAGEMENT RUNOFF CALCULATIONS

Pend Oreille soil type Permeability 0.6 to 2.0 in/hr, 0 to 13 inches of soil, 2.0 to 6.0 in/hr, 13 to 60 inches of soil depth.

New Impervious areas (square feet):

Inn roof and Patio: 15,891 2 unit cabin: 1200 3 unit cabin: 1800 upper parking: 6588
mid parking: 4071 driveway: 2,908 **Total New Impervious: 32,458**

Existing impervious in same area: House, slab and driveway: 6,859

Net New Impervious: $32458 - 6859 = 25,599$ sq.ft.

RATIONAL METHOD FOR DETERMINING RUNOFF VOLUMES

Predevelopment:

Longest drainage path: 332 feet Elev. diff. = 38.5 ft. Slope: $38.5/332 = 11.6\%$ Ground cover = forest

Time of concentration $t_c = 22.5$ min. from nomograph C-2 Hydraulics and Hydrology for Stormwater Management

Intensity = 1.3 in/hr from ITD IDF curve Runoff coefficient $c = 0.2$ Area $A = 2.0$ acres

$Q_b = c i A$ $0.2(1.3)2.0 = 0.52$ cfs

Postdevelopment:

Longest drainage path: 139' on 8% pavement = 2.3 min. + 100' on 6% grass channel = 4.0 min. + 136' on 5% landscaped swale = 10.2 min Total $t_{ca} = 16.5$ min. $i = 1.65$ in/hr

Composite $c = 0.59(0.9) + 1.41(0.2)/2.0 = 0.4$ $Q_a = 0.4(1.65)2.0 = 1.32$ cfs

Volume of storage = $0.08264(t_{ca})(Q_a - Q_b) = 0.08264(16.5/60)(1.32 - 0.52) = 0.018793$ ac-ft or 826 cu.ft.

Volume of runoff from the first half-inch of runoff from impervious surfaces: $25599(0.5/12) = 1067$ cu.ft.

ALTERNATIVE METHOD FOR DETERMINING RUNOFF VOLUMES (CONSERVATIVE)

Total net new impervious surface area = 25,599 sq.ft. Average depth of runoff from impervious surfaces only = 2.0 inches. Total runoff volume = $25599(2.0/12) = 4,267$ cu.ft.

Rational Method calculations may be too small and alternative method calculations do not take into account the large area of natural or landscaped area that will be on the site. An appropriate method would be to average the two runoff volumes. $1067 + 4267/2 = 2667$ cu.ft.

Each impervious area is a percentage of the total net new impervious area. Using the percentages, the following detention pond volumes are derived from the total average detention volume.

Inn roof and patio: $0.35(2667) = 933$
2 unit cabin: $0.048(2667) = 128$
3 unit cabin: $0.07(2667) = 187$
upper parking: $0.258(2667) = 688$
mid parking: $0.159(2667) = 424$
driveway: $0.115(2667) = 307$

①

SMP 98-37 Verhaegen

7-20-97 BCD
updated 6/12/00

Existing impervious area lots 1-6

Slab 1508 - north (credit 6/00) Inn footprint 7,366
 Rest 9020 - 6234 north (roof area 15,000 - 6/00)
 L.G. 1651 - north (credit 6/00) Area above pool 2.62 ac
 Pool 41,242 - 7956 north (all credit 6/00)
 Cabins 866 - 33,586 east Area of site drained
 Slab 512 - north to east 61,970 (1.42)
 54799 existing Area of site drained
 Inn (new) 5705 - 2840 north to north 55,272 (1.22)
 (5000 - 12,125 - 2840 6/00)
 Drive to Boat Ramp 3700 - north (elim 6/00)
 New access 6586 - 5988 north (credit 6/00)
 651 east
 15991 additional
 12918 3513
 to north to east

Impervious

existing to east - 37,238

new to east - 12,528 (same w/ 29 room Inn 6/00)

existing to north - 17,861

new to north - 3,516 (16,155 to north 6/00)

total area flow to east - 61,970 (1.42) new to east 74,498 (1.71 ac) > w/ Inn
 total area flow to north - 55,272 (1.22) (0.91 ac) (OK 6/00)

Runoff.

 t_c - Longest path (L) = 409' (to our parking to shoreline in swale)path grade $\frac{8}{150} = 5.3\%$ sheet $t_c = 3.0$ min $\frac{18}{150} = 12\%$ shallow $t_c = 2.0$ min $\frac{16}{150} = 10.7\%$ " $t_c = 2.5$ min $\frac{4.5}{8} = 56\%$ channel $t_c = 0.2$ min $\frac{4.5}{8} = 56\%$ channel $t_c = 7.7$ min

Rational Method

C_{Assumed} = 0.9 area 37,238 product 33511.2C_{assumed} = 0.12 x 7,227 867.24

Woods = 0.09 17,505 1575.45

0.58 < w/ Aug 61,970 35956.03

area product

49766 44789.4

7227 867.24

17,505 1575.45

74498 47232.9

C_{avg} = 0.63

②

Runoff

98-37 Verhaegen

7-20-97 BCD
updated 6/12/00

East (existing)

C = 0.58 i = 2.4 in/hr A = 61,970 ft²
1.42 ac $Q_b = (0.58)(2.4)(1.42) = 1.98$ cfs

(north - use 1st half inch volume rather than 25 yr)

East (w/ Inn)

C = 0.63 i = 2.4 A = 1.71

 $Q_a = (0.63)(2.4)(1.71) = 2.58$ cfs

Storage est.

 $V_{ST} = \frac{(Q_a - Q_b)}{12} \times 43520 = \frac{(2.58 - 1.98) \times 43520}{12} = 2178$ cu. ft. additional

ORIGINAL RUNOFF

 $Q = \frac{1.98 \times 43520}{12} = 7187.4$ cu. ft.

North Runoff

L = 360 EE 2104 - 20625 = 41.5'

S = $\frac{41.5}{360} = 11.5\%$ t_c (existing) = 12 min (w/ Inn) $t_{cA} = 11.5$ min $i_b = 1.8$ in/hr $i_a = 1.9$ in/hrC_b = 0.41 C_a = 0.51A_b = 1.12 A_a = 0.91 $Q_b = 0.99$ cfs $Q_a = 0.88$ cfsless by diverting 1/2 off Inn
roof to east. But, make pond
for 1st 1/2 inch of runoff

Elev	area	avg. ft.
2077	80	595.5
2078	111	2587.5
2077	4064	5132.0
2080	6200	7143.5
2081	8087	

15458.5 cu. ft. detention pond CAPACITY

(up to 2080' 8315 cu. ft.)

Impervious

EXIST after
17,861 (0.41 ac) 21,377 (0.49 ac)

Woods (0.71) (0.92)

area	product
17,861	1575.45
21,377	1921.24
0.49	0.51

③

Runoff

98-37 Verhagen

7-20-99

D=0

1st 1/2 inch Runoff from impervious

to East. $47766 \left(\frac{0.5}{12} \right) = 2073.6 \text{ cu.ft.}$ Det. Pond > 10,000 cu.ft.
OK.

to north $21377 \left(\frac{0.5}{12} \right) = 890.7 \text{ cu.ft.}$ $\left(25044 \left(\frac{0.5}{12} \right) = 1043.5 \text{ cu.ft.} \right)$

2 ponds - lower rim 2065 base 2063.5 3:1 side slopes

upper rim 2066.5 base 2065 3:1 side slope
channel upper to lower.

lower pond - 367 cu ft

upper pond - 780 cu ft.

channel upper to lower invert

elev 2066.5 to 2065, lined w/ fabric

thin rocks. level spreader on

lower pond north rim @ 2065'

2.7% slope in channel.

Direct impervious area runoff to
upper + lower ponds.

Additional contributing area

to detention pond = shoulder

95, Lakeshore r/w to crest of hill,

Smokeshop buildings + driveway to

crest of site. $\approx 40,490 \text{ ft}^2$ (0.93 ac)

1st 1/2 inch = 1687 ft³

Runoff

$L = 468'$

$S = \frac{2100 - 2077}{468} = 4.7\%$

$t_c = 7.5 \text{ min}$

$C = 0.8$

$U = 2.8 \text{ in/hr}$

$\bar{Q} = 2.08 \text{ cfs}$

$V_{st} = \frac{2.08 (40,490)}{12} = 7018 \text{ ft}^3$

6/00
parking pond = 250 cu.ft.
driveway and
wastebasket
pond 450 cu.ft.
eastern roof
and patio
pond 500 cu.ft.
1200 cu.ft.
Total

Total to detention pond

$7187 + 2178 + 7018 = 16,383 \text{ cu.ft.}$

Inflow $2.08 + 2.58 = 4.62 \text{ cfs}$ Outflow = 3.8 cfs

ITD-2110 3/95

APPLICATION AND PERMIT TO USE R/W
ENCROACHMENTS
IDAHO TRANSPORTATION DEPARTMENT

ENCLOSURES:

IMPACT STUDY
TRENCHING DETAIL
STANDARD APPROACH DESIGN
TURN LANE DESIGN
SEEDING REQUIREMENTS
TRAFFIC CONTROL PLAN (EXAMPLE)
DISPOSAL OF TREES
CONSTRUCTION DESIGN FOR APPROACH

ROUTE: U.S. 95

MILE POST 471.65

PERMIT NO. 1-99-120SEG. NO. 001540

REC. NO.

FEE \$ 2

POSTED SPEED

APPROACH: QUANTITY WIDTH FT.

Residence COMMERCIAL FIELD

Other Stormwater
detention pond

SIGHT DIST. RT. LT. CULVERT SIZE: LENGTH:

Explain Other/Business Type: Permit to allow existing use of detention pond
for runoff from private property.

A PLAN OF PROPOSED WORK AND APPLICABLE TRAFFIC CONTROL PLANS MUST BE ATTACHED.

SPECIAL PROVISION:

ANY CHANGE IN USE OF THE PROPERTY OR FACILITIES REQUIRE A NEW PERMIT
APPLICATION. VIOLATION OF THIS PROVISION MAY RESULT IN CANCELLATION OF
THIS PERMIT.

1. No open pits over night.
2. Must restore and reseed R/W.
3. TRAFFIC CONTROL PLAN HAS BEEN APPROVED BY I.T.D.
4. MUST CONTACT MAINTENANCE OFFICE 2 WEEK DAYS BEFORE JOB STARTS
(772-1221)
5. NO CONSTRUCTION MATERIAL TO BE PLACED WITHIN 5 FEET OF ROADWAY.

I certify that I am the Authorized representative and request permission
to construct the above facilities within the State Highways right of
way in accordance with the general provisions printed on the back of this page.
Special Provisions and the Plans made a part of this permit. This permit shall
be VOID unless work is completed and approved by I.T.D BEFORE

COMPANY AND ADDRESS

Alex Verhoogen

(PRINT) APPLICANT

DATE

MAC, LLCSue Wallace
5111 S. FREYASpokane, WA 99223

SIGNATURE OF APPLICANT

Subject to all terms, conditions and provisions shown on this form or attachment
permission is hereby granted to the above named applicant to perform the work
described.

LOCAL GOVERNMENT APPROVAL WHEN REQUIRED

BY: ENTITY

BY:

DISTRICT ENGINEER DATE

Sue Wallace 9-28-99
SUE WALLACE PERMIT COORDINATOR

Stormwater Management Plan

THE INN AT SWANS LANDING
LAKESHORE DRIVE
BONNER COUNTY, IDAHO

JUNE 12, 2000



TUCKER ENGINEERING CONSULTANTS
617 CHURCH STREET,
SANDPOINT IDAHO 83864



Stormwater Management Plan
For The Inn at Swans Landing
Lakeshore Drive, Bonner County, Idaho

Project Summary

MAC.LLC intends to build an Inn on Lots 4, through 8 of Block 10, Lakeside Place on the north side of Lakeshore Drive approximately 300 feet west of U.S. Highway 95 in Bonner County, Idaho. The Inn, along with the Swans Landing restaurant, the two cabins on the site and the shoreline amenities on the Pend Oreille River have collectively been labeled a commercial resort under a Conditional Use Permit (C659-99).

A Stormwater Management Plan dated July 21, 1999, was presented with the application under C659-99. Since C659-99 was approved the size of the Inn has increased from 20 to 29 rooms and the proposed parking layout has changed, as shown on the site plan.

The following report gives the details of the Stormwater Management System design for the 29 room Inn at Swan's Landing and the attendant parking area.

Design Parameters

Bonner County Revised Code section 12-2440 (a) requires retention and treatment of the first 1/2 inch of storm water runoff from impervious areas including structures and paved surfaces. Also required is that the stormwater management system provide capacity for the collection, conveyance and detention of runoff from the 25-year design storm. The system and adjacent properties must also be protected from erosion or sedimentation due to the runoff caused by the development. The following design conforms to these requirements.

Existing Conditions (Pre-development)

The site has been developed to shed some runoff to the east to a detention/retention pond situated on the easterly 20+ feet of the property and on the state's right of way for U.S. 95. The remainder of the property sheds runoff to the north through the forest vegetation to the Pend Oreille River. At present, runoff shedding to the north is neither retained nor detained however, erosion and sediment transport are very minor.

Additional Development Conditions (Post-development)

The intent is to construct an Inn with a roof area of 15,000 square feet and to pave a driveway and parking lot between the Inn and Lakeshore Drive. In addition, a patio area between the easterly portion of the Inn and the river front is planned. All of the additional impervious area except a portion of the easterly half of the Inn's roof will shed runoff toward the river. The easterly half of the roof will shed runoff toward the detention pond on the east side of the site.

Flow analysis

For this analysis the assumption is made that the first one-half inch of runoff sets the standard for the runoff storage design. The system will be designed to collect, convey, and detain the runoff from the first one-half inch of runoff. The retention/detention ponds sized to handle the first one-half inch of runoff will also adequately handle the lesser volume 25 year, 24 hour storm runoff.

According to the Soil Survey of the Bonner County Area, Idaho, conducted by the Soil Conservation Service, there is Pend Oreille soil type on the property, which has the following characteristics:

Stormwater Management Plan
For The Inn at Swans Landing
Lakeshore Drive, Bonner County, Idaho

Depth (inches)	Percentage Clay	Permeability (in/hr.)	Available Water Capacity (in/in)
0-13	3-5	0.6-2.0	0.19-0.21
13-17	2-8	0.2-0.6	0.17-0.20
17-41	2-5	2.0-6.0	0.07-0.09
41-60	2-5	2.0-6.0	0.04-0.07

As the soil characteristics show, the low percentage of clay results in moderate permeability. Runoff during all but frozen conditions will predominately infiltrate the soil on slopes of less than 5%.

The first step in the analysis is to determine the anticipated increase in the amount of storm water runoff caused by the addition of impervious surfacing on the property. The Rational Method will be used to determine the peak rate of runoff from the 25 year, 24 hour duration storm event. The calculations show that the runoff rate to the east (existing detention pond) increases by 0.6 cubic feet per second (cfs). (See the complete calculations at the end of this report. The calculations are reworked on the July 20, 1999 calculation sheets, with additions, changes or deletions marked G/00.)

As indicated in the July 21, 1999, Stormwater Management Plan, the house on Lot 6 and the concrete slab below the house will be removed to make room for the Inn. Both of the structures to be removed currently shed runoff to the river. The remainder of Lots 6, 7, 8 and 9 shed stormwater runoff to the river. The development plan modifies some of the runoff pattern from the southerly portions of Lots 6 and 7 and redirects the runoff to the east, to the detention pond at the east end of the property. The parking lot paving on Lots 5 and 6 done in 1999 sheds all of the runoff to the east.

The Inn's roof, the new driveway, the parking lot and the patio adds a net impervious area of 19,020 square feet to the site, of which, 2,865 square feet sheds to the east and 16,155 sheds to the north. The July 21, 1999, Stormwater Management Plan anticipated an additional 2,865 square feet of impervious surface shedding to the east, so there is no change in runoff or detention requirements to the east. To the north, the increase in size of the Inn and location of the parking results in an increase in runoff volume from 890.7 cubic feet to 1,034.5 cubic feet.

Design

As stated in the July 21, 1999, Stormwater Management Plan, and remains unchanged with the expansion of the Inn from 20 to 29 rooms, the detention pond on the east end of the property has more than adequate capacity to detain the anticipated 2,063.5 cubic feet of runoff from the first one-half inch of runoff from impervious surfaces.

For runoff shedding to the north, retention ponds will be constructed as shown on the Stormwater Management Site Plan to retain the northerly flowing runoff. The cumulative volume of the ponds is 1,200 cubic feet which is 156.5 cubic feet more than the first half-inch of runoff calculated from the new impervious areas shedding to the north. The 250 cubic foot pond adjacent to the parking area will have a level spreader overflow device that will send any excess runoff in sheet flow over the landscaped area north to the pond. Runoff from the driveway will flow in shallow, rock lined swales to a point where the runoff combines with the runoff from the roof area of the Inn. The combined runoff will flow around the building to a 450 cubic foot detention pond located between the building and the river. Runoff from the northerly roof area and from the patio area will be directed to a 500 cubic foot detention pond located to the west of the patio area. Both lower

Stormwater Management Plan
For The Inn at Swans Landing
Lakeshore Drive, Bonner County, Idaho

detention ponds will have level spreader overflow devices to cause any excess runoff to sheet flow from the ponds through the landscaping and on to the river. The 25 year storm runoff volume is less than the volume produced by the first half-inch of runoff from the impervious areas and is therefore part of the first one-half inch of runoff from the impervious surfaces. Any runoff in excess of the volume from the first half-inch of runoff will flow through the ponds and into the river.

Details for construction of the detention ponds and the level spreader devices are attached to this report. The site plan shows the location of the detention ponds and conveyance swales.

Construction

The stormwater management system elements shall be constructed as part of the building site excavation and preparation. (See the Stormwater Management System Site Plan for location and dimension of the ponds.)

The ponds and surrounding areas will be seeded with grasses that can be maintained by mowing and supplemental seeded as necessary. Prior to any site disturbance, temporary erosion control measures, silt fencing in this case, will be installed along the northerly edge of the disturbed area. This measure is to prevent sediment from reaching the river during construction of the site.

Maintenance Plan

INSPECTION SCHEDULE FOR STORM WATER MANAGEMENT SYSTEM

The Design Engineer who shall certify that the completed facilities are in accordance with the plans shall conduct inspection of the constructed stormwater system elements.

The inspection schedule for the storm water management system shall be as follows:

Inspection	Inspector	Schedule	Elements Inspected
Site	Design Engineer	During final shaping of pond area	Ponds and site grading
System Maintenance	Owner	During each major storm event	Detention pond outlet to ensure free flow of runoff
System Maintenance	Owner	Yearly inspection prior to winter rains.	Clean ponds and outlet pipes and channel of any sediment buildup or debris

PERSONS RESPONSIBLE FOR OPERATION AND MAINTENANCE

The stormwater management system shall be maintained and operated by the Owner.

Stormwater Management Plan
For The Inn at Swans Landing
Lakeshore Drive, Bonner County, Idaho

CONTACT PERSON

The contact person shall be the Owner.

FINANCIAL ARRANGEMENT FOR CONTINUED MAINTENANCE

The owner is financially responsible for the maintenance of the stormwater management system.

Erosion Control Plan

EROSION AND SEDIMENTATION CONTROL MEASURES

Silt fencing will be installed along the northerly edge of the area to be disturbed to prevent sediment from being transported to the river. The silt fences will be maintained in good condition and sediment trapped behind the fencing will be removed whenever the depth reaches eight inches above the surrounding ground. The silt fencing will remain in place and in good repair until the grass in and around the detention/retention ponds has been firmly established. The construction site will be terraced in order to construct the Inn. The terracing will temporarily control the flow of runoff as it proceeds toward the river.

All disturbed areas around the building, parking and driveways will be landscaped as the permanent erosion control measure.

Stormwater Management Plan
For The Inn at Swans Landing
Lakeshore Drive, Bonner County, Idaho

STORMWATER MANAGEMENT RUNOFF CALCULATIONS

Pend Oreille soil type Permeability 0.6 to 2.0 in/hr, 0 to 13 inches of soil, 2.0 to 6.0 in/hr, 13 to 60 inches of soil depth.

2,760 sq.ft. driveway 25yr. Storm runoff depth = 2"

Runoff volume from driveway $(2760)(2/12)=460$ cu.ft. Flow half to infiltration swales along each side of driveway

Roof area 15,000 sq.ft. 25yr. Storm runoff depth = 2"

Runoff volume from roof and deck: $(15000)(2/12)=2500$ cu.ft. All roof runoff will be collected by gutters and downspouts and directed to detention ponds located between the Inn and the river.

Existing condition rate of runoff

Time of concentration: for 310 feet @ 8.8%, $t_c = 23.5$ min. rainfall intensity = 1.3 in/hr.

Forested cover $c = 0.2$ Area lots 5-8 approx 95,800 sq.ft. = 2.2 acres

predevelopment runoff $q_b = (0.2)(1.3)(2.2)=0.572$ cfs

Postdevelopment condition

Time of concentration 12 min. rainfall intensity = 1.85 in/hr, impervious cover $c = 0.9$

Area of impervious surface = 0.57 acres forested acreage 1.1 $c=0.2$, landscaped acreage 0.53 $c=0.5$

Average "C"

Post development runoff $q_a = (0.45)(1.85)(2.2) = 1.83$ cfs.

First half inch of runoff will be retained and treated in infiltration swales.

First half inch of runoff from driveway: 115 cu.ft. (11% of total)

First half inch of runoff from patio: 96 cu.ft. (9% of total)

First half inch of runoff from parking: 207.5 cu.ft. (20% of total)

First half inch of runoff from roof of Inn: 625 cu.ft. (60% of total)

Required detention volume from 25 year storm $V_{st} = 0.08264(t_c a)(q_a - q_b)$

$V_{st} = 0.08264(12/60)(1.83 - 0.572)(43560) = 906$ cu.ft. for total new impervious areas

Dividing storage volume proportionately

Storage for roof: 543.6 cu.ft.

Driveway: 100 cu.ft.

Patio: 82 cu.ft.

Parking: 181 cu.ft.

Due to area of development used in 25 year runoff calculations the first half inch retention volumes are greater than the 25 year storage volumes. Use the first half inch runoff volumes as storage. Total storage use 1200 cubic feet.

LEGEND

- PROPERTY LINE
- SEWER LINE (RELOCATED)
- EXISTING SEWER LINE
- 100 YEAR FLOOD LINE
- SETBACK LINE
- EXISTING TREES
- SEWER CONNECT LINE
- ELECTRICAL MAIN SERVICE LINE
- TELEPHONE MAIN SERVICE LINE
- FUTURE GAS LINE (STUB-IN)
- MAIN WATER SERVICE LINE
- STORM WATER RETENTION

LEGEND

LEGAL DESCRIPTION: LOTS 1-10, BLOCK 10, THE PLAT OF LAKESHORE PLACE, RECORDED IN BOOK 1 OF THE PLATS, PG. 79

LEGAL DESCRIPTION

NEW SEWER LINE LOCATION
OPEN ACCESS ROAD
9.8% GRADE

100 YR. FLOOD LINE 2011

DUPLEX (FUTURE EXPANSION)
TRIPLEX (FUTURE EXPANSION)

EXIST. HOUSE

LOT 10 LOT 9 LOT 8 LOT 7 LOT 6 LOT 5 LOT 4 LOT 3 LOT 2 LOT 1

STORM WATER RETENTION POND

NEW PARKING AREA

1" = 20'-0"

SITE PLAN
THE INN AT SWAN'S LANDING

LAKESHORE DRIVE

FUTURE WATER TO WATER
HEAT PUMP COILS 16" X 16"

EXISTING DOCK

SWAN'S LANDING EXISTING
FLOOR ELEV. 2085.2'

NOTE: REMOVE
EXISTING STAIRS & FLY
HAND LAMP ACCESS
REAS. DRAWING

UNDERGROUND WATER TANK
12,500 GALLONS
(FIRE PROTECTION)

2001 0182

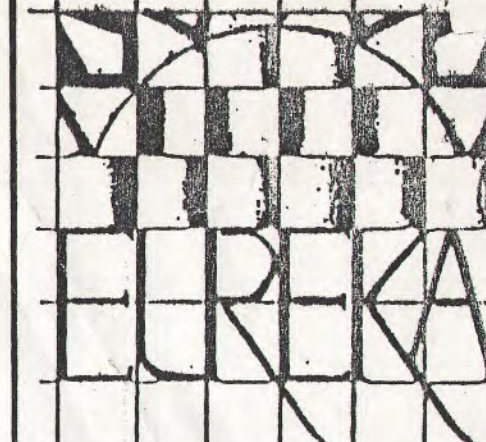
BLP# 01-182
CUP# 0693-00

RECEIVED
APR 27 2001
BONNER COUNTY
PLANNING DEPARTMENT



1" = 20'-0"

SITE PLAN



STAMPED
JOB SET
12/20/00

THE INN AT
SWAN'S LANDING

HWY 95 @ LAKESHORE DRIVE

IDAHO
SAGLE

EUREKA DESIGN

ENGINEER



THESE DRAWINGS AND DETAILS ARE
EXCLUSIVE PROPERTY OF EUREKA DESIGN.
ANY UNAUTHORIZED USE, INCLUDING
REPRODUCTION WITHOUT THE EXPRESS
WRITTEN PERMISSION OF THIS COMPANY IS
PROHIBITED BY LAW.

DRAWN TPL

DATE 8-27-00

FILE SWAN'S PERMIT

REVISIONS:

NO.	DATE	DESCRIPTION

A.1.0

RECEIVED DEC 20 2000

Exhibit D



Bonner County Planning Department

"Protecting property rights and enhancing property value"

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (866) 537-4935

Email: planning@bonnercountyid.gov - Web site: www.bonnercountyid.gov

March 5, 2026

Long Bridge Land Holdings Company LLC
PO Box 1942
Spokane, WA 99210

Laura Cannon
C/O HMH engineering
3882 N. Schreiber Way, Suite 104
Coeur d' Alene, ID 83815

Dan Tadic
C/O HMH Engineering
476864 Highway 95, Suite 3
Ponderay, ID 83852

Subj: File CUP0008-25 - Conditional Use Permit - Marina and Upland Accommodations

Encl: (1) File CUP0008-25 Reasoning Statement (2) CUP0008-25 Staff Report

Dear Applicant,

The Bonner County Zoning Commission at the February 12, 2026 , hearing denied the referenced application.

DECISION TO DENY: Commissioner Pound moved to deny this project, FILE CUP0008-25, for a Marina and Upland Accommodations, located in Section 34/34, Township 57 North, Range 2 West, Boise Meridian, based upon the following conclusions:

Conclusion 1

The proposed conditional use permit **is not** in conflict with the policies of the Comprehensive Plan.

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth in BCRC Chapter 2, Subchapter 2.2, 12-223, Bonner County revised Code and **was not** found to be in compliance.

This proposal was reviewed for compliance with the criteria and standards set forth

in BCRC Chapter 3, Subchapter 3.3, Subchapter 3.4 BCRC Chapter 4, Subchapter 4.2, 4.3, 4.4, 4.5 and 4.6 Title 12, Chapter 7, Subchapter 7.2, Title 12, Bonner County Revised Code and **was** found to be in compliance.

Conclusion 3

The proposed use **will** create a hazard and **will** be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. Commissioner Pound further moved to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the Conditional Use Permit is to:

- 1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
- 2) Appeal the decision to the County Commissioners.

Commissioner Mauk seconded the motion.

Role Call Vote:

Commissioner Johnson- Yay

Commissioner Poulsen- Yay

Commissioner Pound- Yay

Commissioner Mauk- Yay

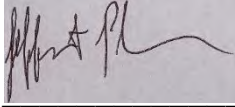
Motion Passes, unanimously.

Bonner County Revised Code, Section 12-262, provides an opportunity for affected persons to appeal Zoning Commission decisions with the Planning Director within 28 days after the final written decision of the Zoning Commission has been issued. Any such appeal must be submitted in accordance with the referenced code section no later than **5:00 p.m., APRIL 2, 2026. AN APPEAL SHALL BE ACCOMPANIED BY A FILING FEE IN ACCORDANCE WITH THE APPROVED FEE SCHEDULE. THE FEES ARE PAYABLE TO THE BONNER COUNTY PLANNING DEPARTMENT.**

NOTE: Following any final decision concerning a site-specific land use request, the applicant has a right to request a regulatory taking analysis pursuant to Section 67-8003, Idaho Code (*Idaho Code §67-6535(3)*).

Please contact the Planning Department if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jeffrey Poulsen', is written over a light gray rectangular background.

Jeffrey Poulsen, Chair
Zoning Commission

c: Laura Cannon, Project Representative
Dan Tadic, Project Representative

LAND USE DECISION-MAKING WORKSHEET

CONDITIONAL USE PERMIT

DOCKS, MARINAS, UPLAND ACCOMODATIONS



Idaho Code §67-6535 (2): *The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.*

Idaho Code §67-6516: Each governing board shall provide, as part of the zoning ordinance, for the processing of applications for variance permits. A variance is a modification of the bulk and placement requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest.

YES/ NO
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: BCRC 12-464 Landscaping Standard: NO- The landscaping buffer may stay as a legal non-conforming, however the request to decrease the buffer width from 25' to 10 shall not be granted. BCRC 12-432 Parking Standards Table 4-3: YES- Tandem Parking will not be required- Adopted the staff analysis as written in the staff report.

STANDARDS FOR CONDITIONAL USE PERMIT REVIEW:

Prior to approving a conditional use permit, the governing body shall review the particular facts and circumstances of each proposed conditional use permit in terms of the following standards and shall find adequate evidence showing that such use at the proposed location will:

BCRC 12-335 Public Use Table 3-5

Use	Zoning District								
	F	A/F	R	S	C	I	RSC	REC	AV
Docks and marinas, community, upland accommodations (5),(6),(7)					C			C	

(5) Sufficient land area is required to accommodate the proposed use, and the use and any appurtenant structures shall be so arranged on the land as to minimize any adverse effects on surrounding properties. The use shall not create particular hazards to adjacent properties.

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: There is sufficient land area to accommodate the proposal. However, the parking lot will need to be redesigned to meet the landscaping requirements on the eastern property line.

(6) Specified conditions with respect to emissions of noise, light, glare, smoke, odor, dust, particulate matter, vibrations or hours of operation may be prescribed differently from those required in a given district, as to be compatible with other applicable State and Federal standards.

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Noise: Adopted the staff analysis as written in the staff report. Light: Adopted the staff analysis as written in the staff report. Glare: Adopted the staff analysis as written in the staff report. Smoke: Adopted the staff analysis as written in the staff report. Odor: Adopted the staff analysis as written in the staff report. Dust: Adopted the staff analysis as written in the staff report. Particulate matter: Adopted the staff analysis as written in the staff report. Vibrations: Adopted the staff analysis as written in the staff report. Hours of Operation: Adopted the staff analysis as written in the staff report.

(7) A traffic plan is required describing, at minimum, the method of ingress and egress to the site, traffic circulation within the site, and on premises parking and loading/launching areas.

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopted the staff analysis as written in the staff report.

Subchapter 4.3, BCRC 12-431.E. Parking standards: Cooperative Off Street Parking: Any two (2) or more uses may establish cooperative off street parking where it can be established to the satisfaction of the planning director that the hours of

traffic generation on the part of the different land uses are at nonoverlapping times of the day based on hours of operation. In that case, the off-street parking provisions for each can be credited to the same off-street parking areas provided cooperatively. All shared parking and mutual easements shall be recorded and a copy provided to the planning department.

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopted the staff analysis as written in the staff report.

Subchapter 4.3, BCRC 12-432, Parking standards: Table 4-3 minimum off street parking requirements for public uses requires: 0.5 space/boat slip.

Use	Minimum Requirement	Proximity Of Parking Spaces
Public Use:	Minimum Requirement	Proximity Of Parking Spaces
Community docks and marinas	0.5 space/boat slip (5)	

(5) 25 percent of parking spaces arranged as tandem spaces not less than 10 feet by 40 feet.

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Since the property does not have a boat launch then tandem parking space shall not be required. Adopted the staff analysis as written in the staff report.

BCRC 12-443 Sign Standards:

- A. Not more than two (2) signs may be installed to identify a business, service, product, person, accommodation or activity. Businesses located on street corners may use up to three (3) signs.
- B. Table 4-4 of this section provides dimensional standards for freestanding signs.

DIMENSIONAL STANDARDS FOR FREESTANDING SIGNS**TABLE 4-4**

	Type Of Frontage Road		
	State Highway With Speed Limit Posted 55 Miles Per Hour Or More	All Other State Highways	All Other Roads
Maximum height, measured at grade	10 feet	8 feet	8 feet
Maximum area	64 square feet	50 square feet	40 square feet
Minimum separation of freestanding signs along a street (includes neighboring property)	150 feet	150 feet	100 feet
Landscaping	1 square foot of landscaping around base per sign area per each 0.5 square foot of sign area (see subchapter 4.6 of this chapter for other applicable landscaping standards). A rock or masonry base or other natural landscape materials may be substituted as approved by the planning director.		

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

**The sign located on the northeastern side of the property has been on place since 2001.
Adopted the staff analysis as written in the staff report.**

BCRC 12-4.5, et seq, Design standards:

BCRC 12-452: Site and building plans: The applicant shall submit site and building plans through the applicable permit process detailed as necessary to demonstrate how the standards in section 12-453 of this chapter have been met.

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopted the staff analysis as written in the staff report.

BCRC 12-453

(A) Sidewalks/Pathway Standards:

Provide a sidewalk or pathway paralleling or nearly paralleling the street along the front edge of the property for all new developments and any building addition where the value of the addition equals or exceeds fifty percent (50%) of the market value of the existing structure and/or site improvements as determined by the Bonner County assessor's office over any five (5) year time period.

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopted the staff analysis as written in the staff report.

(B) Pedestrian Connections:

Provide walkways connecting all on site commercial and multi-family buildings with each other and the street for all new developments and any building additions where the value of the additions equals or exceeds fifty percent (50%) of the market value of the existing structure and/or site improvements as determined by the Bonner County assessor's office over any five (5) year time period

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopted the staff analysis as written in the staff report.

(C) Parking Lot Pathways:

Large new or expansion of existing developments must provide specially marked or paved walkways through parking lots. Specifically, walkways should be provided every four (4) rows and a maximum distance of one hundred fifty feet (150') shall be maintained between paths. Parking lots less than one hundred fifty feet (150') wide or long are exempt from this requirement.

YES/ NO

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Based on legal interpretation of the word "or" the parking lot is longer than 150' longer therefore parking lot pathways are required and not exempted for this requirement.

Adopted the staff analysis as written in the staff report.

BCRC 12-453(F): Lighting Standards:

1. Lighting shall be directed downward to the intended area to be lighted. All exterior lighting fixtures shall incorporate cutoff shields to prevent spillover into residential areas. Broadcast lighting fixtures that project lighting outward rather than downward are discouraged. Outdoor lighting shall be arranged so that the light is directed downward and away from adjoining properties. Temporary high intensity construction lights should be oriented so as to reduce or eliminate glare onto adjoining properties.
2. Freestanding light fixtures shall be limited to fourteen feet (14') in height.
3. Vehicular roadway and highway lighting shall be subject to the county requirements.
4. Mercury vapor light fixtures are prohibited.
5. When using decorative miniature lighting strings, bulbs larger than eleven (11) watts each shall not be used. Low wattage, light emitting diode devices and other lighting that reduces electrical use is encouraged.
6. Backlit awnings are prohibited.

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Adopted the staff analysis as written in the staff report.

BCRC 12-4.6, Landscaping and screening standards:

BCRC 12-461 Applicability:

This standard is only applicable for new development in the commercial, industrial and rural service center districts and all other commercial, multi-family, public and industrial development in other district unless otherwise noted.

BCRC 12-464(C):

Type C: Landscape type C (see through buffer) standards:

1. For landscaping strips five feet (5') to twenty feet (20') wide:
 - a. Trees at twenty feet (20') on center on average. Trees may be clustered to allow greater visibility into the site, where desired by the applicant. Trees shall be a minimum two inch (2") caliper as measured four feet (4') from the root ball at the time of planting.
 - b. Permitted tree species are those that reach a mature height of at least thirty five feet (35').
 - c. Shrubs at a rate of one shrub per twenty (20) square feet of landscaped area. Shrubs shall have a minimum container size of two (2) gallons at the time of installation and have a mature height between three feet (3') and four feet (4').
 - d. Ground cover.

NO
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: The commission is not in favor of the requested deviation to the landscaping buffer width of 10' where 25' is required. Further the zoning commission is in favor of allowing the legal non-conforming use to continue.

BCRC 12-340(D)- Intent- 3.4: Non-conforming Uses and Structures

BCRC 12-340(D): "Characteristics of uses which were lawful before this title was passed or amended, but which would be prohibited, regulated or restricted under the terms of this title or future amendment. It is the intent of this title to permit these nonconformities to continue as required by law. It is further the intent of this title that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district or zone."

BCRC 12-7.1 Shorelines

BCRC 12-713 Impervious surface standards near water:

The maximum "impervious surface", as defined in section [12-809](#) of this title, within "shore land" areas, as defined in section [12-819](#) of this title, which are defined as those lands extending landward for two hundred feet (200') in all directions as measured on a horizontal plane from any shoreline, shall be thirty five percent (35%)

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: The commission is in favor of reducing the impervious surface of the project, however reduction cannot count towards the landscaping buffer. As a condition of approval, a new impervious calculation shall be submitted.

BCRC 12-7.2, Grading, stormwater management and erosion control

BCRC 12-720.2 Applicability

The provisions of this subchapter shall be applicable:

D. New building construction which occurs within three hundred feet (300') of any lake, slough, pond, river, stream or intermittent stream shown on the national hydrography dataset (NHD), as published by the United States geological survey, or by actual survey, and which is subject to the provisions of title 11 of this code, as amended.

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopted the staff analysis as written in the staff report.

Comprehensive Plan Analysis Worksheet

Property Rights

Policies:

1. Follow the attorney general's checklist, prescribed at Idaho Code §67-8003 and provided in the "Property Rights" component of the county's comprehensive plan, for all land use decisions.
2. Adopt a reasoned statement and conclusions of law, in accordance with Idaho Code 67-6535, for all quasi-judicial land use decisions that reflect the justifications for exactions, conditions and restrictions and confirm that a taking of private property has not occurred.
3. In all land use decisions, consider the property rights of the applicant, adjoining and nearby landowners and future generations, as well as the short-term and long-term consequences of decisions.
4. Review all rezoning requests (down-zoning and up-zoning) pursuant to the Idaho State Code, Title 67, Chapter 65 – Local Land Use Planning Act. The approval of conditional rezoning or denial of a request for rezoning is subject to the regulatory taking analysis provided for by Idaho Code Section 67-8003.

Not In Conflict

Evidence in the Record

Adopt the staff analysis as written in the staff report.

Population

Policies:

1. Regularly analyze population projections to determine if changes need to be made to the Comprehensive Plan Goals, Objectives and Policies and/or the Zoning Ordinance, to ensure that the public and community needs are being met through land use decisions.
2. Use population forecasts and census data to evaluate housing and impacts to the transportation system and other county services.
3. Cooperate with incorporated cities and neighboring counties to address growth challenges within the Areas of Impact and coordinate planning efforts to the extent possible.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

School Facilities and Transportation**Policies:**

1. Current data regarding school capacity and transportation issues as provided by the School Districts will be included in the assessment of all land use proposals.
2. Consider the impacts of land use proposals on the school service and seek mitigation from developers such as providing facilities, safety features, or other measures as permitted by Idaho Code, to address the impacts of the proposals.
3. Encourage school districts to proactively review development applications to determine particular school needs and concerns.
4. Encourage construction of trails and bicycle paths to allow safe passage of students to and from schools.
5. Consider the long-term consequences of land use proposals, including the adequacy of existing school facilities, transportation services, and the siting of future schools.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

Economic Development**Policies:**

1. Allow small scale cottage businesses and home occupations in all areas of the county. Set reasonable conditions on such uses to minimize adverse impacts to the neighborhood based on factors including, but not limited to, hours of operation and traffic volume generated by the business.
2. Develop land use regulations to allow the county's agricultural heritage to be maintained by enabling local food production, distribution, congregation, and retail sales. Examples include community gardens, school gardens, farm related education programs, farmers or public markets, and other small-scale, collaborative initiatives.
3. Develop standards for commercial and industrial development that are appropriate for the surrounding community, including: appropriate site sizes, use types, buffering and design standards that encourage both attractive and efficient function while protecting the environment.
4. Mitigate the potential impacts of economic development activities that cause adverse factors such as noise, light glare, odors, fumes and vibrations on the surrounding community.
5. Support local economic development by increasing support for outdoor recreation in the county. Encourage and protect public access to public lands and water, while protecting the surrounding areas from adverse impacts through mitigation and standards.
6. Allow for campgrounds and recreational uses while protecting the surrounding areas from adverse impacts through mitigation and standards.
7. Support local businesses by enabling development of workforce housing in proximity to commercial, industrial, agricultural, and recreational uses, through review and updating of land use regulations.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

Land Use**Policies:**

1. Develop and maintain a Future Land Use Map and Land Use Regulations that acknowledge and preserve the County's agricultural, timber and mining lands, water and wildlife resources, and identify and avoid hazard areas. Provide areas for

economic growth, encourage affordable housing and center growth in areas where adequate public and private services can be provided.

2. Encourage clustered development for medium and large scale commercial and industrial uses.

3. Commercial and industrial uses should be located and operated in a manner to ensure the protection of our natural resources including clean air and water, dark skies, and overall environmental quality and rural character of the county.

4. Reflect in the use tables that commercial and industrial uses should be unconditionally permitted in areas identified by the Comprehensive Plan as suitable and zoned for those uses. Evaluation of suitability should be based on availability of urban services, adequate access to hard surfaced publicly maintained roads and other factors that may impact the surrounding community.

5. Reflect in the use tables that commercial and industrial uses may be conditionally permitted in areas not identified for such uses in the Comprehensive Plan if a critical review of the proposed use determines that with appropriate conditions the use will not adversely impact the surrounding area.

6. Based upon the land use analysis completed in 2025, a sufficient number of residential parcels exist or could be created within current zoning density. Therefore, modification of zoning to provide increased density should be rare.

7. Land use applications should be supported by a review, evaluation, or approval by the applicable state agency for sanitary services.

8. Consider avenues to create incentives for land conservation through zoning and subdivision laws to preserve various significant archaeological, ecological, historical, wildlife, and scenic sites that have been recognized in the county as unique and important to preserve.

9. Minimize the creation of lots that cannot receive the appropriate sanitary services.

10. Maintain the Alpine Village zoning district to provide adequate design and development standards for the high-density recreational community with steep slopes and heavy snowfall at elevations above 3500'.

11. Urban development is better suited in urban areas. Idaho Code 67-6502 (a through m) promotes the health, safety and general welfare of the people of the state. Subsection (f) encourages urban and urban type development within incorporated cities. All nine cities within the county provide or are associated with urban water and sewer systems which allow and depend on higher density to make the services fiscally feasible and sustainable.

12. Due to the wildfire threat in the county, consider evacuation routes when making land use decisions and updating land use code.

13. The mapping of land use designations should have homogeneity with the surrounding area. Areas have specific, individual land use designations which results in homogeneity across the landscape. Islands of different land use designations defy the sense of rural context, especially if the land uses are markedly dissimilar.

14. The land uses describe the general uses and characteristics of each of the map designations. Since the Comprehensive Plan Map covers approximately 1.1 million acres, the map is general in nature, and it is recognized that some areas may have or may lack features and characteristics that cause them to differ somewhat from what is in their land use description. It is not reasonable to expect that every parcel within a land use designation will conform to every detail of the geographic characteristics of the area as a whole.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

Natural Resources**Policies:**

1. Institute best management practices for waterway setbacks to reduce erosion and sedimentation into waterways.
2. Design development standards that encourage clustered development resulting in the preservation of open space and wildlife habitat.
3. Recognize critical wildlife habitats, as identified by US Fish and Wildlife, and create development standards to protect these areas and mitigate development impacts to these habitats.
4. Protect water quality by creating standards for development in close proximity to shorelines.
5. Provide a copy (physical copy or digital link) of the Lake Assist Guidebook to property owners or their representatives applying for a building location permit on shoreline properties. Make a digital link to the Guidebook available via the Planning Department web page.
6. Implement shoreline development land use regulations that address those areas where the County can enforce such regulations effectively.

7. To the extent of the County's jurisdiction, and consistent with the Clean Water Act, protect delineated wetlands.
8. Identify and protect productive farmland, timberland and mining lands from adverse effects of adjoining developments.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

Hazardous Areas**Policies:**

1. Adopt flood mitigation standards that meet or exceed the National Flood Insurance Program minimum requirements.
2. Discourage residential, commercial or industrial development within floodways.
3. Discourage fill within the floodplain.
4. Integrate the county's wildland fire policies and plans into development standards.
5. Identify and discourage developments on excessive slopes with lower density zoning in these areas.
6. Establish regulation and development densities of new development in floodplains. Regulate the location and density of new development in floodplains to reduce the potential for the loss of lives and property in those areas.
7. Land divisions should be designed to reduce exposure to wildland fire and to provide for adequate ingress and egress routes as determined by the applicable Fire Authority Having Jurisdiction.
8. Discourage the issuance of building location permits within areas of excessive slopes, unstable areas and avalanche zones.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

Public Services, Facilities and Utilities**Policies:**

1. Encourage high-density development to take place within the boundaries of existing sewer and water districts with adequate capacity.
2. Seek comments from existing service providers on their ability to serve future developments without adversely impacting the ability of the utility providers to serve current users.
3. Provide adequate facilities for responsible disposal of solid waste to protect the health and welfare of the public as well as the County's natural resources.
4. New development should be adequately served by fire protection, roads, sanitary services, schools, law enforcement, ambulance, power and emergency services, and other public services as determined by the relevant service provider.
5. Require developers to provide infrastructure, utilities or financial support to offset the capital costs of expansion of services required by the proposed development.
6. Require adequate provisions for future utility services in areas of commercial, industrial, residential or other similar uses.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

Transportation**Policies:**

1. Develop and regularly update a long-term County highway system plan to ensure reasonable levels of service can be maintained in the future, and that needs for future road extensions or transportation corridors are identified as early as possible.
2. Discourage development in areas that are not served by county standard roads or where transportation is inadequate.
3. Future development should not adversely impact the existing County highway system by significantly reducing the quality or level of service or creating hazards or congestion.
4. Roads are encouraged to be built to County Standards and at the expense of the developer.
5. Roads within new development should provide adequate access for fire and emergency vehicles as well as routes of escape.
6. Future access roads should be designed and built to integrate with the State and County systems of roads without overburdening the County highway system.
7. Encourage cluster development to reduce transportation costs, road building and environmental impacts.
8. The county intends for certain intense land use developments to provide hard surfaced roads.
9. Consider bike ways and pedestrian paths in development plans to provide an integrated community County highway system wherever possible.
10. To communicate and work cooperatively with other jurisdictions within the county to ensure the best possible flow of traffic county-wide.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

Recreation**Policies:**

1. Develop a waterways and public land access program to preserve and develop access to public recreational lands and waterways. The program should include retaining access parcels that may be acquired from tax sales or private donations.

2. Protect and encourage public and private recreational opportunities as an important asset that supports a key segment of the County's economy.
3. Consider a plan for a system of green belts and pathways (bike and pedestrian) as areas developed, so that a connected system can be developed and preserved. Under no circumstances will the County require recreational access easements on private property as a condition of development. This policy does not preclude providing voluntary incentives to developers in return for recreational access easements.
4. Ensure the public's legal recreational accesses and amenities are not obstructed or adversely impacted by future development.
5. Adverse impacts of recreational development on adjacent neighborhoods should be mitigated.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

Special Areas or Sites**Policies:**

1. Develop a generalized map of the known pre-historic and historic sites so that future developments are aware of special areas of concern and are connected with the historical society and Native American tribes for appropriate preservation and protection.
2. Implement roadside development standards for recognized scenic byways to protect the view sheds.
3. Recognize and address Special areas when development is proposed in these areas.
4. Confirm if historical structures or sites exist within a land use application area, and if identified coordinate with the applicable agency.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

Housing**Policies:**

1. Enable development of a variety of housing options including manufactured home parks, and tiny home communities located in areas that are compatible with their density.
2. Coordinate with municipalities and private parties to explore solutions for various types of housing projects and developments in areas appropriate for their level of density.
3. Encourage clustering of housing in developments to save on infrastructure and transportation costs through mechanisms such as density bonuses.
4. Provide opportunities for assisted living and group shelters.
5. Enable temporary and seasonal employee labor housing in direct proximity to agricultural, commercial, recreational, and industrial uses or where infrastructure and emergency services support those uses.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

Community Design**Policies:**

1. To promote and preserve the natural features and rural atmosphere of the community, enact development standards that address development within scenic

byways and design standards that account for waterfront setbacks, commercial and industrial landscaping, requirements for reduced lighting, cluster development, rural rather than urban setback standards, and other design objectives aimed at preserving the rural, natural character of the community.

2. Allow unique and flexible design standards such that new development within older neighborhoods and historic settlements is compatible with those unique neighborhoods.

3. Allow particularized design standards to address the unique environmental conditions of waterfront and mountaintop developments which may differ from standard design objectives.

4. Locate new development in areas with similar densities and compatible uses.

5. The adverse impacts of new development on adjacent areas should be minimized.

6. Consider the protection of natural resources, rural features and surrounding uses of the community in the design and location of new development.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

Agriculture**Policies:**

1. Continue allowing residential uses consistent with the allowable density in Agricultural zoning districts.

2. Protect agricultural uses and activities from land use conflicts or interference created by residential, commercial or industrial development

3. Enable farm-based family businesses on agricultural parcels with land use regulations. Examples include farm stands and other agri-business pursuits.

4. The County acknowledges the provisions of Idaho State's Right to Farm Act. Those shall be considered in the land use decisions.

5. Support the local economy by encouraging production, distribution, and retail sales of locally grown food and other agricultural products.

6. Protect environmental quality so that agriculture continues to be a viable use in the County.

Not In Conflict

Evidence in the Record:

Adopt the staff analysis as written in the staff report.

BONNER COUNTY PLANNING DEPARTMENT ZONING COMMISSION STAFF REPORT FOR FEBRUARY 12, 2026



Project Name: Long Bridge Land Holding Company LLC, Marina

File: CUP0008-25 Conditional Use Permit -

Request: The applicant is requesting a CUP for docks and marinas and Community upland accommodations

Legal Description: 34/35-57N-2W REPLAT OF LAT1A BLOCK 10 LAKESIDE PLACE

Location: 766 North Kootenai Road

Parcel Number: RP0023401002B0A

Parcel Size: 2.34 acres

Applicant and Property Owner: Long Bridge Land Holding Company LLC
PO Box 1942
Spokane, WA 99210

Project Representatives: Laura Cannon
HMH Engineering
3882 N. Schreiber Way Suite 104
Coeur D' Alene, ID 83815

Application filed: October 8, 2025

Notice provided: Mail: January 6, 2026
Site Posting: January 26, 2026
Published in newspaper : January 6, 2026

Appendices Appendix A Agency Noticing
Appendix B Agency Comment

Exhibits Exhibit A- Impervious Surface Calculation-Current
Exhibit B- Impervious Surface Calculation-Proposed
Exhibit C- File #C693-00

Project summary:

The applicant is requesting a conditional use permit for docks and marinas with upland accommodations. The site is located on the corner of Lakeshore Drive and Highway 95. The site is ± 2.16 acres and currently zoned Recreation. The site is currently developed with a caretakers unit, two (2) cabins and a boat rental structure.

Applicable laws:

The following sections of BCRC, Title 12, apply to this project:

BCRC 12-220, et seq, Conditional use permit, application and standards
BCRC 12-335, Docks and Marinas, and upland accommodations
BCRC 12-3.4 Nonconforming uses and structures
BCRC 12-4.2, Performance standards for all uses
BCRC 12-4.3, Parking standards
BCRC 12-4.4, Sign standards
BCRC 12-4.5, Design standards
BCRC 12-4.6, Landscaping and screening standards
BCRC 12-7.2, Grading, stormwater management and erosion control

Background:

A. Site data:

- Platted lot
- Size: ± 2.16 acres
- Zone: Recreation
- Land Use: Urban

B. Access:

- Lakeshore Drive is a paved Bonner County owned and maintained right-of-way.

C. Environmental factors:

- Site does contain mapped slopes of 0- $\geq 30\%$ grade. (USGS)
- Site does contain mapped wetlands. (USFWS)
- Site does contain any mapped lake frontage on Lake Pend Oreille.
- Parcel is within SFHA Zone AE and Zone X per FIRM Panel Number 16017C0950E, Effective Date 11/18/2009. A Floodplain Development Permit has been submitted for this project and is currently in review. Permit #FDP2025-0039.

D. Services:(per applicant)

- Water: Southside Water & Sewer District
- Sewage: Southside Water & Sewer District
- Fire: Sagle Fire District
- Power: Avista Utilities
- School District: Lake Pend Oreille School District #84

E. Comprehensive Plan, Zoning and Current Land Use:

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Urban	Recreation	Residential/ Commercial- 2.16 acres
North	N/A	N/A	Lake Pend Oreille
East	N/A	N/A	Highway 95
South	Urban	Rural Service Center	Vacant/ 1.33 acres
West	Urban	Recreation	Hotel/ Condos Units- 2.1 acres

F. Agency Review

Agencies and taxing districts were notified of this application on January 6, 2026. A full list of the public agencies can be found in the attached Appendix A. Agency comments can be found in the attached Appendix B.

The following agencies provided comment:

- Idaho Department of Water Resources
- Bonner County Road & Bridge Department

The following agencies replied "No comment":

- Idaho Department of Environmental Quality
- Kootenai Ponderay Sewer District
- Panhandle Health District
- Idaho Department of Fish & Game
- TC Energy

All other agencies did not reply.

Public Notice & Comments

As noon on February 5, 2026, no public comments were received on the request.

Standards Review and Staff Analysis:

BCRC 12-220, This subchapter establishes criteria for conditional uses in a zoning district.

BCRC 12-223: The Zoning Commission or Hearing Examiner shall review the particular facts and circumstances of each proposal submitted. To grant a conditional

use permit, the Zoning Commission or Hearing Examiner must find that the proposal is not in conflict with the policies of the comprehensive plan, as found in the adopted Implementation Component, and that the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.

BCRC 12-335 Public Use Table 3-5

Use	Zoning District								
	F	A/F	R	S	C	I	RSC	REC	AV
Docks and marinas, community, upland accommodations (5),(6),(7)					C			C	

(5) Sufficient land area is required to accommodate the proposed use, and the use and any appurtenant structures shall be so arranged on the land as to minimize any adverse effects on surrounding properties. The use shall not create particular hazards to adjacent properties.

Staff: The property is ±2.16 acres. The applicant has proposed ninety-two (92) boat slips and upland accommodations. The code requires 0.5 parking space for each boat slip proposed. The applicant at minimum will need to provide forty-six (46) spaces. The submitted site plan indicates that the parking lot will accommodate fifty-two (52) parking spaces. The upland accommodations include an existing caretaker's unit, two rental cabins and a boat rental shack.

(6) Specified conditions with respect to emissions of noise, light, glare, smoke, odor, dust, particulate matter, vibrations or hours of operation may be prescribed differently from those required in a given district, as to be compatible with other applicable State and Federal standards.

Staff:

Noise: The applicant states that the proposed uses will likely increase noise levels above the current use but less than the restaurant that previously existed on site. Any increase will likely not be considered objectionable per BCRC 12-421 for objectionable noise levels at the property lines.

Light: The applicant has indicated using existing lighting as found on the site plan. Any new light that could be installed shall follow the lighting standards in BCRC 12-442 and BCRC 12-453(F).

Glare: Bonner County code has standards that help reduce any glare that could be created from lighting. Landscaping and lighting standards in the code can help reduce any light glare trespassing from the property.

Smoke: Marinas and upland accommodations typically do not cause additional smoke that usually is associated with other uses.

Odor: The proposed uses are not anticipated to cause any additional odor above and beyond that would be associated with these uses.

Dust: Marinas and upland accommodations typically do not create additional dust above and beyond that is normally part of a parking lot from traffic circulation.

Particulate matter: The proposed uses typical do not create particulate matter.

Vibrations: The parking lot, boat rental shack and rental cabins are unlikely to produce any additional vibrations that are currently found in the vicinity of this request.

Hours of Operation: The rental cabins will be operational 7 days a week year-round. The marina and boat rental will operate 7 days a week from 7:00 am to 9:00pm, April through October.

(7) A traffic plan is required describing, at minimum, the method of ingress and egress to the site, traffic circulation within the site, and on premises parking and loading/launching areas.

Staff: The site plan shows the method of ingress/egress on the site. The lot has approved encroachment permits from Bonner County Road & Bridge Department and Idaho Department of Transportation (see Exhibit C, C#693-00). The submitted site plan indicates traffic flow patterns for both vehicles and pedestrians. The site does not have an existing boat launch and the applicant does not propose a boat launch for this project. If in the future a boat launch is to be built the property owner shall apply for a modification of terms per BCRC 12-266.

Subchapter 4.2, BCRC 12-241 Performance standards for all uses:

Staff: The application was reviewed against these standards and has requested deviation from the Bonner County Revised Code.

Subchapter 4.3, BCRC 12-431.E. Parking standards: Cooperative Off Street Parking: Any two (2) or more uses may establish cooperative off street parking where it can be established to the satisfaction of the planning director that the hours of traffic generation on the part of the different land uses are at nonoverlapping times of the day based on hours of operation. In that case, the off-street parking provisions for each can be credited to the same off-street parking areas provided cooperatively. All shared parking and mutual easements shall be recorded and a copy provided to the planning department.

Staff: As part of this applicant there are two vacation rentals and a caretaker's unit. A vacation rental requires one (1) off street parking space for each three (3) persons of occupancy in a vacation rental per BCRC 12-484(C)(6). The caretaker's unit requires two (2) spaces per dwelling unit.

Subchapter 4.3, BCRC 12-432, Parking standards: Table 4-3 minimum off street parking requirements for public uses requires: 0.5 space/boat slip.

Use	Minimum Requirement	Proximity Of Parking Spaces
Public Use:	Minimum Requirement	Proximity Of Parking Spaces
Community docks and marinas	0.5 space/boat slip (5)	

(5) 25 percent of parking spaces arranged as tandem spaces not less than 10 feet by 40 feet.

Staff: BCRC 12-432 requires that 0.5 space/boat slip and twenty-five percent (25%) arranged as tandem spaces not less than 10'X40'. The applicant has proposed 92 boat slips in the first phase. This will require 46 parking spaces of the 46 spaces; 12 of which will need to be tandem spaces.

The applicant has requested a deviation to the parking requirement for tandem spaces as this site does not have a boat launch, therefore it is not anticipated that there will be vehicles with trailers. If a boat launch were to be constructed in the future the property owner shall apply for a modification of terms per BCRC 12-266, and the parking requirements would be reevaluated.

BCRC 12-443 Sign Standards:

- A. Not more than two (2) signs may be installed to identify a business, service, product, person, accommodation or activity. Businesses located on street corners may use up to three (3) signs.
- B. Table 4-4 of this section provides dimensional standards for freestanding signs.

TABLE 4-4

	Type Of Frontage Road		
	State Highway With Speed Limit Posted 55 Miles Per Hour Or More	All Other State Highways	All Other Roads
Maximum height, measured at grade	10 feet	8 feet	8 feet
Maximum area	64 square feet	50 square feet	40 square feet
Minimum separation of freestanding signs along a street (includes neighboring property)	150 feet	150 feet	100 feet
Landscaping	1 square foot of landscaping around base per sign area per each 0.5 square foot of sign area (see subchapter 4.6 of this chapter for other applicable landscaping standards). A rock or masonry base or other natural landscape materials may be substituted as approved by the planning director.		

DIMENSIONAL STANDARDS FOR FREESTANDING SIGNS

Staff: The applicant has requested keeping a sign on the northeast side of the property that is approximately 168 sq.ft. and 13-1/2 feet in height. This sign has been in place since April 9, 2001, as found in file planing file # C693-00, therefore it is a legal non-conforming sign. The code allows for additional signage on-site since this lot is a corner lot. Any new signage shall follow the standards in BCRC 12-443.

BCRC 12-4.5, et seq, Design standards:

BCRC 12-452: Site and building plans: The applicant shall submit site and building plans through the applicable permit process detailed as necessary to demonstrate how the standards in section 12-453 of this chapter have been met.

Staff: As part of this application the applicant has submitted a site plan with this proposal. A building location permit will be required for all new structures as defined in BCRC 11-219 and BCRC 12-819.

BCRC 12-453**(A) Sidewalks/Pathway Standards:**

Provide a sidewalk or pathway paralleling or nearly paralleling the street along the front edge of the property for all new developments and any building addition where the value of the addition equals or exceeds fifty percent (50%) of the market value of the existing structure and/or site improvements as determined by the Bonner County assessor's office over any five (5) year time period.

Staff: The applicant has not proposed any new development that will exceed fifty percent (50%) market value of the existing structure or site improvements. The only new structure that has been added to the property is a structure that is used for the boat rental business. That structure is ± 400 sq.ft. This improvement does not trigger the need for sidewalk/pathway improvement.

(B) Pedestrian Connections:

Provide walkways connecting all on site commercial and multi-family buildings with each other and the street for all new developments and any building additions where the value of the additions equals or exceeds fifty percent (50%) of the market value of the existing structure and/or site improvements as determined by the Bonner County assessor's office over any five (5) year time period

Staff: The applicant has not proposed any new development that will exceed fifty percent (50%) market value of the existing structure and or site improvements. The only new structure that has been added to the property is a structure that is used for the boat rental business. That structure is ± 400 sq.ft. This improvement does not trigger the need for pedestrian connections.

(C) Parking Lot Pathways:

Large new or expansion of existing developments must provide specially marked or paved walkways through parking lots. Specifically, walkways should be provided every four (4) rows and a maximum distance of one hundred fifty feet (150') shall be maintained between paths. Parking lots less than one hundred fifty feet (150') wide or long are exempt from this requirement.

Staff: An expansion of an existing parking lot is proposed. The proposed lot will be approximately 130' X 352'. The applicant has not indicated on the current site plan where the walkways will be. **See condition of approval.**

BCRC 12-453(F): Lighting Standards:

1. Lighting shall be directed downward to the intended area to be lighted. All exterior lighting fixtures shall incorporate cutoff shields to prevent spillover into residential areas. Broadcast lighting fixtures that project lighting outward rather than downward are discouraged. Outdoor lighting shall be arranged so that the light is directed downward and away from adjoining properties. Temporary high intensity construction lights should be oriented so as to reduce or eliminate glare onto adjoining properties.
2. Freestanding light fixtures shall be limited to fourteen feet (14') in height.
3. Vehicular roadway and highway lighting shall be subject to the county requirements.
4. Mercury vapor light fixtures are prohibited.
5. When using decorative miniature lighting strings, bulbs larger than eleven (11) watts each shall not be used. Low wattage, light emitting diode devices and other lighting that reduces electrical use is encouraged.

6. Backlit awnings are prohibited.

Staff: The submitted site plan indicates existing lighting on site. Any new light that could be installed shall follow the lighting standards in BCRC 12-453(F).
See Conditions of Approval

BCRC 12-4.6, Landscaping and screening standards:

BCRC 12-461 Applicability:

This standard is only applicable for new development in the commercial, industrial and rural service center districts and all other commercial, multi-family, public and industrial development in other district unless otherwise noted.

BCRC 12-464(C):

Type C: Landscape type C (see through buffer) standards:

1. For landscaping strips five feet (5') to twenty feet (20') wide:
 - a. Trees at twenty feet (20') on center on average. Trees may be clustered to allow greater visibility into the site, where desired by the applicant. Trees shall be a minimum two inch (2") caliper as measured four feet (4') from the root ball at the time of planting.
 - b. Permitted tree species are those that reach a mature height of at least thirty five feet (35').
 - c. Shrubs at a rate of one shrub per twenty (20) square feet of landscaped area. Shrubs shall have a minimum container size of two (2) gallons at the time of installation and have a mature height between three feet (3') and four feet (4').
 - d. Ground cover.

Staff: The parking lot is adjacent to a state highway and county road. Currently there is landscaping on the southern property line adjacent to the county road. The eastern property line adjacent to the state highway currently has a small cluster of trees. The proposed buffer strip varies in widths from approximately 8 to 12 feet wide for a stormwater swale. The applicant has requested a deviation to this standard; the applicant has proposed a 10-foot strip where a 25-foot strip is required. The applicant will still be required to meet the "see through buffer requirements". A scale site plan shall be submitted for a landscaping requirement at the time of Building Location Permit. **See Conditions of Approval**

BCRC 12-340(D)- Intent- 3.4: Non-conforming Uses and Structures

BCRC 12-340(D): "Characteristics of uses which were lawful before this title was passed or amended, but which would be prohibited, regulated or restricted under the terms of this title or future amendment. It is the intent of this title to permit these nonconformities to continue as required by law. It is further the intent of this title that nonconformities shall not be enlarged upon, expanded

or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district or zone."

BCRC 12-7.1 Shorelines

BCRC 12-713 Impervious surface standards near water:

The maximum "impervious surface", as defined in section [12-809](#) of this title, within "shore land" areas, as defined in section [12-819](#) of this title, which are defined as those lands extending landward for two hundred feet (200') in all directions as measured on a horizontal plane from any shoreline, shall be thirty five percent (35%)

Staff: The lot contains ± 0.65 acres or 28,314 sq.ft. of submerged lands. As a result of this the impervious calculations are based on those surfaces above the ordinary high-water mark. The applicant submitted impervious calculations with a map of both current and proposed calculations (see Exhibit A & B). The current lot coverage is $\pm 44,912$ sq.ft. or 62%. The applicant has proposed to reduce that amount to 42,042sq.ft. or 58%.

BCRC 12-7.2, Grading, stormwater management and erosion control

BCRC 12-720.2 Applicability

The provisions of this subchapter shall be applicable:

D. New building construction which occurs within three hundred feet (300') of any lake, slough, pond, river, stream or intermittent stream shown on the national hydrography dataset (NHD), as published by the United States geological survey, or by actual survey, and which is subject to the provisions of title 11 of this code, as amended.

Staff: A stormwater management plan will be required, pursuant to BCRC 12-720.2(D) **See Conditions of Approval**

conditional rezoning or denial of a request for rezoning is subject to the regulatory taking analysis provided for by Idaho Code Section 67-8003.

Staff: Upholding property rights and complying with Idaho state law the above policies allows the governing body to make informed, fair, and legally sound land use decisions that protect property rights.

Population

Policies:

1. Regularly analyze population projections to determine if changes need to be made to the Comprehensive Plan Goals, Objectives and Policies and/or the Zoning Ordinance, to ensure that the public and community needs are being met through land use decisions.
2. Use population forecasts and census data to evaluate housing and impacts to the transportation system and other county services.
3. Cooperate with incorporated cities and neighboring counties to address growth challenges within the Areas of Impact and coordinate planning efforts to the extent possible.

Staff: The 2020 census placed Bonner County's population at 47,110. Bonner County, established in 1907, now has over 100 years of population data. The county grew by fewer than 2,000 people over the first 60 years of its existence. Between 1990 and 2000, Bonner County increased in population by 38.4 percent, but by the 2010 census, the growth slowed to an 11 percent increase over 10 years. From 2010 to 2020 the population grew by 13 percent and the estimated increase from 2020 to 2021 was 3.4 percent or 49,491.

School Facilities and Transportation

Policies:

1. Current data regarding school capacity and transportation issues as provided by the School Districts will be included in the assessment of all land use proposals.
2. Consider the impacts of land use proposals on the school service and seek mitigation from developers such as providing facilities, safety features, or other measures as permitted by Idaho Code, to address the impacts of the proposals.
3. Encourage school districts to proactively review development applications to determine particular school needs and concerns.
4. Encourage construction of trails and bicycle paths to allow safe passage of students to and from schools.
5. Consider the long-term consequences of land use proposals, including the adequacy of existing school facilities, transportation services, and the siting of future schools.

Staff: Lake Pend Oreille School District #84 and School Transportation that serves the property, were notified of the Marina and Upland Accommodations. The District did not comment as to how an increase in boat slips and a boat rental shack could impact on the district's ability to provide adequate school services (and facilities) for new and existing students. The Transportation department did not provide a comment. Bonner County currently assesses property taxes; a portion of that revenue goes to the school's general fund. This project does not appear to be in conflict with these policies.

Economic Development

Policies:

1. Allow small scale cottage businesses and home occupations in all areas of the county. Set reasonable conditions on such uses to minimize adverse impacts to the neighborhood based on factors including, but not limited to, hours of operation and traffic volume generated by the business.
2. Develop land use regulations to allow the county's agricultural heritage to be maintained by enabling local food production, distribution, congregation, and retail sales. Examples include community gardens, school gardens, farm related education programs, farmers or public markets, and other small-scale, collaborative initiatives.
3. Develop standards for commercial and industrial development that are appropriate for the surrounding community, including: appropriate site sizes, use types, buffering and design standards that encourage both attractive and efficient function while protecting the environment.
4. Mitigate the potential impacts of economic development activities that cause adverse factors such as noise, light glare, odors, fumes and vibrations on the surrounding community.
5. Support local economic development by increasing support for outdoor recreation in the county. Encourage and protect public access to public lands and water, while protecting the surrounding areas from adverse impacts through mitigation and standards.
6. Allow for campgrounds and recreational uses while protecting the surrounding areas from adverse impacts through mitigation and standards.
7. Support local businesses by enabling development of workforce housing in proximity to commercial, industrial, agricultural, and recreational uses, through review and updating of land use regulations.

Staff: Bonner County's land use regulations provide a comprehensive framework that supports small-scale businesses, preserves agricultural heritage, promotes sustainable development, and facilitates the integration of employee housing with commercial, industrial, and agricultural uses. The county's approach balances the needs of diverse land uses while addressing potential impacts on the community and

environment, fostering a vibrant and sustainable future for its residents. This use does not appear to be in conflict of this component.

Land Use

Policies:

1. Develop and maintain a Future Land Use Map and Land Use Regulations that acknowledge and preserve the County's agricultural, timber and mining lands, water and wildlife resources, and identify and avoid hazard areas. Provide areas for economic growth, encourage affordable housing and center growth in areas where adequate public and private services can be provided.
2. Encourage clustered development for medium and large scale commercial and industrial uses.
3. Commercial and industrial uses should be located and operated in a manner to ensure the protection of our natural resources including clean air and water, dark skies, and overall environmental quality and rural character of the county.
4. Reflect in the use tables that commercial and industrial uses should be unconditionally permitted in areas identified by the Comprehensive Plan as suitable and zoned for those uses. Evaluation of suitability should be based on availability of urban services, adequate access to hard surfaced publicly maintained roads and other factors that may impact the surrounding community.
5. Reflect in the use tables that commercial and industrial uses may be conditionally permitted in areas not identified for such uses in the Comprehensive Plan if a critical review of the proposed use determines that with appropriate conditions the use will not adversely impact the surrounding area.
6. Based upon the land use analysis completed in 2025, a sufficient number of residential parcels exist or could be created within current zoning density. Therefore, modification of zoning to provide increased density should be rare.
7. Land use applications should be supported by a review, evaluation, or approval by the applicable state agency for sanitary services.
8. Consider avenues to create incentives for land conservation through zoning and subdivision laws to preserve various significant archaeological, ecological, historical, wildlife, and scenic sites that have been recognized in the county as unique and important to preserve.
9. Minimize the creation of lots that cannot receive the appropriate sanitary services.
10. Maintain the Alpine Village zoning district to provide adequate design and development standards for the high-density recreational community with steep slopes and heavy snowfall at elevations above 3500'.

11. Urban development is better suited in urban areas. Idaho Code 67-6502 (a through m) promotes the health, safety and general welfare of the people of the state. Subsection (f) encourages urban and urban type development within incorporated cities. All nine cities within the county provide or are associated with urban water and sewer systems which allow and depend on higher density to make the services fiscally feasible and sustainable.

12. Due to the wildfire threat in the county, consider evacuation routes when making land use decisions and updating land use code.

13. The mapping of land use designations should have homogeneity with the surrounding area. Areas have specific, individual land use designations which results in homogeneity across the landscape. Islands of different land use designations defy the sense of rural context, especially if the land uses are markedly dissimilar.

14. The land uses describe the general uses and characteristics of each of the map designations. Since the Comprehensive Plan Map covers approximately 1.1 million acres, the map is general in nature, and it is recognized that some areas may have or may lack features and characteristics that cause them to differ somewhat from what is in their land use description. It is not reasonable to expect that every parcel within a land use designation will conform to every detail of the geographic characteristics of the area as a whole.

Staff: Bonner County's land use policies for commercial and industrial development reflect a balanced approach that seeks to accommodate growth while preserving the county's rural character and environmental resources. By designating suitable areas for unconditional development and allowing for conditional permitting elsewhere, the county provides flexibility to meet economic needs without compromising community values. Ongoing community engagement ensures that land use decisions continue to align with the aspirations of Bonner County residents.

Natural Resources

Policies:

1. Institute best management practices for waterway setbacks to reduce erosion and sedimentation into waterways.

2. Design development standards that encourage clustered development resulting in the preservation of open space and wildlife habitat.

3. Recognize critical wildlife habitats, as identified by US Fish and Wildlife, and create development standards to protect these areas and mitigate development impacts to these habitats.

4. Protect water quality by creating standards for development in close proximity to shorelines.

5. Provide a copy (physical copy or digital link) of the Lake Assist Guidebook to property owners or their representatives applying for a building location permit on

shoreline properties. Make a digital link to the Guidebook available via the Planning Department web page.

6. Implement shoreline development land use regulations that address those areas where the County can enforce such regulations effectively.

7. To the extent of the County's jurisdiction, and consistent with the Clean Water Act, protect delineated wetlands.

8. Identify and protect productive farmland, timberland and mining lands from adverse effects of adjoining developments.

Staff: Bonner County has adopted and implemented regulations that protect waterways and wetlands from pollution, erosion and sedimentation. These measures also protect Bull Trout which is the only mapped critical wildlife in Bonner County. The proposal currently has approval from Idaho Department of Lands for the expansion of the dock and boat slips. Idaho Department of Fish and Game did not have a comment on this proposal.

Hazardous Areas

Policies:

1. Adopt flood mitigation standards that meet or exceed the National Flood Insurance Program minimum requirements.

2. Discourage residential, commercial or industrial development within floodways.

3. Discourage fill within the floodplain.

4. Integrate the county's wildland fire policies and plans into development standards.

5. Identify and discourage developments on excessive slopes with lower density zoning in these areas.

6. Establish regulation and development densities of new development in floodplains. Regulate the location and density of new development in floodplains to reduce the potential for the loss of lives and property in those areas.

7. Land divisions should be designed to reduce exposure to wildland fire and to provide for adequate ingress and egress routes as determined by the applicable Fire Authority Having Jurisdiction.

8. Discourage the issuance of building location permits within areas of excessive slopes, unstable areas and avalanche zones.

Staff: A portion of the lot is located within a mapped flood hazard zone. Any development within this mapped area will require special permitting. The parcel does contain mapped slopes of 0-≥30% grade. According to the Avalanche Hazards map found in the Hazardous Component (p.7) this area is mapped as low avalanche

danger. Furthermore, emergency services are provided to this parcel by the Sagle Fire District and Bonner County Sheriff's Department.

Public Services, Facilities and Utilities

Policies:

1. Encourage high-density development to take place within the boundaries of existing sewer and water districts with adequate capacity.
2. Seek comments from existing service providers on their ability to serve future developments without adversely impacting the ability of the utility providers to serve current users.
3. Provide adequate facilities for responsible disposal of solid waste to protect the health and welfare of the public as well as the County's natural resources.
4. New development should be adequately served by fire protection, roads, sanitary services, schools, law enforcement, ambulance, power and emergency services, and other public services as determined by the relevant service provider.
5. Require developers to provide infrastructure, utilities or financial support to offset the capital costs of expansion of services required by the proposed development.
6. Require adequate provisions for future utility services in areas of commercial, industrial, residential or other similar uses.

Staff: This proposal is with the Southside Water & Sewer District. This agency was notified of the proposal, and the district did not comment on whether the proposal would negatively affect their capacity. The proposal is within a currently developed transportation network; it is adjacent to Highway 95 and Lakeshore Drive. Furthermore, the property is afforded emergency services provided by Bonner County EMS, Bonner County Sheriff's Department, and Sagle Fire District. These agencies were notified of this proposal.

Transportation

Policies:

1. Develop and regularly update a long-term County highway system plan to ensure reasonable levels of service can be maintained in the future, and that needs for future road extensions or transportation corridors are identified as early as possible.
2. Discourage development in areas that are not served by county standard roads or where transportation is inadequate.
3. Future development should not adversely impact the existing County highway system by significantly reducing the quality or level of service or creating hazards or congestion.
4. Roads are encouraged to be built to County Standards and at the expense of the developer.

5. Roads within new development should provide adequate access for fire and emergency vehicles as well as routes of escape.
6. Future access roads should be designed and built to integrate with the State and County systems of roads without overburdening the County highway system.
7. Encourage cluster development to reduce transportation costs, road building and environmental impacts.
8. The county intends for certain intense land use developments to provide hard surfaced roads.
9. Consider bike ways and pedestrian paths in development plans to provide an integrated community County highway system wherever possible.
10. To communicate and work cooperatively with other jurisdictions within the county to ensure the best possible flow of traffic county-wide.

Staff: The parcel adjacent to Highway 95 and Lakeshore Drive. Highway 95 is a State of Idaho owned and maintained paved right of way. Lakeshore Drive is a Bonner County owned and maintained paved right of way. No new roads are being proposed for public use or dedication. However Bonner County Road & Bridge Department did recommend a traffic impact study The lot currently has access to a pedestrian/ bike path that access the City of Sandpoint and the community of Sagle.

Recreation

Policies:

1. Develop a waterways and public land access program to preserve and develop access to public recreational lands and waterways. The program should include retaining access parcels that may be acquired from tax sales or private donations.
2. Protect and encourage public and private recreational opportunities as an important asset that supports a key segment of the County's economy.
3. Consider a plan for a system of green belts and pathways (bike and pedestrian) as areas developed, so that a connected system can be developed and preserved. Under no circumstances will the County require recreational access easements on private property as a condition of development. This policy does not preclude providing voluntary incentives to developers in return for recreational access easements.
4. Ensure the public's legal recreational accesses and amenities are not obstructed or adversely impacted by future development.
5. Adverse impacts of recreational development on adjacent neighborhoods should be mitigated.

Staff: The proposed use will create additional recreational access and opportunities to Bonner County waterways. The lot is adjacent to a pedestrian/ bike path that provides access to the community of Sagle and the City of Sandpoint. The proposal does not appear to be in conflict with the policies of this component.

Special Areas or Sites

Policies:

1. Develop a generalized map of the known pre-historic and historic sites so that future developments are aware of special areas of concern and are connected with the historical society and Native American tribes for appropriate preservation and protection.
2. Implement roadside development standards for recognized scenic byways to protect the view sheds.
3. Recognize and address Special areas when development is proposed in these areas.
4. Confirm if historical structures or sites exist within a land use application area, and if identified coordinate with the applicable agency.

Staff: Bonner County has not developed or adopted a map that identifies pre-historic or historic sites. There are adopted scenic byways in the county, however this proposal is not adjacent to one. No agency that was notified of this request indicated any historical structures or sites on this parcel.

Housing

Policies:

1. Enable development of a variety of housing options including manufactured home parks, and tiny home communities located in areas that are compatible with their density.
2. Coordinate with municipalities and private parties to explore solutions for various types of housing projects and developments in areas appropriate for their level of density.
3. Encourage clustering of housing in developments to save on infrastructure and transportation costs through mechanisms such as density bonuses.
4. Provide opportunities for assisted living and group shelters.
5. Enable temporary and seasonal employee labor housing in direct proximity to agricultural, commercial, recreational, and industrial uses or where infrastructure and emergency services support those uses.

Staff: This proposal is not anticipated to have a direct impact on housing in Bonner County.

Community Design

Policies:

1. To promote and preserve the natural features and rural atmosphere of the community, enact development standards that address development within scenic byways and design standards that account for waterfront setbacks, commercial and industrial landscaping, requirements for reduced lighting, cluster development, rural rather than urban setback standards, and other design objectives aimed at preserving the rural, natural character of the community.
2. Allow unique and flexible design standards such that new development within older neighborhoods and historic settlements is compatible with those unique neighborhoods.
3. Allow particularized design standards to address the unique environmental conditions of waterfront and mountaintop developments which may differ from standard design objectives.
4. Locate new development in areas with similar densities and compatible uses.
5. The adverse impacts of new development on adjacent areas should be minimized.
6. Consider the protection of natural resources, rural features and surrounding uses of the community in the design and location of new development.

Staff: The lot was originally part of a larger property that operated as approved resort. The resort was later divided into three separate lots. When this lot was created it was done so with an existing boat moorage operation. Therefore the use has been in existence since 2000 and has been part of the community for twenty-six years.

Agriculture

Policies:

1. Continue allowing residential uses consistent with the allowable density in Agricultural zoning districts.
2. Protect agricultural uses and activities from land use conflicts or interference created by residential, commercial or industrial development
3. Enable farm-based family businesses on agricultural parcels with land use regulations. Examples include farm stands and other agri-business pursuits.
4. The County acknowledges the provisions of Idaho State's Right to Farm Act. Those shall be considered in the land use decisions.
5. Support the local economy by encouraging production, distribution, and retail sales of locally grown food and other agricultural products.

6. Protect environmental quality so that agriculture continues to be a viable use in the County.

Staff: This property has been historically zoned recreation and has not been used for agricultural pursuits. The proposed use is unlikely to have any effect on the agricultural pursuits in Bonner County.

Planner's Initials: DB **Date:** February 5, 2026

Note: The final decision rests with the governing body after the completion of the public hearing and consideration of all relevant oral and written testimony and evidence.

Motion by the governing body:

ZONING COMMISSON

DECISION TO APPROVE: I, Commissioner (insert name) move to approve this project, FILE CUP0008-25, for a Marina and Upland Accommodations, located in Section 34/35, Township 57 North, Range 2 West, Boise Meridian, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1

The proposed conditional use permit **is not** in conflict with the policies of the Comprehensive Plan.

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth in BCRC Title 12 - Chapter 3, Subchapter 3.3; Subchapter 3.4, Chapter 4, Subchapter 4.2, 4.3, 4.4, 4.5 and 4.6; Chapter 7, Subchapter 7.2 Bonner County Revised Code, and **was** found to be in compliance.

Conclusion 3

The proposed use **will not** create a hazard and **will not** be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6536, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken to obtain the approval of the Conditional Use Permit is to complete the Conditions of Approval as adopted.

DECISION TO DENY: I, Commissioner (insert name), move to deny this project, FILE CUP0008-25, for a Marina and Upland Accommodations, located in Section 34/34, Township 57 North, Range 2 West, Boise Meridian, based upon the following conclusions:

Conclusion 1

The proposed conditional use permit **is/is not** in conflict with the policies of the Comprehensive Plan.

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth in BCRC Chapter 3, Subchapter 3.3, Subchapter 3.4 BCRC Chapter 4, Subchapter 4.2, 4.3, 4.4, 4.5 and 4.6 Title 12, Chapter 7, Subchapter 7.2, Title 12, Bonner County Revised Code and **was/was not** found to be in compliance.

Conclusion 3

The proposed use **will/will** not create a hazard and **will/will not** be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6536, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the variance is to:

- 1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
- 2) Appeal the decision to the County Commissioners.

Conditions of Approval:

Standard continuing permit conditions. To be met for the life of the use:

- A-1** The use shall be developed and shall be operated in accordance with the approved site plan.
- A-2** This Conditional Use Permit shall not supersede deed restrictions.
- A-3** All county setbacks shall be met, unless otherwise noted.
- A-4** Conditional Use Permit approval shall expire if the permit has not been issued within two (2) years from the date of approval, or if issued, if the use has not commenced within two (2) years from the date of issuance. At any time prior

to the expiration date of the conditional use permit, an applicant may make a written request to the planning director for a single extension of the conditional use permit for a period up to two (2) years. The Zoning Commission at any regular meeting, or board at any regular meeting, may consider the request for extension. The extension request must be approved or denied prior to the expiration date of the conditional use permit.

- A-5** The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and stormwater management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved.
- A-6** The uses shall maintain continuing compliance with the performance standards of BCRC 12-421 as found in this staff report.
- A-7** Total impervious surface within shall not exceed the amount found in the approved site plan of the shoreland area, as defined.
- A-8** Landscaping shall be provided as per the requested deviation found in the staff report.
- A-9** All new proposed structures shall obtain Building Location Permits, as required by Title 11 of Bonner County Revised Code.
- A-10** Any modifications to this project shall be subject to standards set forth in Title 12, Bonner County Revised Code.
- A-11** The rental cabins will be operational 7 days a week year-round. The marina and boat rental will operate 7 days a week from 7:00 am to 9:00pm, April through October.

Conditions to be met prior to issuance:

- B-1:** A new site plan indicating marked parking lot pathways per BCRC 12-453(C).
- B-2:** A recorded parking agreement for the marina, upland accommodations, caretaker's unit and rental units shall be recorded in accord with BCRC 12-431.E and a copy of the agreement be provided to the Planning Department.

The complete file is available for review in the Planning Department, 1500 Highway 2, Suite #208, Sandpoint, ID. Staff reports are available at www.bonnercountyid.gov prior to the scheduled hearing. Bonner County Revised Code (BCRC) is available at the Planning Department or online.

Appendix A

RECORD OF MAILING

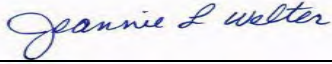
Page 1 of 1

File Number: File **CUP0008-25**

Record of Mailing Approved By: D.Britt

Hearing Date: **2.12.26**

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **6th** day of **January 2026**.



Jeannie Welter, Systems Technician

Assessor - Email	Avista Utilities - Email
Bay Drive Recreation District - Email	Bayview Water & Sewer - Email
Bonner County Airport Manager - Email	BONNER COUNTY DAILY BEE - U.S. Mail
Bonner County EMS - Email	Bonner County Floodplain Review - Email
Bonner County Road & Bridge - Email	Bonner County Sheriff - Email
Bottle Bay Water & Sewer District - Email	City of Clark Fork - Email
City of Dover - Email	City of East Hope - Email
City of Hope - Email	City of Kootenai - Email
City of Oldtown - Email	City of Ponderay - Email
City of Priest River - Email	City of Sandpoint - Email
City of Spirit Lake - Email	Coolin Sewer District - Email
Coolin-Cavanaugh Bay Fire District - Email	Drainage District #7 - Email
East Bonner Library - Email	East Priest Lake Fire District - Email
Ellisport Bay Sewer - Email	Garfield Bay Water & Sewer District - Email
GEM STATE MINER - U.S. Mail	Granite Reeder Water & Sewer District - Email
Idaho Department of Environmental Quality (DEQ) - Email	Idaho Department of Fish & Game - Email
Idaho Department of Lands - CDA - U.S. Mail	Idaho Department of Lands - Coolin - Email
Idaho Department of Lands - Navigable Waters & Mining - Email	Idaho Department of Lands - Sandpoint - Email
Idaho Department of Water Resources - IDWR - Email	Idaho Transportation Department (Aeronautics) - U.S. Mail
Idaho Transportation Department- District I - Email	Independent Highway District - Email
Kalispel Bay Sewer & Water - U.S. Mail	Kootenai-Ponderay Sewer District - Email
KPBX-FM 91 SPOKANE PUBLIC RADIO - U.S. Mail	KSPT-KPND-KIBR RADIO - U.S. Mail
Laclede Water District - Email	Lake Pend Oreille School District, #84 (Admin Office) - Email
Lake Pend Oreille School District, #84 (Transportation) - Email	Lakeland Joint School District, #272 - Email
Little Blacktail Ranch Water Association - U.S. Mail	North of the Narrows Fire District - Email
Northern Lights, Inc. - Email	Northland/Vyve Cable Television - Email
Northside Fire District - Email	Outlet Bay Sewer District - Email
Panhandle Health District - Email	Pend Oreille Hospital District - Email
Priest Lake Public Library District - Email	Priest Lake Translator District - Email
Sagle Valley Water & Sewer - Email	Sam Owen Fire District - Email
Schweitzer Fire District - Email	SELKIRK ASSOCIATION OF REALTORS - U.S. Mail
Selkirk Fire, Rescue & EMS - Email	Selkirk Recreation District -Email
Southside Water & Sewer District - Email	Spirit Lake Fire District - Email
Spokesman-Review - U.S. Mail	Historical Society - Email
Swan Shores Sewer District - U.S. Mail	Syringa Heights Water Association - Email
Tamarack Village Water & Sewer - U.S. Mail	Timber Lake Fire District - Email
Trestle Creek Sewer District - Email	U.S. Army Corps of Engineers - Email
U.S. Fish & Wildlife Service - Email	U.S. Forest Service - U.S. Mail
West Bonner County Cemetery District - Email	West Bonner County School District, #83 - Email
West Bonner Library - Email	West Bonner Water & Sewer District - Email
West Pend Oreille Fire District - Email	West Priest Lake Fire District - Email

Record of Mailing

Property Owners within 300 Feet

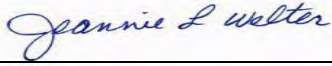
Page 1 of 2

File Number: File **CUP0008-25**

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I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **6th** day of **January 2026**.



Jeannie Welter, Systems Technician

PIN	Owner	Address	City	State	Zip
RP07352C002180A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001270A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023400918A0A	Li, Yiping Leung, Angela On Yee Mao, Yi Tang, Huang	6725 S Shelby Ridge Rd	Spokane	WA	99224
RP07352C00B190A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023400706A0A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C003010A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001220A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002150A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023401001C0A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C00B220A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C003110A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001230A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002160A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001190A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023400816A0A	Aj & Am Llc	Po Box 1333	Spokane Valley	WA	99037
RP00234007005AA	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001290A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001210A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023400919A0A	Miner, Mark & Rodelyn	17825 Painter Lp Rd Ne	Hubbard	OR	97032
RP07352C00B200A	Wood, Leslie - 75% Int	Po Box 30365	Santa Barbara	CA	93130
RP00234010011BA	Sterling, Michael & Patricia	378 Butterfield Rd	San Anselmo	CA	94960
RP002340070090A	Bopp, Nicolaus A	100 Lakeshore Dr	Sagle	ID	83860
RP07352C003090A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C00B230A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023401001D0A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002220A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C001250A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130

RP07352C00B240A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002230A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP00234007001BA	Long Bridge Land Holding Company Llc	Po Box 1942	Spokane	WA	99210
RP07352C002140A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C00B210A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023401002B0A	Long Bridge Land Holding Company Llc	Po Box 1942	Spokane	WA	99210
RP0023400920A0A	Hardin, Le'carlton Ruen, Rochelle	4777 S Fulton Ranch Blvd Unit 2113	Chandler	AZ	85248-5049
RP07352C002170A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C003100A	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130

Appendix B



Janna Brown <janna.brown@bonnercountyid.gov>

Re: Bonner County Planning - File CUP0008-25 - Notice of Hearing

1 message

Matt Mulder <matt.mulder@bonnercountyid.gov>

Wed, Jan 28, 2026 at 3:33 PM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

Cc: Jason Topp <jason.topp@bonnercountyid.gov>

The Road & Bridge Department has the following comments regarding this file:

1. Based on the trip generation and distribution letter, and the proximity to the existing safety issues at the Lakeshore Drive and Hwy 95 intersection, we recommend a traffic impact study be required at this time to identify some of the improvements that would need to be made at this phase and future phases for the full marina buildout. Some of the initial thoughts we have may involve:

a. A right turn only exit signage for those leaving the marina parking lot to limit the exiting traffic crossing Lakeshore Drive conflicting with southbound highway traffic exiting the highway and taking the corner at high speed.

b. Future phases that require additional parking across Lakeshore Drive on the Smokehouse Rd lot may require alternate access via Treeline Drive, the possible closure of Smokehouse Rd connection to Lakeshore and alternate access established, and the potential for an elevated or tunneled pedestrian access between the parking lot and the marina.

c. Traffic entering Highway 95 from Lakeshore Drive may be required to turn right (south) on Hwy 95; this change is already being discussed with ITD, including a painted or concrete curbed porkchop forcing the right turn. This island may impact the future turning movements to or from the marina and should be part of the consideration.

-Matt Mulder, PE
Staff Engineer
Bonner County Road & Bridge
208-255-5681 ext 1

On Tue, Jan 6, 2026 at 11:32 AM Bonner County Planning Department <planning@bonnercountyid.gov> wrote:

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jeannie Welter
Bonner County Planning Department
Systems Technician
208-265-1458

Now Live: Apply for Your Building Location Permit Online!

We're making building easier! You can now apply for your **Building Location Permit** quickly and securely through our **new citizen online portal**, available 24/7 from the comfort of your home or office. You can also apply on one of the kiosks provided in the Planning Department office, located in the County Administrative Building, Suite 208.

Fast & easy application process
Track your permit status in real time
Upload documents directly

Visit <https://bonnercountyid-energovweb.tylerhost.net/apps/selfservice#/home> **to get started today!**

Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

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[Online Application Guide](#)



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0008-25 - Notice of Hearing

1 message

DEQ Comments <deqcomments@deq.idaho.gov>

Tue, Jan 13, 2026 at 10:08 AM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

Good Morning,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,

Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Office Line: 208.769.1422

www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Tuesday, January 6, 2026 11:32 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spirittlakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfidchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist

<esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joeekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Bates, Luke <Luke.Bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; meagan <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: jack.howard@swsdidaho.org; kmeschko@kellerassociates.com; Daniel Britt <daniel.britt@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0008-25 - Notice of Hearing

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

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We're making building easier! You can now apply for your **Building Location Permit** quickly and securely through our **new citizen online portal**, available 24/7 from the comfort of your home or office. You can also apply on one of the kiosks provided in the Planning Department office, located in the County Administrative Building, Suite 208.

Fast & easy application process

Track your permit status in real time

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Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

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Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0008-25 - Notice of Hearing

1 message

Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>

Wed, Jan 28, 2026 at 12:54 PM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

Hi Jeannie,

The Idaho Department of Fish and Game does not have any comments to submit for this application.

Thank you for the opportunity to review and comment,

Merritt Horsmon

Regional Technical Assistance Manager

Panhandle Region

2885 W. Kathleen Ave.

Coeur d'Alene, ID 83815

208.769.1414 office

208.251.4509 mobile

merritt.horsmon@idfg.idaho.gov**From:** Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Tuesday, January 06, 2026 11:32 AM**To:** Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spiritlakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork

<CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacledewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Bates, Luke <Luke.Bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynn Casey <glynn.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; meagan <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: jack.howard@swsdidaho.org; kmeschko@kellerassociates.com; Daniel Britt <daniel.britt@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0008-25 - Notice of Hearing

CAUTION: This email originated outside the State of Idaho network. Verifv links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

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Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

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Upload documents directly

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Build smarter. Apply online.

[Online Application Guide](#)



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0008-25 - Notice of Hearing

1 message

Bates, Luke <Luke.Bates@idwr.idaho.gov>

Tue, Jan 6, 2026 at 1:12 PM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

REF: CUP0008-25

TO: Bonner County Planning Department

Good afternoon,

Idaho Department of Water Resources (IDWR) – Northern Regional Office offers the following comments pertaining to CUP0008-25:

- The application proposes water services by Southside Water and Sewer District, which is an existing Municipal service provider whose service area covers the Applicant's parcel.
- Once the Applicant has validated water services from the municipal provider Southside Water and Sewer District's existing water rights cover IDWR's jurisdiction for CUP0008-25's contemplated development of domestic use, rental cabin use, and snack shack water usage.

Thank you for the opportunity to comment,

**From:** Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Tuesday, January 6, 2026 11:32 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle

<quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spirittlakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoverydaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfdchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lactedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Bates, Luke <Luke.Bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epifdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; meagan <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: jack.howard@swsdidaho.org; kmeschko@kellerassociates.com; Daniel Britt <daniel.britt@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0008-25 - Notice of Hearing

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Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

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Upload documents directly

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Janna Brown <janna.brown@bonnercountyid.gov>

RE: Bonner County Planning - File CUP0008-25 - Notice of Hearing

1 message

'KPSD Clerk' via Mail-Planning <planning@bonnercountyid.gov>

Tue, Jan 6, 2026 at 2:36 PM

Reply-To: KPSD Clerk <clerk@kootenaiponderaysewerdistrict.org>

To: planning@bonnercountyid.gov

Attached is the District's response to the above named file.

Beate Pryor

Clerk - Administrative Assistant

Kootenai-Ponderay Sewer District

511 Whiskey Jack Road Sandpoint, ID 83864

Office Hours: 8:30 am – 5:00 pm, Monday through Thursday

Phone: 208.263.0229

From: Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Tuesday, January 6, 2026 11:32 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spiritleakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveryidaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritleakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette

<coolinfirechief@gmail.com>; David LaTourette <Coolinfdchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejdunn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; ITD - Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joeKren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lactedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Luke Bates <luke.bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Merritt Horsmon <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: jack.howard@swsdidaho.org; kmeschko@kellerassociates.com; Daniel Britt <daniel.britt@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0008-25 - Notice of Hearing

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Bonner County Planning Department

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CUP0008-25.pdf
90K

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **6th** day of **January 2026**.

Jeanne L Welter
Jeanne Welter, Systems Technician

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, January 6, 2026**.

NOTICE IS HERBY GIVEN that the Bonner County Zoning Commission will hold a public hearing at **5:30 pm** on **Thursday, February 12, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following requests:

File CUP0008-25 – Conditional Use Permit – Marina: The applicants are requesting a conditional use permit for a marina and upland accommodations on ± 2.16 acres. The property is zoned Recreation. The project is located off Lakeshore Drive in Section 34/35 Township 57 North, Range 2 West, Boise-Meridian. The project site is located within the service areas of Southside Water & Sewer District and Sagle Fire District.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than seven (7) days prior to the public hearing. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT *Kootenai-Ponderay Sewer District* *1/6/2026*
Name Date

no comment - out of boundaries



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] CUP0008-25-CONDITIONAL USE PERMIT-MARINA

1 message

Denis Twohig <dtwohig@phd1.idaho.gov>

Fri, Jan 9, 2026 at 4:04 PM

To: Bonner County Planning <planning@bonnercountyid.gov>

	Denis Twohig Technical Records Specialist 1 2101 W Pine St. Sandpoint, ID 83864 P: 208.265.6384 E: ehapplications@phd1.idaho.gov W: Panhandlehealthdistrict.org
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All persons are advised that they may face penalties under state and federal law for sharing this information with unauthorized individuals.

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Also, please delete this email after replying to the sender.

 **CUP0008-25-CONDITIONAL USE PERMIT-MARINA.pdf**
929K

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **6th** day of **January 2026**.

Jeannie L Welter
Jeannie Welter, Systems Technician

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, January 6, 2026**.

NOTICE IS HERBY GIVEN that the Bonner County Zoning Commission will hold a public hearing at **5:30 pm on Thursday, February 12, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following requests:

File CUP0008-25 – Conditional Use Permit – Marina: The applicants are requesting a conditional use permit for a marina and upland accommodations on ± 2.16 acres. The property is zoned Recreation. The project is located off Lakeshore Drive in Section 34/35 Township 57 North, Range 2 West, Boise-Meridian. The project site is located within the service areas of Southside Water & Sewer District and Sagle Fire District.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than seven (7) days prior to the public hearing. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT *Sarah Tonyan - PHD* *1/9/26*
Name Date
out of PHD jurisdiction
please contact Southside WSD



Janna Brown <janna.brown@bonnercountyid.gov>

Re: Bonner County Planning - File CUP0008-25 - Notice of Hearing

1 message

'Ken Flint' via Mail-Planning <planning@bonnercountyid.gov>

Wed, Feb 4, 2026 at 2:30 PM

Reply-To: Ken Flint <ken_flint@tcenergy.com>

To: Bonner County Planning Department <planning@bonnercountyid.gov>

No Comment - TC Energy

Ken Flint

Land Representative, USNG Land Services

ken_flint@tcenergy.com

mobile: 509-991-0804 desk: 509-533-2836



201 West North River Dr Suite 505

Spokane, WA 99201

TCEnergy.com

For more pipeline information, please visit: <https://www.tcenergyopenhouse.com/beforeyoudig/>

From: Ken Flint <ken_flint@tcenergy.com>

Sent: Wednesday, February 4, 2026 1:28 PM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

Subject: Fw: Bonner County Planning - File CUP0008-25 - Notice of Hearing

No Comment - Not near TC Energy ROW.

Ken Flint

Ken Flint

Land Representative, USNG Land Services

ken_flint@tcenergy.com

mobile: 509-991-0804 desk: 509-533-2836



201 West North River Dr Suite 505

Spokane, WA 99201
TCEnergy.com

For more pipeline information, please visit: <https://www.tceenergyopenhouse.com/beforeyoudig/>

From: US Crossings <us_crossings@tceenergy.com>
Sent: Tuesday, January 6, 2026 3:51 PM
To: Ken Flint <ken_flint@tceenergy.com>
Subject: Bonner County Planning - File CUP0008-25 - Notice of Hearing

FYI...

Happy New Year.

Thank you,
Lilian Gonzalez
Land Analyst, USNG Land Services
us_crossings@tceenergy.com
tel: 1-800-562-8931



[TCEnergy.com](https://www.tceenergy.com)

From: Bonner County Planning Department <planning@bonnercountyid.gov>
Sent: Tuesday, January 6, 2026 1:32 PM
To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spirittlakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfidchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejedunn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; ITD - Robert Beachler

<robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joekren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lactedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Luke Bates <luke.bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Merritt Horsmon <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; US Crossings <us_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>
Cc: jack.howard@swsdidaho.org; kmeschko@kellerassociates.com; Daniel Britt <daniel.britt@bonnercountyid.gov>
Subject: [EXTERNAL] Bonner County Planning - File CUP0008-25 - Notice of Hearing

EXTERNAL EMAIL: PROCEED WITH CAUTION.

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe. If this email looks suspicious, report it.

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jeannie Welter
Bonner County Planning Department

Systems Technician 208-265-1458

Now Live: Apply for Your Building Location Permit Online!

We're making building easier! You can now apply for your **Building Location Permit** quickly and securely through our **new citizen online portal**, available 24/7 from the comfort of your home or office. You can also apply on one of the kiosks provided in the Planning Department office, located in the County Administrative Building, Suite 208.

Fast & easy application process
Track your permit status in real time
Upload documents directly

Visit <https://bonnercountyid-energogovweb.tylerhost.net/apps/selfservice#/home> to get started today!

Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

Build smarter. Apply online.
[Online Application Guide](#)

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Janna Brown <janna.brown@bonnercountyid.gov>

Fw: Bonner County Planning - File CUP0008-25 - Notice of Hearing

1 message

'Ken Flint' via Mail-Planning <planning@bonnercountyid.gov>

Wed, Feb 4, 2026 at 1:28 PM

Reply-To: Ken Flint <ken_flint@tcenergy.com>

To: Bonner County Planning Department <planning@bonnercountyid.gov>

No Comment - Not near TC Energy ROW.

Ken Flint

Ken Flint**Land Representative, USNG Land Services**ken_flint@tcenergy.com

mobile: 509-991-0804 desk: 509-533-2836



201 West North River Dr Suite 505

Spokane, WA 99201

TCEnergy.com

For more pipeline information, please visit: <https://www.tcenergyopenhouse.com/beforeyoudig/>

From: US Crossings <us_crossings@tcenergy.com>**Sent:** Tuesday, January 6, 2026 3:51 PM**To:** Ken Flint <ken_flint@tcenergy.com>**Subject:** Bonner County Planning - File CUP0008-25 - Notice of Hearing

FYI...

Happy New Year.

Thank you,

Lilian Gonzalez

Land Analyst, USNG Land Services

us_crossings@tcenergy.com

tel: 1-800-562-8931



TCEnergy.com

From: Bonner County Planning Department <planning@bonnercountyid.gov>

Sent: Tuesday, January 6, 2026 1:32 PM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spiritleakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritleakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfidchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; ITD - Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joekren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lactedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Luke Bates <luke.bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Merritt Horsmon <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District

<saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.us>; US Crossings <us_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epbfdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>
Cc: jack.howard@swsdidaho.org; kmeschko@kellerassociates.com; Daniel Britt <daniel.britt@bonnercountyid.gov>
Subject: [EXTERNAL] Bonner County Planning - File CUP0008-25 - Notice of Hearing

EXTERNAL EMAIL: PROCEED WITH CAUTION.

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe. If this email looks suspicious, report it.

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

Now Live: Apply for Your Building Location Permit Online!

We're making building easier! You can now apply for your **Building Location Permit** quickly and securely through our **new citizen online portal**, available 24/7 from the comfort of your home or office. You can also apply on one of the kiosks provided in the Planning Department office, located in the County Administrative Building, Suite 208.

Fast & easy application process

Track your permit status in real time

Upload documents directly

Visit <https://bonnercountyid-energovweb.tylerhost.net/apps/selfservice#/home> **to get started today!**

Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

Build smarter. Apply online.

[Online Application Guide](#)

We respect your right to choose which electronic messages you receive. **To stop receiving this and similar communications from TC Energy please reply to this email and change the subject line to "UNSUBSCRIBE".** This electronic message and any attached documents are intended only for the named addressee(s). This communication from TC Energy may contain information that is privileged, confidential or otherwise protected from disclosure and it must not be disclosed, copied, forwarded or distributed without authorization. If you have received this message in error, please notify the sender immediately and delete the original message. Thank you.

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 **Notice of Public Hearing.pdf**
684K

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **6th** day of **January 2026**.

Jeannie L Welter
Jeannie Welter, Systems Technician

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, January 6, 2026**.

NOTICE IS HERBY GIVEN that the Bonner County Zoning Commission will hold a public hearing at **5:30 pm** on **Thursday, February 12, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following requests:

File CUP0008-25 – Conditional Use Permit – Marina: The applicants are requesting a conditional use permit for a marina and upland accommodations on ±2.16 acres. The property is zoned Recreation. The project is located off Lakeshore Drive in Section 34/35 Township 57 North, Range 2 West, Boise-Meridian. The project site is located within the service areas of Southside Water & Sewer District and Sagle Fire District.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than seven (7) days prior to the public hearing. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT _____
Name

Date



476864 Highway 95, Suite 3
Ponderay, ID 83852
(208) 635-5825

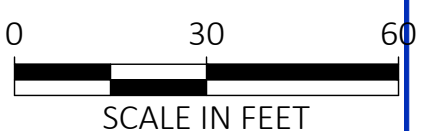
LONG BRIDGE MARINA EXPANSION PARKING PLAN

11/18/2025 PRELIMINARY - NOT FOR CONSTRUCTION

Exhibit A

BUILDING = 7,093 SF
MAIN: 5,853 SF
COTTAGE 1: 430 SF
COTTAGE 2: 477 SF
RENTAL SHACK: 333 SF
IMPERVIOUS = 36,807 SF
958+4215+121+49+649+87+25646+4819+263
PERVIOUS = 24,293 SF
2567+5431+1504+7082+2212+925+729+3843

LAKE PEND OREILLE



51 LAKESHORE DR

41 LAKESHORE DR
SAGLE, ID 83860
5,853 SF

IMPERVIOUS:
958 SF

PERVIOUS:
2,567 SF

PERVIOUS:
5,431 SF

IMPERVIOUS:
4,215 SF

IMPERVIOUS (SDWK):
121 SF

PERVIOUS:
1,504 SF

IMPERVIOUS (SDWK):
49 SF

IMPERVIOUS (GRAV):
649 SF

PERVIOUS:
2,212 SF

IMPERVIOUS:
87 SF

PERVIOUS:
7,082 SF

PERVIOUS:
729 SF

PERVIOUS:
925 SF

IMPERVIOUS (ASPHALT):
25,658 SF

IMPERVIOUS (GRAV):
4,819 SF

27 LAKESHORE DR
477 SF

PERVIOUS:
3,843 SF

BOAT RENTAL
SHACK
333 SF

23 LAKESHORE DR
430 SF

IMPERVIOUS
263 SF

LAKESHORE DRIVE

US HWY 95

476864 Highway 95, Suite 3
Ponderay, ID 83852
(208) 635-5825

LONG BRIDGE MARINA EXPANSION
EXISTING SURFACE QUANTITIES



Plot Date: 9/23/2025 4:35 PM Plotted By: Deidra Hilliard
P:\2025\PROJECTS\2025\2025 41 DEGREES SOUTH - MILBATH CAD\BASE FILES\2025\ECM_CUP QUANTITIES.DWG



TOTAL DOCK = 7,407 SF
DOCK WITHIN PARCEL: 3,634 SF
WATER WITHIN PARCEL
(EXCLUDING DOCK): 22,189 SF

This site plan illustrates a waterfront property with various docks and a large water area. The plan includes the following features and labels:

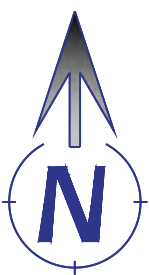
- LITTORAL LINE**: Indicated by a dashed line on the left side of the property.
- 25' LITTORAL OFFSET LINE**: A dashed line parallel to the littoral line, offset by 25 feet.
- PROPERTY BOUNDARY, TYP.**: Shown as a solid line with multiple segments around the property.
- US HIGHWAY 95 RIGHT-OF-WAY**: Located on the right side of the property, marked with a dashed line and labeled "R/W".
- TOTAL DOCK: 7,407 SF**: A label pointing to the upper dock structure.
- TOTAL DOCK INSIDE PARCEL: 3,634 SF**: A label pointing to the lower dock structure.
- TOTAL WATER INSIDE PARCEL: 22,189 SF**: A label pointing to the large water area within the property boundary.
- PROPERTY BOUNDARY, TYP.**: A label pointing to the boundary line at the bottom left corner.

The plan also shows a green hatched area at the bottom right, likely representing a shoreline or wetland area, and a series of "R/W" labels along the right boundary.

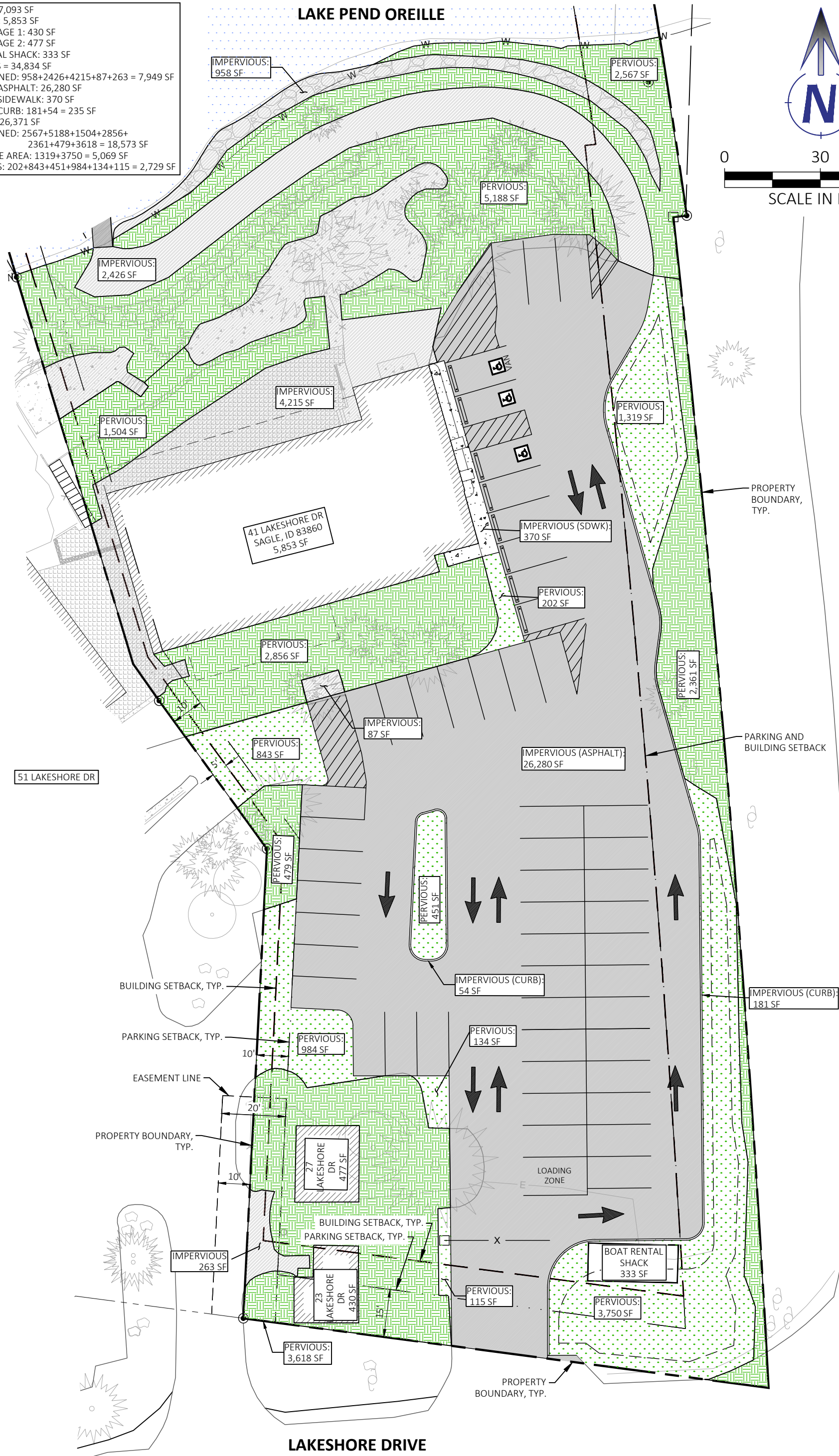
Exhibit B

BUILDING = 7,093 SF
MAIN: 5,853 SF
COTTAGE 1: 430 SF
COTTAGE 2: 477 SF
RENTAL SHACK: 333 SF
IMPERVIOUS = 34,834 SF
RETAINED: 958+2426+4215+87+263 = 7,949 SF
NEW ASPHALT: 26,280 SF
NEW SIDEWALK: 370 SF
NEW CURB: 181+54 = 235 SF
PERVIOUS = 26,371 SF
RETAINED: 2567+5188+1504+2856+
2361+479+3618 = 18,573 SF
SWALE AREA: 1319+3750 = 5,069 SF
GRASS: 202+843+451+984+134+115 = 2,729 SF

LAKE PEND OREILLE

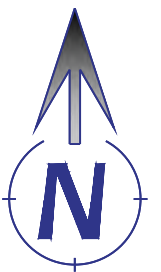


0 30 60
SCALE IN FEET



476864 Highway 95, Suite 3
Ponderay, ID 83852
(208) 635-5825

LONG BRIDGE MARINA EXPANSION
PROPOSED SURFACE QUANTITIES



SCALE IN FEET

TOTAL DOCK = 13,818 SF
DOCK WITHIN PARCEL: 3,718 SF
WATER WITHIN PARCEL
(EXCLUDING DOCK): 22,106 SF

LAKE PEND OREILLE



476864 Highway 95, Suite 3
Ponderay, ID 83852
(208) 635-5825

LONG BRIDGE MARINA EXPANSION
PROPOSED SURFACE QUANTITIES

PRELIMINARY - NOT FOR CONSTRUCTION

Exhibit C

FILE CHECKLIST

DATE RECEIVED 6-13-00 APPLICATION DATE STAMPED yes
 APPLICANT NAME MAC, LLC PLANNER ASSIGNED EMT
 FILE NUMBER C693-00 PROJECT (General) Commercial Resort
 (Specific) _____

☒ COPY OF DEED ☒ APPLICANT'S SIGNATURE ☒ PHOTOGRAPHS (Optional)

☒ TOPO MAPS (Optional) ☒ ADEQUATE MAPPING ☒ LAND CAPABILITY REPORT

☒ STORMWATER/EROSION CONTROL PLAN ☒ ADEQUATE VICINITY AND RADIUS MAP ☒ Traffic Impact Study

ZONING <u>Proposed REC</u>	SECTION <u>35</u>	TOWNSHIP <u>57</u>	RANGE <u>2W</u>
INDEX CARDS _____	DRAFT STAFF REPORT _____		
STAFF REVIEW COMPLETE <u>6/27/00</u>	STAFF REVIEW INCOMPLETE <u>6/21/00</u>		
END OF 30 DAY AGENCY REVIEW <u>7/28/00</u>	AGENCY REVIEW MAILED <u>6/28/00</u>		
AGENCY REVIEW COMPLETED <u>7/28/00</u>	ADDITIONAL AGENCY INFO <u>N/A</u>		
LABELS PREPARED <u>9-11-00</u>	SUMMARY SHEETS <u>9-11-00</u>		
P & Z HEARING DATE <u>10-5-00</u>	BOCC HEARING DATE _____		
P & Z MAILING SENT <u>9-15-00</u>	BOCC MAILING SENT _____		
P & Z LEGAL PUBLISHED <u>9-19-00</u>	BOCC LEGAL PUBLISHED _____		
SITE POSTED BY _____	RESOLUTION DRAFTED _____		
ORDINANCE/SUMMARY PUBLISHED _____	RESOLUTION SIGNED _____		

FEE LOG

DATE	AMOUNT	RECEIPT #	FOR
<u>6/13/00</u>	<u>350.00</u>	<u>5478</u>	Application <u>350</u>
	<u>50.00</u>	<u>"</u>	Stormwater <u>50</u>
			Mailing
			Legal Notice
			Time Extension
			Appeals
			Final Plat Check
			County Surveyor

REQUEST TO EXAMINE / COPY PUBLIC RECORDS

TO: Bonner County Planning Department

I hereby request, pursuant to Idaho Code §9-338, to examine and/or copy the following public records:

7 Copies of Stevens Landings Remodel & Addition

- ☐ These records specifically pertain to myself.
☐ I wish to merely examine these records.
☒ I wish copies of these records. (The cost of which will be determined pursuant to the following fee schedule.)

Copies 8½ x 11 B/W	.10/page plus sales tax
8½ x 14 B/W	.15/page plus sales tax
11 x 17 B/W	.20/page plus sales tax
8½ x 11 Color	\$1.25/page plus sales tax
8½ x 14 Color	1.75/page plus sales tax
11 x 17 Color	2.50/page plus sales tax
Copy of hearing tape	\$ 6.25/tape plus sales tax

The cost of copying files needing specialized paper, or those which are oversized, will be determined by that department and Idaho Code §31-3205. The cost of electronic copying will be determined by that department and Idaho Code §9-337-338.

I understand that if the material I have requested to examine or copy is not available within three (3) working days the County / Department, under Idaho Code §9-339, will notify me in writing that said records will be provided no later than ten (10) working days following the date of my request.

Printed Name:

P.J. STERLING

Mailing Address:

Telephone Number:

415 497-8533
208-253-1303

Date:

9/8/06

Signature:

P.J. Sterling

I acknowledge by my signature that the records sought by this request will not be used for a mailing list or telephone list, as set forth in Idaho Code §9-348.

The Bonner County Planning Department Is Not Required to Provide Multiple Copies of the Same Document.

7 x 10.50 = 73.50 + TAX 3.68 =

Total cost of request: \$

77.18

Request received in the Planning Department on _____

by _____

Official

Karen Guidry

From: Shirley Walson

Sent: Friday, October 29, 2004 10:23 AM

To: Planning

Subject: Swan's Landing

Lisa ~

You called Oct. 25 regarding Swan's Landing. The turn lane was installed this week. Our foreman has checked it and said everything looks good. If you have any questions, please call me.

Shirley

Shirley Walson

Idaho Transportation Department

D-1 Traffic Section, Permits Coordinator

600 W. Prairie Ave.

Coeur d'Alene, ID 83815

(208)772-1297



10/29/2004



BONNER COUNTY

PLANNING DEPARTMENT

Clare Marley, AICP
Planning Director

VIA FACSIMILE
Hard copy by mail

July 30, 2004

John Finney, Attorney at Law
120 E. Lake St., Suite 317
Sandpoint, ID 83864

RE: Swan's Landing development

Dear John:

You have requested that I provide you information regarding the status of the building location permit for the hotel/inn addition to Swan's Landing on Lot 1A, Block 10, of Lakeside Place, south of Sandpoint on Lakeshore Drive (Assessor's Parcel #RP00234010001).

Please be advised of the following:

- Conditional use permit #C693-00 was issued April 26, 2001, by the Bonner County for expansion of a commercial resort to allow dining, lodging and retail sales. Use was to have commenced within two years of the issuance of the permit. Construction of the addition commenced in 2001, and use of the site for a restaurant continues.
- Building location permit #01-182 was issued April 27, 2001, by Bonner County Planning Department to MAC, LLC for the hotel/inn commercial addition. Section 11-122(a), Bonner County Revised Code (BCRC), provides that a permit shall expire if work is not commenced within 180 days of issuance or if work has been suspended or abandoned for a period of more than 180 days. Work has been abandoned for a period of more than 180 days, according to file records, which show work ceased in August of 2001. Therefore, permit #01-182 has expired. This section of code provides that in order to renew action on a building location permit after expiration, a fee shall be paid in the amount required for a new permit, and a new building location permit shall be obtained.
- The conditional use permit included a condition #11, which required the construction of a south-bound, right-turn lane on Lakeshore Drive and Highway 95 to the satisfaction of the Idaho Transportation Department (ITD). A surety agreement and letter of credit were filed with ITD by the previous owner for completion of the lane improvement, but the letter of credit guaranteeing the work was withdrawn. ITD informed Bonner County that no work should continue until the right turn lane is constructed or a new surety agreement and surety are provided to ITD (letter dated 9/12/02).
- ITD Engineer Michael Porcelli informed Glen Harvey in a June 8, 2004, letter that ITD did not object to issuance of a building permit to resume work provided that the turn lane be completed prior to issuance of a certificate of occupancy. Bonner County does not issue certificates of occupancy. In my discussions with Mr. Porcelli the week of July 12, 2004, he agreed that a bond or other form of surety would be acceptable for the guarantee of the lane improvement.

Based on the above, in order for work to resume on the commercial development, a building location permit application to renew action on building location permit #01-182 shall be filed with Bonner County Planning Department, along with the requisite fees. Proof of the renewal of the surety with ITD will need to be submitted with the building location permit application. The approved site plans, stormwater plan and stamped building plans can be transferred to the new file, provided there have been no changes to these items.

Please contact me at the Planning Department if you have any additional questions. Thank you.

Sincerely,


Clare Marley, AICP
Bonner County Planning Director

c: Glen Harvey, 205 West Shore Lane, Sandpoint, ID 83864
George Gauzza, via facsimile
Michael Porcelli, PE, Idaho Transportation Department

From: Marty Taylor <mtaylor@jasewell.com>
To: "Clare Marley (E-mail)" <cmarley@co.bonner.id.us>
Date: Mon, Jun 2, 2003 10:48 AM
Subject: Swan's BLP

Hi Clare:

As we discussed last Friday, the previously issued BLP for the 24 unit hotel at Swan's Landing has expired. (Tina and I were unable to locate the BLP number in the Access database.) Construction ceased on or about August, 2001, according to Contractor Frank Wakeley. The applicant desires to resume construction for an 18 unit hotel v. the 24 units authorized by C693-00. There is no change in the building's footprint or dripline, and therefore no change in stormwater management. Similarly, with the reduction in units, there is no increase in parking stalls required. However, structural changes are proposed necessitating new plans stamped by an Idaho licensed architect or engineer. The applicant will pursue a new use permit to "convert" the units from a hotel to a "multi-family dwelling" as you and I discussed last Friday. However, the immediate need is to obtain a new BLP.

Please confirm the ability to obtain a BLP for the 18 unit hotel, subject to stamped plans and agency sign-offs.

Thanks.

Marty

Martin E. Taylor, AICP
Certified Land Use Planner

James A. Sewell & Associates
Consulting Engineers, Land Surveyors and Land Use Planners
30336 Highway 200, Suite C
Sandpoint, Idaho 83864
Business: (208)263-4160
Fax: (208)263-5229
Cell: (208)610-0465
mtaylor@jasewell.com

Outgoing mail is certified Virus Free.

Checked by AVG anti-virus system (<http://www.grisoft.com>).

Version: 6.0.483 / Virus Database: 279 - Release Date: 5/19/03

Marty on Swan's Landing
1 lot - commercial /

5-30-03

29 units not counting cabins

↳ 'hotel/inn' units

multi-family units -

4 - acres

2 separate bldgs -
on 1 lot

REC only allows
1 MF

→ needs split - short plat -

differs
from
e-mail

18 units on East

12,000

51,000 63K

12

West need

12,000 +

33,000 45K

30

parking so → 2/ DU ...
lot coverage 35%

→ condo plat

→ has approval of 'unit count'

$$\begin{array}{r} 17 \\ \times 3 \\ \hline 51 \end{array}$$
 → 1440(d) MF - C.U.P. new not
modify

→ need new BLP for structure = / changed
S_H2O is changing - so need new

3/18/04 Leo Gump

4ac x 43,560 - 12,000 ÷ 3000 = 5.5 units

but has restaurant already lot coverage
issue start all over new cut

sewer traffic / lot coverage / traffic improvements
need pre-app

! what is actual acreage

JAMES A. SEWELL & ASSOCIATES

Consulting Engineers, Land Surveyors & Land Use Planners

Newport

600 4th Street West
Newport, Washington 99156
(509) 447-3626
(208) 437-2641
(509) 447-2112 Fax

Ponderay

Pend Oreille Professional Center
30336 Highway 200, Suite C
Ponderay, Idaho 83852
(208) 263-4160
(208) 263-5229 Fax

Spokane

Hutton Building
9 South Washington, Suite 708
Spokane, Washington 99201
(509) 747-5794
Fax (509) 747-5798

*Civil Engineering *Electrical Engineering *Land Surveying *Building Inspection *Land Use Planning

VIA FACSIMILE ONLY (509-448-5556 hm.)

May 30, 2003

Alex Verhoogen
Swan's Landing
41 Lakeshore Drive
Sagle, Idaho 83860

SUBJECT: Swan's Landing Modifications (Planning Dept. Meeting)

Dear Alex:

I met with Bonner County Planning Director Clare Marley today to discuss your May 28, 2003, proposed modifications to the project at Swan's Landing, specifically:

- A. 18 condominiums are proposed in the "lodge" where 24 hotel units were approved; and
- B. 12 condominiums are proposed in the "villas" where 5 hotel units were approved.

Confirmed in our meeting was the following based on a review of Bonner County Revised Code:

1. The prior approval was for a "commercial resort" to include rented seasonal living units (i.e., the 29 hotel rooms) within a single lot.
2. The current proposal is to change the use from transient (hotel) lodging to fee ownership (condo) lodging.
3. The current proposal is for two multi-family buildings on this ± 4 acre single lot.
4. The Recreation Zone only provides for one multi-family dwelling on a single lot.
5. Lot 1A therefore needs to be short platted into two lots.
6. The west lot proposed for 12 units in one building must contain at minimum 45,000 square feet.
7. The east lot proposed for 16 units in one building must contain at minimum 63,000 square feet.
8. Parking standards increase from 1.25 spaces/unit for hotels to 2 spaces/unit for residences.

Alex Verhoogen Re: Swan's Landing Modifications (Planning Dept. Meeting)
5/30/03
Page 1 of 2



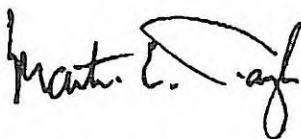
9. Parking for these two buildings must be within 300' of the units.
10. Structural lot coverage is limited to 35% for both resulting lots.
11. Stormwater management plans may need to be modified accordingly based on possible changes in impervious surface (parking, roofs, etc.).
12. Condo "platting" will be necessary.
13. Due to the existing Level of Service "F" at the Lakeshore Drive/Highway 95 intersection, approvals for additional units beyond 30 (the 29 approved and the conversion of the existing residence on the west end of Lot 1A into the 30th condo unit) is doubtful.
14. The previously issued building location permit has expired. A new building location permit must be obtained prior to commencing construction on the 18 unit structure. Because the structure will change from a 24 unit inn to an 18 unit condominium, new plans stamped by an Idaho licensed architect or registered engineer are necessary.

In summary, a new conditional use permit application is necessary because the project has changed materially (from "commercial resort" to "multi-family dwellings.") Conditional use permit issuance authorizing construction of the proposed condominiums will be predicated in part on final plat recording creating two lots containing sufficient square footage to comply with setback, parking, lot coverage and other applicable multi-family dwelling standards.

I recommend that we meet at your earliest opportunity to firm up your plans so that I may begin the application and permit processes.

Sincerely,

JAMES A. SEWELL & ASSOCIATES



Martin E. Taylor, AICP
Certified Land Use Planner

c: Clare Marley (via facsimile only: 265-1463)

From: Clare Marley
To: GWDOM:mtaylor@jasewell.com]
Subject: Re: Swan's BLP

I provided Alex with a blp form some time ago, advising him that a new stormwater plan would not be needed if all things remain the same. If an 18-unit, rather than 24 unit is now proposed, and the footprint remains the same, it is equal or less than the previous blp/cup. No modifications of the cup are needed at this time, but would be required pursuant to our discussion, if the building is to become multi-family housing rather than a commercial resort. The blp will need the standard fire, southside, roads, and stamped plans as previously noted. cm.

Clare Marley, AICP
Planning Director
Bonner County Planning Department
(208) 265-1458

Clare Marley, AICP
Planning Director
Bonner County Planning Department
(208) 265-1458

>>> Marty Taylor <mtaylor@jasewell.com> 06/02 10:12 AM >>>

Hi Clare:

As we discussed last Friday, the previously issued BLP for the 24 unit hotel at Swan's Landing has expired. (Tina and I were unable to locate the BLP number in the Access database.) Construction ceased on or about August, 2001, according to Contractor Frank Wakeley. The applicant desires to resume construction for an 18 unit hotel v. the 24 units authorized by C693-00. There is no change in the building's footprint or dripline, and therefore no change in stormwater management. Similarly, with the reduction in units, there is no increase in parking stalls required. However, structural changes are proposed necessitating new plans stamped by an Idaho licensed architect or engineer. The applicant will pursue a new use permit to "convert" the units from a hotel to a "multi-family dwelling" as you and I discussed last Friday. However, the immediate need is to obtain a new BLP.

Please confirm the ability to obtain a BLP for the 18 unit hotel, subject to stamped plans and agency sign-offs.

Thanks.

Marty

Martin E. Taylor, AICP
Certified Land Use Planner

James A. Sewell & Associates
Consulting Engineers, Land Surveyors and Land Use Planners
30336 Highway 200, Suite C
Sandpoint, Idaho 83864
Business: (208)263-4160
Fax: (208)263-5229
Cell: (208)610-0465
mtaylor@jasewell.com

Outgoing mail is certified Virus Free.

174, 240

1 +

55 units
@ max potential

From: Marty Taylor <mtaylor@jasewell.com>
To: "Clare Marley (E-mail)" <cmarley@co.bonner.id.us>
Date: Fri, May 23, 2003 11:19 AM
Subject: Swan's Landing CUP Modifications

5/23/03 Fri.

Hi Clare:

I'd like to meet with you in the conference room for 15 to 30 (?) minutes to discuss the particulars of modifying C693-00. The applicant desires to construct 16 condominiums in the "lodge" where 24 hotel units were approved, and 14 condominiums in the "villas" where 5 hotel units were approved. This is all presently one lot (Bk. 6, Pg. 132), all zoned Rec. Financing is not available for hotels, so it's condos here we go.

My review of the prior approval and current codes reveals:

1. The prior approval was for a "commercial resort" to include rented seasonal living units (i.e., the 29 hotel rooms) within a single lot.
2. The current proposal is to change the use from transient (hotel) lodging to fee ownership (condo) lodging.
3. The current proposal is for two multi-family buildings on this ± 4 acre single lot.
4. The Rec. zone only provides for one multi-family dwelling on a single lot. (BCRC, §12-1440[d])
5. Lot 1A therefore needs to be short platted into two lots.
6. The west lot proposed for 14 units in one building must contain at minimum 51,000 sq. ft. (BCRC, §12-1440[d]).
7. The east lot proposed for 16 units in one building must contain at minimum 57,000 sq. ft. (BCRC, §12-1440[d]).
8. Parking standards increase from 1.25 spaces/unit for hotels (BCRC, §12-1816[c]) to 2 spaces/unit for residences (BCRC, §12-1818[e]).
9. Parking for these two buildings must be within 300' of the units (BCRC, §12-1818[d]).
10. Lot coverage is limited to 35% for both resulting lots (BCRC, §12-627).
11. Stormwater management plans may need to be modified accordingly based on possible changes in impervious surface (parking, roofs, etc.)
12. Condo "platting" will be necessary (BCRC, §12-2302[a]).
13. Due to the existing Level of Service "F" at the Lakeshore Drive/Highway 95 intersection, I don't anticipate approvals for additional units beyond the 29 approved and the conversion of the existing residence on the west end of Lot 1A into the 30th condo unit.

I anticipate petitioning to modify the terms of Conditions 1 (site plan) and 9 (units) (BCRC, §12-460). CUP issuance will be predicated on final plat recording creating two lots containing sufficient square footage to comply with multi-family dwelling and lot coverage standards.

Let me know when we can meet.

Thanks.

Marty



41 LAKESHORE DRIVE

SAGLE, IDAHO 83860

208-265-2000

FAX 208-265-2011

12 April 2003

Claire Marley, Director
Bonner County Planning and Zoning Dept.
123 South First
Sandpoint, ID 83864

Re: Swan's Landing

Dear Ms. Marley

Pursuant to our phone conversation a few days ago, I have been informed that your office differentiates between work stoppage and work slow down on a construction project.

I discussed this concept with the builder on the hotel project, Frank Wakeley, with the conclusion that we never completely shut down the project. Most of our efforts were aimed at securing the necessary financing, but the restaurant, which will be included in the hotel, as per the design you have been provided, has continued to operate as a resort, and we have occasionally done some work. I have invoices from the builders which would testify that there was ongoing work, although admittedly a small amount. We have also continued with the manufacturing of components that will be part of the structure.

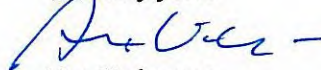
We will then plan on continuing construction.

In regards to the partial change in the format of the project, I will need a ruling from you. The original permit was for a 30 room hotel, with 23 rooms in the attached hotel building, and seven rooms in a separate building. We now think that we would do a portion of the project as a condo-hotel. The total number of rooms will not change, and the basic footprint of the buildings will not change. The main difference is simply that instead of the hotel owning all 30 rooms, a portion will be held by others.

I would be glad to come in to present this to you more formally.

Thanks again, by the way, for calling me back so promptly.

Sincerely yours



Alex Verhoogen

Cc: Frank Wakeley



State of Idaho
Transportation Department
District 1
600 West Prairie
Coeur d'Alene, Idaho 83815
Attn: Carole Richardson

C693.00

Dear Carole,

September 16, 2002

Re: The Inn at Swan's Landing

Further to your correspondence of September 12, 2002 directed to the Bonner County Planning Department, respecting the turn lane requirements for this project, please be advised that Eterra Resorts Inc. withdrew its services for development management as of January 2002. I understand the Inn's sponsor, Dr. Alex Verhoogen, is handling these issues himself these days.

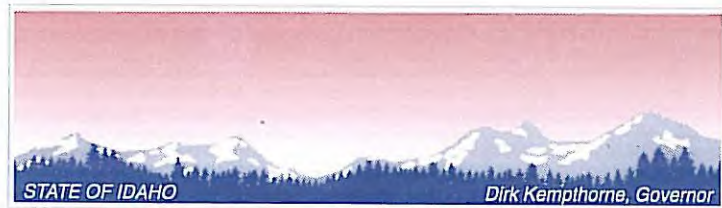
I greatly appreciated your trust in dealing with the postponement we requested, and I would expect that Dr. Verhoogen will honor that trust in providing either the turn lane itself or a renewed letter of credit **prior to** any further work being commenced on the project.

Raphael Barta
President
Eterra Resorts Inc.



cc Clave

Bonner County Planning Dept



TRANSPORTATION DEPARTMENT

DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

September 12, 2002

Marty Taylor
Director
Bonner County Planning Department
127 South First Avenue, Suite 1
Sandpoint, ID 83864

Re: The Inn at Swan's Landing

6693-00

Dear Marty:

This letter is to follow up on traffic mitigation for the Swan's Landing Development. If you recall, ITD had requested a right hand turn lane on Lakeshore Drive prior to expansion of Swan's Landing.

To accommodate the developer's desire to begin site improvements and construct the turn lane when weather conditions were better, we had originally arranged with the developer to provide a surety agreement and letter of credit for turn lane construction. These documents have since expired.

At the time the letter of credit came due, the developer requested an extension of our agreement while new financing was sought for the development itself. ITD agreed to this in good faith, but stated our expectation that a new letter of credit was to be submitted prior to any further work at the site. Attached correspondence shows the developer agreed to this.

Recently, our Traffic Engineer attended a meeting with your Commissioners and Public Works Director. At this meeting, it was decided that the County would work with the developer to see if turn lane construction could be facilitated at the time Lakeshore Drive was paved. It appears the paving project is now complete, however for one reason or another, the turn lane was not constructed.

It is still our understanding that the turn lane will be constructed by the developer. No further construction should occur at the Swan's Landing site until either:

- a. the right turn lane is constructed; or
- b. a new letter of credit and surety agreement is provided to ITD.

If the County plans to handle this differently, please let me know.

Sincerely,

Carole Richardson, P.E.
District 1 Transportation Planner



Transportation Department
District 1
600 West Prairie
Coeur d'Alene, Idaho 83815

Attention: Carole Richardson
District Transportation Planner

January 24, 2002

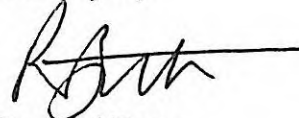
RE: Surety Agreement and Letter of Credit
The Inn at Swan's Landing
US 95 and Lakeshore Drive

Dear Mrs. Richardson,

Further to your correspondence of September 21, 2001, I am writing to inform you that we have still not completed the financing arrangements for the project. The combination of economic recession and the effects on the hotel industry of September 11, have made it very difficult to raise the necessary equity and debt. While we absolutely believe in the merits of the project, and are optimistic we will eventually be successful, we cannot at this time estimate when this might occur.

We further confirm that no construction activity will be resumed until we have renewed the Letter of Credit to your satisfaction.

Thank you,

A handwritten signature in black ink, appearing to read 'R. Barta', with a long horizontal line extending to the right.

Raphael Barta
Eterra Resorts Inc.



TRANSPORTATION DEPARTMENT
DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

September 21, 2001

Eterra Resorts Inc
Attn: Raphael Barta
202 South First Ave.
Sandpoint, ID 83864

RE: Surety Agreement and Letter of Credit
The Inn at Swan's Landing
US95 and Lakeshore Drive

Dear Mr. Barta:

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An extension for the March 26, 2001 Surety Agreement between MAC LLC, applicant and Idaho Transportation Department is acceptable. By December 31, 2001, a new letter of credit must be provided to replace Pend Oreille Bank's *Irrevocable Commercial Letter of Credit No. 658* on the same terms as outlined in the current surety agreement. A completion date of August 31, 2002 for actual construction of the turn lane is acceptable to ITD.

To recap my e-mail transmittal, ITD's concurrence with the planned improvements is strictly conditioned upon the turn lane construction. Until we receive a new letter of credit, there should be no improvements to the Inn at Swan's Landing property.

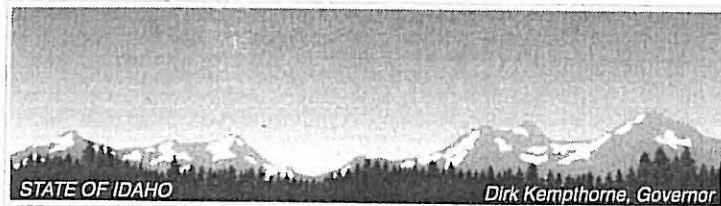
Thank you for coordinating with ITD on this project. If you have any questions, please do not hesitate to contact our offices.

Sincerely,

Carole Richardson, P.E.
District Transportation Planner

CR/sw

C: DTE MTCE DTP/File Permits
Alex N. Verhoogen
Pend Oreille Bank
Tim Elsea, Bonner County Public Works Director
Marty Taylor, Bonner County Planning Director, file reference C693-00



TRANSPORTATION DEPARTMENT

DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

September 12, 2002

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Director
Bonner County Planning Department
127 South First Avenue, Suite 1
Sandpoint, ID 83864

Re: The Inn at Swan's Landing

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Sincerely,

Carole Richardson, P.E.
District 1 Transportation Planner

Bcc: DE
ADE
DTE
PDE
DTP
MTC - Spickelmire
Tim Elsea
Raphael Barta, Eterra Resorts



RECEIVED

MAY 15 2002

41 LAKESHORE DRIVE

SAGLE, IDAHO 83860

208-265-2000

FAX 208-265-2011

13 May 2002

Tom Suttmeier
Bonner County Commissioner
Courthouse
215 South First Street
Sandpoint, ID 83864

*Mark - please
bring us up to
speed on request
thanks
serry*

RE: The Inn at Swan's Landing

Dear Tom:

I last wrote to you in October regarding a brief conversation we had as to what Bonner County could do to assist us in our attempt to build a hotel at Swan's Landing. I have enclosed a copy of that letter just to refresh your memory, and preclude you're having to dig through previous correspondence.

I don't need to tell you that we have had some problem getting our financing together. There are a number of factors, but the events of 9/11 certainly didn't help. Anyway, I think things are starting to perk up again, and it looks like we may be able to get going again. But we do need some help.

First of all - the widening of the Lakeshore Drive intersection. Our first phase of construction will be just 23 rooms, three more than the original request from Planning and Zoning. As described in the enclosed letter copy, it was not until we decided to go for 29 rooms that we were asked to do the widening. The cost of the widening would be a real burden on us right now, but I'm sure you know how badly the paving needs to be done. Any help we could get to excuse us from that financial responsibility would, at this point, be great.

Secondly, we are attempting to get our financing with the help of a Business and Industries loan through the USDA. The USDA is, however, reluctant to give us a commitment to do the end loan until the construction is done. But the construction loan lenders won't commit until they know we have an end loan in place. So where do we start?

I do have a construction lender to is willing to put money into the project and use his financial clout to get the construction loan if we can get him a pretty firm letter from the end loan people. And I can get a firm letter from the end lender if we can get firm letters from the construction lender and the USDA.



The latter is where you might be able to help us. I would suppose that a strong push from you, or maybe the County Commissioners in general, as to the beneficial role such a venture would play in the economic development of Sandpoint and Bonner County, would be helpful in getting the USDA to give us the commitment we need. I realize that they probably cannot give an iron-clad commitment to finance, but perhaps "if certain criteria were met, they would." (I understand that actually the USDA B & I loan program can do the construction loans as well, but they don't like to because they are a lot of work.)

Anyway, Tom, anything you can do to help on either of these subjects would be greatly appreciated.

Please let me know what you think. I can supply you with the names of the people we dealt with for the road widening, County and State, as well as the local USDA official.

I look forward to hearing from you.

Sincerely yours,

A handwritten signature in blue ink, appearing to be "Ar".

15 October 2001

Tom Suttmeier
Bonner County Commissioner
Courthouse
215 South First Avenue
Sandpoint, ID 83864

RE: The Inn at Swan's Landing

Dear Commissioner:

Pursuant to our brief conversation this past weekend, we would be more than pleased to discuss with you potential ways we could work with the County to facilitate the development of the Inn at Swan's Landing and help insure its success.

I'm sure you are aware of the economic impact Swan's Landing already has on the Sandpoint area. In addition to employing 45 people, we feel that we do bring in extra dollars to the community from people who travel to Sandpoint for the express purpose of dining at Swan's Landing.

We feel that the presence of a high-end boutique hotel will have an even greater impact. In addition to the \$8 million in construction costs, most of which will be spent in the community, the increased labor force, and the tax revenues, we feel this hotel will become a destination in itself, bringing both leisure travelers and business groups to the area. Not to denigrate existing lodging in Sandpoint, but we feel that there really isn't any truly upscale facility here. In essence, we feel that Sandpoint badly needs The Inn at Swan's Landing.

We would then be interested in exploring ways in which Bonner County would be willing to help us out. This might be in the form of tax breaks. Or it might be in facilitating some of the bureaucratic hurdles we face.



Case in point: we were originally approved for 20 rooms, but a feasibility study concluded that we really needed about 30 rooms to make it work. The architectural design allowed for expansion in modules of six rooms, so we would then have to go for 26 or 32 rooms. We decided on the latter, applied for the 32 rooms, but then decided that we might combine six rooms into three two-room suites, giving us 29 rooms. We subsequently applied to expand to "about" 29 rooms. We were granted exactly 29 rooms, with no possibility of going back to the 32 room concept. And then, for the expansion from 20 to 29 rooms it was decided by Bonner County that we would have to be responsible for widening the intersection of Hwy. 95 and Lakeshore Drive. Fifteen hundred (1500) cars a day use that intersection, which we all know has been a traffic hazard long before Swan's Landing. So for 9 extra rooms, at a projected 45% occupancy, we have to pay to put in a right turn lane from Lakeshore onto 95.

As stated, we feel that Sandpoint and Bonner County need our project, and we would sincerely hope that the attitude would be of facilitation rather than opposition or an attempt at the realization of an opportunity.

Anyway, we would welcome the possibility of working with the Bonner County Commissioners.

Sincerely yours,

Alex Verhoogen
Owner
Swan's Landing



Transportation Department
District 1
600 West Prairie
Coeur d'Alene, Idaho 83815

Attention: Carole Richardson
District Transportation Planner

January 24, 2002

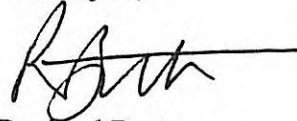
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Raphael Barta
Eterra Resorts Inc.



TRANSPORTATION DEPARTMENT
DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

September 21, 2001

Eterra Resorts Inc
Attn: Raphael Barta
202 South First Ave.
Sandpoint, ID 83864

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The Inn at Swan's Landing
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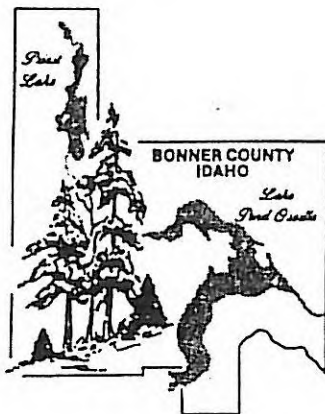
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Sincerely,

Carole Richardson, P.E.
District Transportation Planner

CR/sw

C: DTE MTCE DTP/File Permits
Alex N. Verhoogen
Pend Oreille Bank
Tim Elsea, Bonner County Public Works Director
Marty Taylor, Bonner County Planning Director, file reference C693-00



BONNER COUNTY

PLANNING DEPARTMENT

Martin E. Taylor, AICP
Planning Director

June 5, 2001

Bruce Millard, Architect
100 Jana Lane
Sandpoint, Idaho 83864

SUBJECT: The Inn at Swan's Landing (C693-00; Your File 98112)

Dear Bruce:

Thank you for your May 21, 2001, letter in response to our May 18, 2001, meeting wherein we discussed modifications to the terms and conditions of the approved and issued conditional use permit. Specifically, the project was approved for a 150 seat restaurant, two single unit rental cabins, a 24 room inn, a 359 square foot retail area, a 2 unit cabin and a 3 unit cabin, a 2,400 square foot maintenance building, a single family residence, and an auxiliary parking lot.

The proposed modifications outlined in your letter include:

1. The addition of a "European spa facility" to the western lower level of the Inn. This addition necessitates a modification of Condition 1 which presently stipulates that "the use shall be in accordance with the approved site plan." The approved site plan does not depict the spa addition. Similarly, the spa will create additional impervious surface which requires an amendment to the approved stormwater management plan (Condition 5).
2. A seven unit detached suite complex. As noted, the project was approved for a total of 32 units (two single unit rental cabins, a 24 room inn, a 2 unit cabin and a 3 unit cabin, and a single family residence). The modification (seven unit suite) is in lieu of the 2 unit and 3 unit cabins, one room in the 24 room inn (now reduced to 23 units) and the single family residence (to be demolished). Accordingly, the unit count remains unchanged. However, the stormwater management plan materially changes and must be modified (Condition 5).
3. The 24th room in the inn will be converted to an exercise room for the use of guests at the inn only. This does not result in a material change to the project as approved.

Please refer to Bonner County Revised Code, Section 12-460 for the procedure on modifying the terms and conditions of an approved permit. I am available if you need assistance.

Sincerely,

Martin E. Taylor, AICP
Planning Director

Bruce Eugene Millard - Architect

Studio of Sustainable Design

111 Cedar Street Suite 8 Sandpoint, Idaho 83864

100 Jana Lane, Sandpoint, Idaho 83864 -mailing

208 263 3815

fax 263 0136

bemarch@netw.com

Martin E Taylor AICP
Planning Director
Bonner Co Planning Department
127 South First Ave,
Sandpoint Idaho 83864

Monday, May 21, 2001

RE: The Inn at Swan's Landing
Hwy 95 @ Lakeshore Drive
Sagle, Idaho
My file #98112

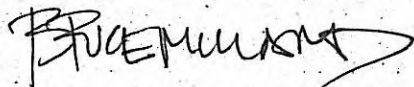
Dear Mr. Taylor,

I have been retained by the Owner of the above property to develop architectural concepts for additions and new buildings for the above property, that would modify the terms and conditions of the approved site plan. These additions are planned as listed below, and would be constructed in phases to be determined in the near future.

1. Addition to the western lower level of Inn for a 'European Spa Facility', that is connected to the Inn by a porch. This was not shown on the last conditional use approval process.
2. A seven suite Inn complex. This building is located below the upper parking lot on the western part of the site, where the existing house is located. This replaces the existing house, the duplex, and the tri-plex shown on the approved site plan. In addition it represents the last room approved for the 24 unit Main Inn Building. The final plans show 23 rooms in this building. Therefore, the total room count would be 30, plus the 2 existing cabins south of the present restaurant.
3. As we discussed, these facilities would be part of the Inn, for the use of Inn guests, and are not separate businesses.

Please review these modifications, and advise us of the filing and approval process.

Sincerely,



Bruce Eugene Millard- Architect

Cc: Alex Verhoogen
Wakeley / Key Construction



FATZ
39346

656523

First American Title
FILED BY

2004 AUG -6 P 3:05

MARIE SCOTT
BONNER COUNTY RECORDER

DEPUTY

CATHERINE L. DULLEA, CHTD.
Attorney at Law
101 N. Fourth Avenue, Suite 204
Sandpoint, Idaho 83864
Phone: (208) 265-2276
Fax: (208) 265-1556

CONFIRM
QUITCLAIM DEED

FOR VALUE RECEIVED, OLYMPIC COAST INVESTMENT, INC., a Washington corporation, individually and as Investment Manager, does hereby CONVEY, RELEASE, REMISE and forever QUITCLAIM unto GLEN RAY HARVEY, an unmarried man, as to an undivided 50% interest, and LESLIE WOOD, a single woman, as to an undivided 50% interest, as Joint Tenants with right of survivorship, and not as tenants in common, whose current address is 4377 Via Esperanza, Santa Barbara, CA 93110, the following described real property situate in the County of Bonner, State of Idaho, to wit:

PARCEL I:

Lot 6A of Replat of Lots 6-8, Block 7, Lakeside Place, according to the plat thereof, recorded in Book 6 of Plats, page 130, records of Bonner County, Idaho.

PARCEL II:

Lot 1A of Replat of Lots 1-10, Block 10, Lakeside Place, according to the plat thereof, recorded in Book 6 of Plats, page 132, records of Bonner County, Idaho.

TOGETHER WITH its appurtenances and after acquired title.

X DATED this 5th day of August, 2004.

OLYMPIC COAST INVESTMENT, INC.

X
By: TODD A. HOSS
SENIOR VICE PRESIDENT



QUITCLAIM DEED 1

C.692-04

STATE OF WASHINGTON)
County of KING) ss.

This day personally appeared before me, the undersigned Notary Public, TODD A. HOSS, known to me to be the SENIOR Vice President of OLYMPIC COAST INVESTMENT, INC., a Washington corporation, the entity that executed the within Instrument, and acknowledged to me that such entity executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 5th day of August, 2004.



Mara R. Clark
Notary Public
Residing at: Stanwood
Comm. Exp: 11-29-05



TRANSPORTATION DEPARTMENT
DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

*Swan's Landing file
C693-00*

June 8, 2004

Mr. Glen Harvey
Swan's Landing

Dear Mr. Harvey:

As previously stated to Mr. Gauzza of Sandpoint Realty, there will be no additional or changed requirements for the proposed improvements to Lakeshore Drive at US Highway 95 that were to be constructed as a requirement of the condominium development at Swan's Landing if the development is the same or smaller than originally proposed.

Design and permitting requirements for the Lakeshore Drive improvements were previously transmitted to Mr. Gauzza.

The Idaho Transportation Department does not object to issuance of building permits necessary to resume work on the project. However, we would request that the certificate of occupancy not be requested or issued until the improvements to Lakeshore Drive are completed to the satisfaction of the Department and Bonner County.

Please feel free to contact me with questions at 208-772-1218.

Sincerely,

Michael A. Porcelli, P.E.
District Traffic Engineer

Cc: Bonner County
George Gauzza





TRANSPORTATION DEPARTMENT
DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

May 27, 2004

CUP # C

Sandpoint Realty
Attn: George Gauzza
223 North First Street
Sandpoint, Idaho 83864

Dear Mr. Gauzza:

To confirm our earlier discussions, there will be no additional or changed requirements for the proposed improvements to Lakeshore Drive at US Highway 95 that were to be constructed as a requirement of the condominium development at Swan's Landing if the development is the same or smaller than originally proposed.

Improvements to Lakeshore Drive should be per the attached drawings. An ITD encroachment permit application by the Swan's Landing owner on behalf of Bonner County will be required for the work. Please contact Shirley Walson, Permit Coordinator at 208-772-1297 for information.

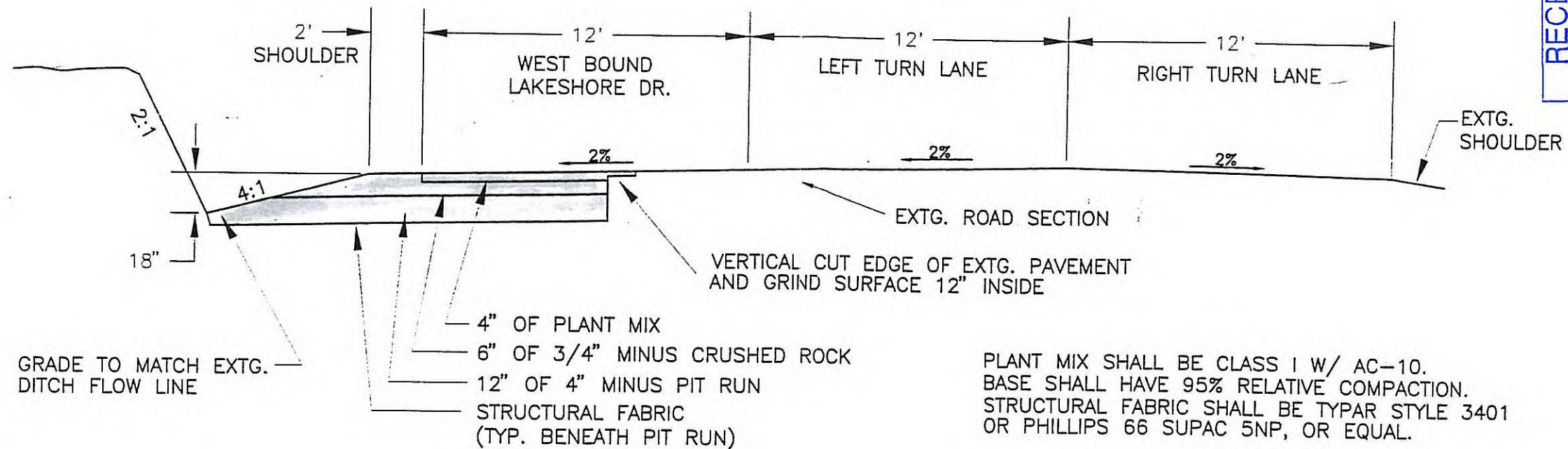
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Michael A. Porcelli, P.E.
District Traffic Engineer

Cc: Bonner County P&Z





CROSS SECT. A - A'

SCALE: 1" = 5'

GENERAL NOTES AND SPECIFICATIONS

1. ROAD SECTION SHALL BE PLACED IN LIFTS AND COMPACTED TO A MIN. 95% REL. DENSITY.
2. AREAS WHERE LAND DISTURBING ACTIVITY WILL OCCUR SHALL BE CONSTRUCTED TO THE SAME CONDITION (BEFORE CONSTRUCTION). REPLACE AND COMPACT SOIL, SLOPE, AND RE-VEGETATE THE SIDES OF THE DITCHES. RE-GRADE ANY DITCHES DISTURBED.
3. TRAFFIC CONTROL SIGNAGE SHALL MEET M.U.T.C.D. STANDARDS.
4. PERMITS SHALL BE SECURED FROM THE IDAHO TRANSPORTATION DEPARTMENT PRIOR TO ANY CONSTRUCTION.
5. TELEPHONE POLE RELOCATION SHALL BE COORDINATED WITH GTE.



Tucker Brown & Vermeer, LLC
ENGINEERING AND LAND SURVEYING
102 S. 2nd Ave., Sandpoint, ID 83864 (208)263-5884

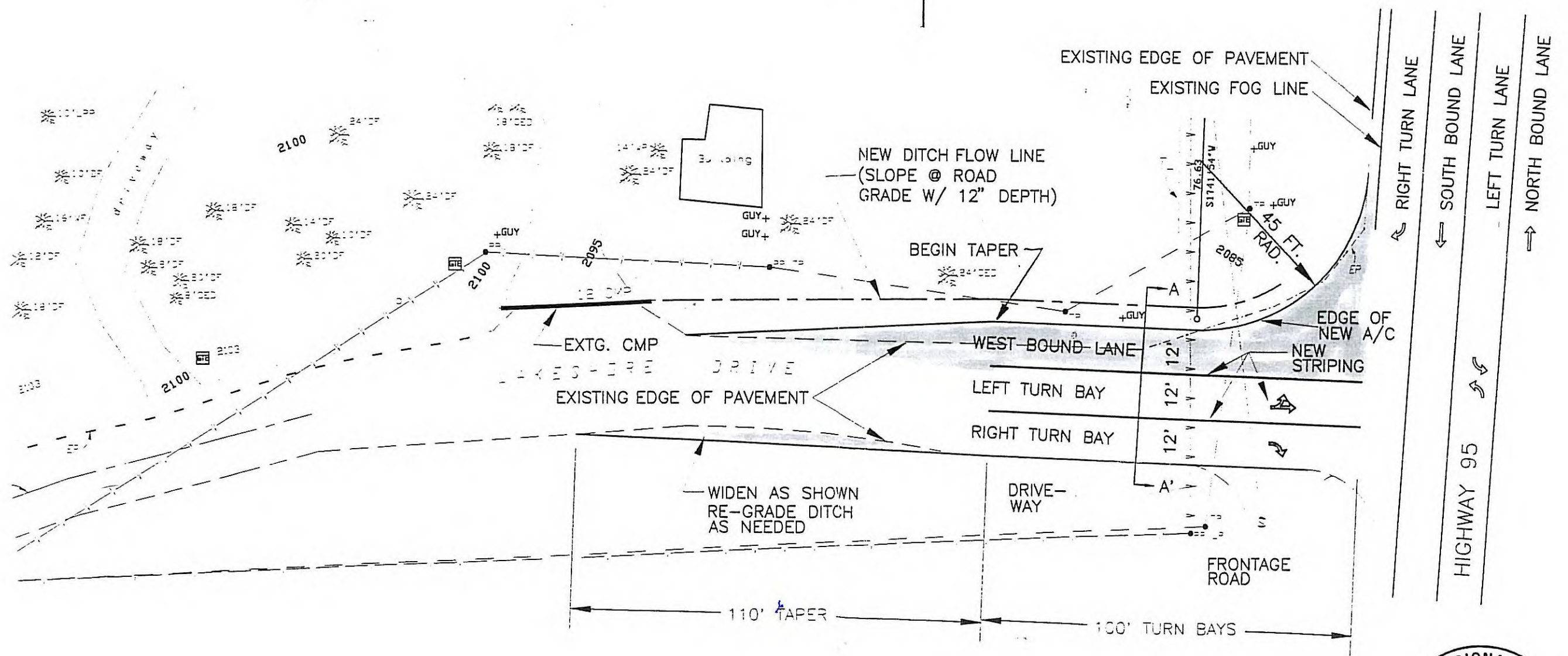
LAKESHORE DRIVE -
HIGHWAY 95
TURN BAY DESIGN

NOVEMBER 1, 2000

SHEET 2 OF 2



RECEIVED
MAY 28 2004
BONNER COUNTY
PLANNING DEPARTMENT



TURN BAY PLAN
SCALE: 1" = 30'



 TUCKER BROWN & VERMEER, LLC ENGINEERING AND LAND SURVEYING 102 S. 2nd Ave., Sandpoint, ID 83864 (208)263-5884	LAKESHORE DRIVE - HIGHWAY 95 TURN BAY DESIGN	NOVEMBER 1, 2000 SHEET 1 OF 2
--	--	--------------------------------------



TRANSPORTATION DEPARTMENT

DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

September 21, 2001

Eterra Resorts Inc
Attn: Raphael Barta
202 South First Ave.
Sandpoint, ID 83864

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The Inn at Swan's Landing
US95 and Lakeshore Drive

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Thank you for coordinating with ITD on this project. If you have any questions, please do not hesitate to contact our offices.

Sincerely,

Original signed by Carole Richardson

Carole Richardson, P.E.
District Transportation Planner

CR/sw

C: DTE MTCE DTP/File Permits
Alex N. Verhoogen
Pend Oreille Bank
Tim Elsea, Bonner County Public Works Director
Marty Taylor, Bonner County Planning Director, file reference C693-00





TRANSPORTATION DEPARTMENT

DISTRICT 1 • 600 W. PRAIRIE • COEUR D'ALENE, ID • 83815-8764 • (208) 772-1200

Mac, LLC
Attn: Alex N. Verhoogen
S. 5111 Freya
Spokane, WA 99223

September 10, 2001

RE: Surety Agreement and Letter of Credit
The Inn at Swan's Landing
US95 and Lakeshore Drive

Dear Mr. Verhoogen:

Please find enclosed a copy of the Surety Agreement between MAC LLC and Idaho Transportation Department, drafted in March of this year. Also enclosed is a copy of the Irrevocable Commercial Letter Of Credit No. 658, from Pend Oreille Bank.

The agreement's due date was September 1, 2001. Regrettably, terms of the agreement have not been met. Please direct Pend Oreille Bank to draft a check in the amount of \$17,790.00, payable to Idaho Transportation Department, as stated in condition Number 2 of the Surety Agreement.

In the event the agreement is not satisfied by September 28, 2001, our staff will directly contact Pend Oreille Bank for payment. If you have any questions, please do not hesitate to contact our offices.

Sincerely,

original signed by:

Andrea Storjohann, P.E.
Assistant District Engineer

C: DTE MTCE DTP/File Permits
Tim Elsea, Bonner County Public Works Director
Marty Taylor, Bonner County Planning Director
Pend Oreille Bank



SURETY AGREEMENT

THIS AGREEMENT made and entered into on this 26th day of March, 2001, by and between MAC LLC, hereinafter referred to as "Applicant," and the Idaho Transportation Department, hereinafter referred to as "ITD."

WHEREAS, the Applicant is required to post security for the construction or installation of the following improvements by applicable ordinances of Bonner County and the laws of the State of Idaho, to wit:

CONDITION 11, BONNER COUNTY CONDITIONAL USE PERMIT (FILE C693-00).
" Prior to conditional use permit issuance, the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD. The applicant shall provide to the Planning Department written verification from ITD upon completion of this condition." SEE ATTACHED DRAWING BY TUCKER BROWN & VERMEER, LLC DATED NOVEMBER 1, 2000.

REFER TO THE ATTACHED PROPOSAL FROM INTERSTATE CONCRETE AND ASPHALT DATED MARCH 7, 2001. THE COST OF COMPLETING THE TURN LANE ON LAKESHORE DRIVE AT THE INTERSECTION OF LAKESHORE DRIVE AND HIGHWAY 95 IN THE AMOUNT OF ***\$11,860.00*** X 1.5 FOR A TOTAL SURETY AMOUNT OF ***\$17,790.00*** SECURING THE COMPLETION OF THE TURN LANE.

WHEREAS, the above described improvements are to be constructed by the Applicant with regard to certain real property:

THE COUNTY ROAD RIGHT OF WAY ALONG LAKESHORE DRIVE AT THE INTERSECTION OF LAKESHORE DRIVE AND US HIGHWAY 95.

WITNESSETH:

That the Applicant covenants and agrees to post security for construction of the above described improvements and ITD agrees to accept said security, each in accordance with the terms and conditions of this Agreement.

That the Applicant, simultaneously with the execution of this Agreement, deposits with ITD the attached letter of credit issued and backed by a federal or state chartered bank equivalent to one hundred fifty percent (150%) of the project engineers estimated cost of construction of

the improvements for the purpose of guaranteeing completion of the work and repair any defects in improvements which occur within one (1) year of the first acceptance of the completed work by ITD. The letter is issued by Pend Orielle Bank as an Irrevocable Standby Letter of Credit Number 658 in the total amount of \$17,790.00, hereinafter referred to as "Surety," as security for complete performance, construction and one year warranty of the above described improvements upon the following terms and conditions:

1. That the Applicant shall complete construction of said improvements on or before September 1, 2001, or said amount shall be due and payable to ITD, and said Surety may be drawn by ITD to the full amount thereof.
2. That said Surety shall payable to "IDAHO TRANSPORTATION DEPARTMENT"
3. That in the event the Applicant fails or refuses to complete said improvements on or before the date set forth in paragraph Number 1 herein, ITD shall have the right to cash or make demand for, and receive payment of, said Surety, and apply the proceeds thereof to the construction of said improvements.
4. In case of default by the Applicant, if the total cost of constructing said improvements is less than the amount of the Surety, the difference between the actual cost (including construction engineering) of constructing said improvements and the amount of the Surety shall be paid to the Applicant. However, if the costs of installing said improvements (including construction engineering) is greater than the amount of the Surety, the Applicant agrees to reimburse and hold harmless ITD for any and all additional costs incurred by ITD installing and constructing said improvements.
5. That in the event the Applicant completes construction of said improvements on or before the date set forth in paragraph Number 1 herein, ITD shall release to the Applicant the Surety one (1) year after first acceptance of the completed work by ITD after approving that said improvements have been installed to applicable specifications and that the same have been inspected and approved by ITD.

IN WITNESS WHEREOF, the parties hereto have signed this document the date and year first written above.

A+R LLC -
MAC, LLC
Applicant

Andre Stojan
Idaho Transportation Department

Notary Acknowledgment for signature:

STATE OF Washington
COUNTY OF Spokane

On this 30th day of March, in the year 2001, before me, a Notary Public in and for said State, personally appeared Alex M. Verboogen known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that he executed the same, I hereunto set my hand and seal the date last above written.

Maria A. Euton
Notary Public
Residing at Spokane, Washington
My commission expires: 11-30-2004

Amount \$17,790.00

Pend Oreille Bank

March 29, 2001

IRREVOCABLE COMMERCIAL LETTER OF CREDIT NO. 658

To:

Idaho Transportation Department
600 W. Prairie
Coeur d'Alene, ID 83814

Gentlemen:

We hereby authorize you to draw on Pend Oreille Bank for the account of Mac, L.L.C. An Idaho Limited Liability Company, an aggregate amount of \$17,790.00 available by your draft(s) drawn at sight. Drafts are to be accompanied by a statement signed by one of your officers to the effect that the amount drawn is due and is unpaid. All drafts drawn under this letter of credit must be marked "Drawn Under Irrevocable Commercial Letter of Credit No. 658 of Pend Oreille Bank dated March 29, 2001." We hereby agree with the drawers, endorsers, and Bona Fide holders of drafts drawn under and in compliance with the terms of this credit that such drafts will be duly honored on presentation at Pend Oreille Bank.

The request for payment under this Letter of Credit shall be final and conclusive for all purposes without verification by Pend Oreille Bank and shall not be subject to refutation, denial or contest. Multiple drawings shall be permitted.

Notwithstanding the expiration of this credit, should you receive payments from Mac, L.L.C, which payments are subsequently invalidated, determined to be preferential, set aside or required to be repaid by you in whole or in part for reasons arising under the bankruptcy or other laws then all our obligations to you hereunder shall be reinstated in full and shall remain in full force and effect, provided said payments are for obligations entered into prior to the expiration date shown hereon.

This Credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision) fixed by the International Chamber of Commerce Brochure No. 400.

We engage with you that all drafts drawn under and in compliance with the terms of this credit will be duly honored upon presentation to us.

Drafts must be presented and negotiated at our counters not later than September 1, 2002.

Pend Oreille Bank

By

Evelyn Meany
President



PEND OREILLE BANK

330 N. Washington • P.O. Box 1530 • Newport, WA 99156-1530 • (800) 481-2265 • (509) 447-5641
476655 Hwy 95 North • Sandpoint, ID 83864 • (800) 567-1796 • (208) 265-2232

**BONNER COUNTY PLANNING DEPARTMENT
CONDITIONAL USE PERMIT - FILE C693-00**

TO: MAC, LLC
S. 5111 Freya
Spokane, Washington 99223

Leroy and Penelope Armstrong
532 S. Boyer
Sandpoint, Idaho 83864

PURPOSE: The applicants are requesting a conditional use permit for the expansion of a “commercial resort” presently consisting of dining, lodging and retail sales. (The previous resort was approved under File C659-99.) A concurrent application proposing to rezone Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79, totaling 2.67 acres, from Suburban-1/3 to Recreation in order to establish the proper zoning for the expansion of a “commercial resort” is being concurrently reviewed. (File ZC 274-00)

LOCATION: Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79. The project site is located approximately one mile south of Sandpoint. From U.S. Highway 95 south, cross the Long Bridge to Lakeshore Drive and turn west (right). The project site is the second driveway on the right (north side of Lakeshore Drive), and on the left side of Lakeshore Drive, across Lakeshore Drive from Swan's Landing. The property is commonly known as Swan's Landing Restaurant and the former Mason lots to the south of Swan's Landing.

CONDITIONS OF APPROVAL:

1. The use shall be in accordance with the approved site plan.
2. The Conditional Use Permit shall not supersede deed restrictions.
3. All county setbacks shall be met.
4. The Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit, the applicant may make a written request to the Planning Director for a single extension of the Conditional Use Permit for a period up to two (2) years. The Planning and Zoning Commission may consider such request for extension at any public hearing. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit.
5. The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and storm water management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved.
6. Prior to conditional use permit issuance, the applicants shall relocate the on premise sign fronting on U.S. Highway 95 to a minimum 25 foot setback from the U.S. Highway 95 right of way boundary, and shall relocate the on premise sign fronting on the Pend Oreille River to a minimum 40 foot setback from the summer pool level/2,062.5 foot elevation. The project engineer shall provide written confirmation to the Planning Department verifying the relocation of the two signs.
7. Prior to conditional use permit issuance, a rezone from Suburban 1/3 to Recreation shall become effective for Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79.
8. Prior to conditional use permit issuance, that applicant shall complete the following to the satisfaction of the Bonner County Public Works Department:
 - a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
 - b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
 - c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue, or an approach approved and constructed off of Lakeshore Drive, to the satisfaction of the Public Works Department.
 - d. An encroachment permit for a commercial approach(es) shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
 - e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
 - f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
 - g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way. The project engineer shall provide written confirmation from the Road Department to the Planning Department verifying completion of Conditions 8a, 8b, 8c, 8d, 8e and 8f.
9. Prior to conditional use permit issuance, the applicant shall provide payment in advance for hook-up fees for water and sewer service to rebuild the Harford lift station in order for the station to effectively accommodate the expansion to 29 units. The applicant shall provide to the Planning Department written verification from the Southside Water and Sewer District upon completing this condition.
10. The project shall connect to the Southside Water and Sewer District for water and sewer services.

8/11/11

Prior to conditional use permit issuance, the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD. The applicant shall provide to the Planning Department written verification from ITD upon completing this condition.
12. Prior to conditional use permit issuance, Lots 1 through 10, Block 10, *Lakeside Place*, shall be combined into one lot, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, shall be combined into one lot, via lot line adjustments, and a final plat recorded.
13. Prior to inn occupancy a site obscuring barrier shall be constructed between Lots 10 and 11, Block 10 and Lots 5 and 6, Block 7, to the satisfaction of the lot owners and applicant.

This Conditional Use Permit is issued pursuant to the October 5, 2000, decision of the Bonner County Planning and Zoning Commission.


Martin E. Taylor, AICP
Planning Director

4/26/01
Date Issued

SOUTHSIDE WATER & SEWER DISTRICT
DRAWER D
SANDPOINT, IDAHO 83864
(208)263-1074 FAX: 255-4946

September 1, 2000

Marty Taylor
Bonner County Planning & Zoning
FAX: 265-1463

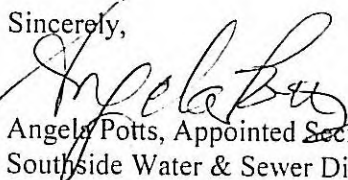
Dear Marty:

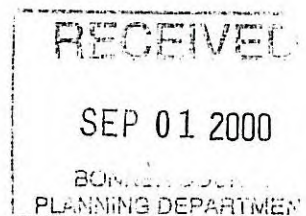
RE: SWANS LANDING REZONE and CONDITIONAL USE PERMIT C693-00

In July, Southside Sewer and Water District sent conditional approval of the rezone and expanded conditional use to your department. We have found that MAC, LLC/Swan's Landing has sufficient pre-paid sewer and water hookups for their expanded project.

The District does anticipate the need to rebuild the lift station serving this project. It will be important to coordinate the improvements with their construction plans.

Sincerely,


Angela Potts, Appointed Secretary/Treasurer
Southside Water & Sewer District



COND. 9

Instrument # 0580434 Date 2001-04-24 Time 15.28.00

Operator SANDY
of Pages : 002
Fee \$: 11.00

Trans Code : 830 PLATS
Desc BOOK 6 PG 132 35-57-2W

>>Delivered: Date 0001-01-01 To
Address
City, State, Zip

Grantor/Grantee name
MAC, LLC
VERHOOGEN, ALEX R
VERHOOGEN, MARY LEE
ARMSTRONG, LEROY W
ARMSTRONG, PENELOPE A.
LAKESIDE PLACE REPLAT LTS 1-10

GRANTOR
GRANTOR
GRANTOR
GRANTEE
GRANTEE
GRANTEE

F3=EXIT

F23=Show Referenced FROM F24=Show Referenced TO

Bottom

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Operator          SANDY
# of Pages      . :    002
Fee $          :    11.00
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>>Delivered: Date 0001-01-01 To
                        Address
                        City, State, Zip
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GRANTOR
GRANTOR
GRANTEE

F3=EXIT F23=Show Referenced FROM F24=Show Referenced TO

COF0.12

FAX # 208-773-199

PROPOSAL FROM:

Quality Maintenance

316 W. 20th • Post Falls, ID 83854

(208) 773-7293

WASH. Contractors License

QUALIM*027LT

IDAHO Contractors License

12091-C-4-(9,31,32,42,47)

Proposal No.

Sheet No.

Date

3-21-01

Proposal Submitted To

Work To Be Performed At

Name W. Keley and Keys
 Street 474 Hart Lane
 City Sandpoint Saghe
 State ID 83860
 Telephone Number 1-208-265-7271

Street Sandpoint Hwy
 City Sandpoint State ID
 Date of Plans _____
 Architect Crosswalk
ATTN Frank

We hereby propose to furnish all the materials and perform all the labor necessary for the completion of

Clean and Prep, Seal Coat (1 year warranty)

Clean and Prep, Sand Slurry Seal

Fill Cracks with Homogenized Crack Filler

Stripe with Highway Traffic Paint and Traffic Bead

Patching Install 2 Fed. Crosswalk Sign + Post to DOT Spec.

Other _____

Subtotal 585.00

Tax 0

Total 585.00

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of \$ 585.00 with payments to be made as follows: **ON COMPLETION**

OTHER ARRANGEMENTS FOR PAYMENT: _____

Any alteration or deviation from the above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by Quality Maintenance. **We guarantee workmanship and product.**

Respectfully Submitted Bob L. Lund

Per _____

Note—This proposal may be withdrawn by us if not accepted within 60 days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. **SIGNED CONTRACTS ARE BINDING. YOU WILL BE CHARGED THE FULL AMOUNT UNLESS WE RECEIVE WRITTEN CANCELLATION WITHIN A REASONABLE TIME.**

Accepted _____

Signature A

Date _____

Signature _____

RECEIVED

APR 10 2001

BONNER COUNTY

PLANNING DEPARTMENT

PERMIT NO: 1027001-1

BONNER COUNTY ROAD AND BRIDGE DEPARTMENT
123 SOUTH FIRST AVENUE, SANDPOINT, ID 83864
(208) 263-8899 265-1497

RIGHT OF WAY USE AND ENCROACHMENT APPLICATION

APPLICANT: SWANS LANDING
PROPERTY OWNER: MAC LLC.
ADDRESS: 41 LAKE SHORE DR.
SAGE, ID 83860
TELEPHONE: 208-265-7271

LOCATION OF THE PROPOSED ENCROACHMENT OR USE:
(Please be specific as to property location so the Foreman can easily locate)

Road Name: LAKE SHORE DRIVE

Nearest Intersection U.S. 95 Distance 320 ft.

Rt/Lt Side RT Plat or Subdivision Name SWANS LANDING COMMERCIAL RESORT

Residential Driveway _____ Existing _____ New _____

Commercial Driveway X Est. Volume —

Road Approach _____ Est. Volume _____

PERMIT TO USE RIGHT OF WAY
To be filled out by Road Department

SIGHT DISTANCE: RT: _____ LT: _____
POSTED SPEED: _____ M.P.H.
DRIVEWAY WIDTH: _____ FT. ROADWAY WIDTH _____ FT. 9" ALUM. METAL
CULVERT REQUIRED: YES DIAMETER: 12" LENGTH: 40'

Foreman's Signature: Jay Smith Date: 10-30-00

FINAL
BUILDING DEPARTMENT INSPECTION: Jim Clark

PERMIT EXPIRATION: 6 MONTHS FROM DATE OF ISSUE.



PERMIT NO: 1027001-2

BONNER COUNTY ROAD AND BRIDGE DEPARTMENT
123 SOUTH FIRST AVENUE, SANDPOINT, ID 83864
(208) 263-8899 2-6-14-17

RIGHT OF WAY USE AND ENCROACHMENT APPLICATION

APPLICANT: SWANS LANDING
PROPERTY OWNER: MAC LLC
ADDRESS: 41 Lakeshore Dr.
Sagle, ID 83860
TELEPHONE: 208-265-7271

LOCATION OF THE PROPOSED ENCROACHMENT OR USE:
(Please be specific as to property location so the Foreman can easily locate)

Road Name: LAKE SHORE DRIVE

Nearest Intersection US 95 Distance 420'

Rt/Lt Side LT Plat or Subdivision Name SWANS LANDING COMMERCIAL RESORT

Residential Driveway _____ Existing _____ New _____

Commercial Driveway X Est. Volume _____

Road Approach _____ Est. Volume _____

PERMIT TO USE RIGHT OF WAY
To be filled out by Road Department

SIGHT DISTANCE: RT: _____ LT: _____

POSTED SPEED: _____ M.P.H.

DRIVEWAY WIDTH: _____ FT. ROADWAY WIDTH _____ FT.

CULVERT REQUIRED: YES DIAMETER: 12" LENGTH: 40' GALV. METAL

Foreman's Signature: Jay Smith Date: 10-30-00

FINAL
BUILDING DEPARTMENT INSPECTION: Jim Clark

PERMIT EXPIRATION: 6 MONTHS FROM DATE OF ISSUE.



PROPOSAL

INTERSTATE

CONCRETE & ASPHALT CO.

P.O. BOX 1113 SANDPOINT, ID 83864

OFFICE PH. (208)263-0538, FAX (208)263-5430

Id Reg. #12090-AAA-1-2-3 Wa Reg. #INTERGCC137RU

PROPOSAL SUBMITTED TO:		PHONE: (208) 263-0952	DATE: 03/08/2001
CUSTOMER:	WAKELEY & KEY CONSTRUCTION	JOB NAME:	SWAN'S LANDING - MOTEL PARK-LOT
ADDRESS:	3600 OTTS BASIN RD.	STREET:	LAKE SHORE DRIVE
CITY:	SAGLE	CITY:	STATE:
STATE:	ID.	ZIP: 83860	CONTACT: FRANK WAKELEY / TED R
			FAX:

We hereby submit specifications and estimates for:

MATERIALS, EQUIPMENT, AND LABOR FOR ASPHALT PAVING TO AN AREA APPROX. 1,650 SQ.YDS.
AS PER PLANS, TO INCLUDE THE FOLLOWING WORK:

SWAN'S LANDING - MOTEL PARKING LOT ADDITION

PLACE 4" COMPACTED DEPTH CRUSHED ROCK BASE OVER EXISTING SUB-BASE MATERIAL.

PLACE 2" COMPACTED DEPTH ASPHALT PAVEMENT.

\$ 16,180.00
(9.81 / S.Y.)

TRAFFIC CONTROL INCLUDED FOR ENTERING/EXITING LAKE SHORE DR.

EXCLUDED: STRIPING

NOTE: APPROACH APPROX. 50 S.Y. @ \$9.81/S.Y. = \$490.00

Soil Sterilant included per Lanny 3/8/01 jw

- * Alterations or changes to the above scope of work, executed at the customer's request, will become an extra charge over and above the estimate.
- * All work will be completed in a workmanlike manner according to standard practice. All materials used shall meet standard industry specifications.
- * Any controversy or disagreement arising from this contract will be subject to binding arbitration in Coeur d'Alene, Idaho pursuant to the construction industry arbitration rules of the American Arbitration Association.
- * The customer shall make sure that all underground utilities are below sub-grade. Interstate will not assume responsibility for damages to underground utilities when our work includes grading, crushed rock, and asphalt paving only.
- * Work will be commenced and completed at the sole discretion of Interstate based upon weather and soil conditions.
- * Applicable sales taxes are included in the above price.
- * Payment is due upon substantial completion unless other acceptable arrangements have been made. Failure to make payment within 30 days shall constitute default and the customer promises and agrees to pay a late charge of one and one half percent (1 1/2%) per month of the amount due. The customer agrees to pay all costs of collection including reasonable attorney's fees. The customer further agrees to pay a flat fee of \$200.00 or related attorney's fees, whichever is greater, if Interstate files a lien on the improved property to secure payment.

* This proposal is made for Interstate Concrete and Asphalt Co. by: LANNY BECK

Note: This proposal may be withdrawn by us without notice if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL

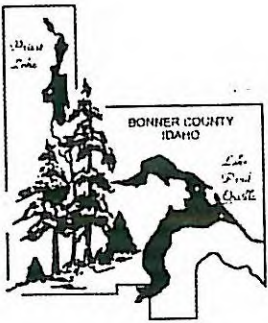
The above prices, conditions, and scope of work are satisfactory and are hereby accepted. You are authorized to do the work as specified.
Payment will be made as outlined above.

Date: _____

Signature: _____

Signature: _____





BONNER COUNTY PUBLIC WORKS

ROAD DEPARTMENT

123 South First Ave. • Sandpoint, Idaho 83864 • Phone (208) 265-1497 – Fax: 263-9751
E-mail: roads@co.bonner.id.us

BOND AGREEMENT

This is an agreement between Bonner County Public Works – Road and Bridge Department and Wakeley & Key Construction. The applicant, Wakeley & Key has requested a “Right of Way Use and Encroachment Application” for a driveway approach off Lakeshore Drive.

The permit numbers 1027001-1 and 1027001-2 have been issued and approved. The “Performance and Payment Bond” in the amount of \$490.00 will be held until the completion of the paving of the approach and acceptance of the work.

Wakely & Key have requested the County accept a personal check in the amount of \$490.00 to insure the work being performed. The applicant agrees and certifies that the bank account the check is written on will remain open and will maintain a balance sufficient to cover the \$490.00 amount for the duration of the bond. The applicant further certifies that this check will not be canceled or made void in any way until the termination of the bond, after acceptance of the work.

If problems arise with the work or there is road failure the applicant will be contacted to correct any identified problem areas. There will be a thirty (30) day period to complete the work, if the corrections are not addressed within the time period the County will make the repairs and apply for payment against the personal check for the costs.

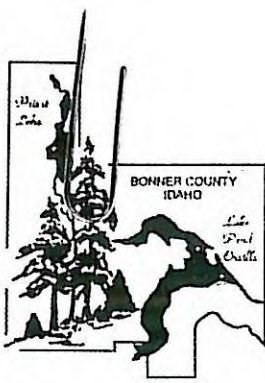
Frank Wakeley
Frank Wakeley (Wakeley & Key Const.)

4/5/01

Leslie Marshall for
Tim Elsea, Public Works Director Tim Elsea

4/5/01
Date





BONNER COUNTY PUBLIC WORKS

ROAD DEPARTMENT

123 South First Ave. • Sandpoint, Idaho 83864 • Phone (208) 265-1497 – Fax: 263-9751
E-mail: roads@co.bonner.id.us

BOND AGREEMENT

This is an agreement between Bonner County Public Works – Road and Bridge Department and Wakeley & Key Construction. The applicant, Wakeley & Key has requested a "Right of Way Use and Encroachment Application" for a driveway approach off Lakeshore Drive.

The permit numbers 1027001-1 and 1027001-2 have been issued and approved. The "Performance and Payment Bond" in the amount of \$585.00 will be held until the completion of the installation of two pedestrian crosswalk striping, signs and posts in accordance with Bonner County and acceptance of the work.

Wakely & Key have requested the County accept a personal check in the amount of \$585.00 to insure the work being performed. The applicant agrees and certifies that the bank account the check is written on will remain open and will maintain a balance sufficient to cover the \$585.00 amount for the duration of the bond. The applicant further certifies that this check will not be canceled or made void in any way until the termination of the bond, after acceptance of the work.

If problems arise with the work or there is road failure the applicant will be contacted to correct any identified problem areas. There will be a thirty (30) day period to complete the work, if the corrections are not addressed within the time period the County will make the repairs and apply for payment against the personal check for the costs.

Frank Wakeley
Frank Wakeley (Wakeley & Key Const.)

Leslie Marshall
Tim Elsea, Public Works Director

4/5/01

4/5/01
Date



TUCKER BROWN & VERMEER, LLC
ENGINEERING AND LAND SURVEYING

April 9, 2001

Mr. Martin Taylor, AICP
Bonner County Planning Department
127 S. 1st Ave.
Sandpoint, ID 83864

Re: The Inn at Swans Landing, C.U.P., C693-00

Dear Marty,

The premise sign along the highway and the sign fronting the Pend Oreille River have been relocated to meet the set backs as described in Condition No. 6.

The temporary erosion control system has been installed according to the Storm Water Management Plan dated 8/30/00.

Please do not hesitate to call if you have any questions.

Sincerely,



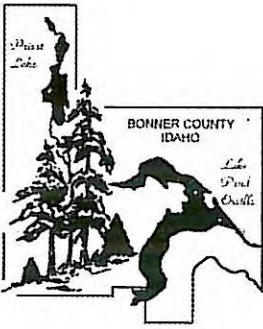
B. Scott Brown, P.E.
TUCKER BROWN & VERMEER, LLC

BSB/fb



TUCKER BROWN & VERMEER, LLC • ENGINEERING AND LAND SURVEYING
102 SOUTH SECOND AVENUE, SANDPOINT, IDAHO 83864 (208) 263-8558

COND. 6



BONNER COUNTY PUBLIC WORKS

ROAD DEPARTMENT

123 South First Ave. • Sandpoint, Idaho 83864 • Phone (208) 265-1497 – Fax: 263-9751
E-mail: roads@netw.com

Memorandum

To: Martin Taylor, AICP
Planning Director

From: Tim Elsea, P.E.
Public Works Director

Date: April 4, 2001

Re: Conditional Use Permit, File #^{C693-}C695-99 and ZC268-99, Inn at Swan's Landing

Marty,

The conditions of approval pertaining to this department's requirements for the above referenced project have been accomplished or bonded for to this department's satisfaction.

If you have any questions or require further information, feel free to contact me at your convenience.

\\BC98\SYS\ROADS\Tim\My Documents\C695-99.doc



Shirley Walson

From: Shirley Walson
Sent: Monday, April 02, 2001 2:14 PM
To: Carole Richardson; Don Davis; Michael Porcelli; John Perfect; 'mtaylor@co.bonner.id.us'; Chuck Spickelmire
Cc: Andrea Storjohann
Subject: Swan's Landing and US95/Lakeshore Dr intersection

4/2/01

Wakeley and Key Construction is the contracting firm building the Swan's Landing Hotel. They are currently waiting on the Conditional Use Permit to continue construction, however, one condition of the CUP has not yet been met. ITD has required the installation of a right hand turn lane on Lakeshore Drive as it intersects with US-95. Since paving cannot take place at this time due to weather, a Surety Agreement and a Letter of Credit have been provided to ITD. The Surety Agreement guarantees the completion of the turn lane on or before September 1, 2001.

ITD's legal consultant, Steven Perry has reviewed this agreement and letter of credit. It is acceptable to ITD for the contractor to proceed with construction. If you have any questions, please contact me at (208)772-1200, extension 8013.

^{FAY!}
 (Marty - I will mail you a copy of the agreements)

Shirley Walson
 Idaho Transportation Department
 D-1 TRS, Planning Section
 600 W. Prairie Ave.
 Coeur d'Alene, ID 83815

Post-it® Fax Note 7671		Date	4-2-01	# of pages	5
To	MARTY				
Co./Dept.	D-1 PLANNING				
Phone #	205-1458	From	SHIRLEY WALSON		
Fax #	205-1463	Co.	ITD		
		Phone #	208-772-8013		
		Fax #			



SURETY AGREEMENT

THIS AGREEMENT made and entered into on this 26th day of March, 2001, by and between MAC LLC, hereinafter referred to as "Applicant," and the Idaho Transportation Department, hereinafter referred to as "ITD."

WHEREAS, the Applicant is required to post security for the construction or installation of the following improvements by applicable ordinances of Bonner County and the laws of the State of Idaho, to wit:

CONDITION 11, BONNER COUNTY CONDITIONAL USE PERMIT (FILE C693-00).
" Prior to conditional use permit issuance, the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD. The applicant shall provide to the Planning Department written verification from ITD upon completion of this condition." SEE ATTACHED DRAWING BY TUCKER BROWN & VERMEER, LLC DATED NOVEMBER 1, 2000.

REFER TO THE ATTACHED PROPOSAL FROM INTERSTATE CONCRETE AND ASPHALT DATED MARCH 7, 2001. THE COST OF COMPLETING THE TURN LANE ON LAKESHORE DRIVE AT THE INTERSECTION OF LAKESHORE DRIVE AND HIGHWAY 95 IN THE AMOUNT OF ***\$11,860.00*** X 1.5 FOR A TOTAL SURETY AMOUNT OF ***\$17,790.00*** SECURING THE COMPLETION OF THE TURN LANE.

WHEREAS, the above described improvements are to be constructed by the Applicant with regard to certain real property:

THE COUNTY ROAD RIGHT OF WAY ALONG LAKESHORE DRIVE AT THE INTERSECTION OF LAKESHORE DRIVE AND US HIGHWAY 95.

WITNESSETH:

That the Applicant covenants and agrees to post security for construction of the above described improvements and ITD agrees to accept said security, each in accordance with the terms and conditions of this Agreement.

That the Applicant, simultaneously with the execution of this Agreement, deposits with ITD the attached letter of credit issued and backed by a federal or state chartered bank equivalent to one hundred fifty percent (150%) of the project engineers estimated cost of construction of



the improvements for the purpose of guaranteeing completion of the work and repair any defects in improvements which occur within one (1) year of the first acceptance of the completed work by ITD. The letter is issued by Pend Orielle Bank as an Irrevocable Standby Letter of Credit Number 658 in the total amount of \$17,790.00, hereinafter referred to as "Surety," as security for complete performance, construction and one year warranty of the above described improvements upon the following terms and conditions:

1. That the Applicant shall complete construction of said improvements on or before September 1, 2001, or said amount shall be due and payable to ITD, and said Surety may be drawn by ITD to the full amount thereof.
2. That said Surety shall payable to "IDAHO TRANSPORTATION DEPARTMENT"
3. That in the event the Applicant fails or refuses to complete said improvements on or before the date set forth in paragraph Number 1 herein, ITD shall have the right to cash or make demand for, and receive payment of, said Surety, and apply the proceeds thereof to the construction of said improvements.
4. In case of default by the Applicant, if the total cost of constructing said improvements is less than the amount of the Surety, the difference between the actual cost (including construction engineering) of constructing said improvements and the amount of the Surety shall be paid to the Applicant. However, if the costs of installing said improvements (including construction engineering) is greater than the amount of the Surety, the Applicant agrees to reimburse and hold harmless ITD for any and all additional costs incurred by ITD installing and constructing said improvements.
5. That in the event the Applicant completes construction of said improvements on or before the date set forth in paragraph Number 1 herein, ITD shall release to the Applicant the Surety one (1) year after first acceptance of the completed work by ITD after approving that said improvements have been installed to applicable specifications and that the same have been inspected and approved by ITD.



IN WITNESS WHEREOF, the parties hereto have signed this document the date and year first written above.

MAC, LLC
Applicant

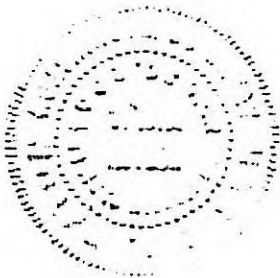
Andrea Stojan
Idaho Transportation Department

Notary Acknowledgment for signature:

STATE OF Washington
COUNTY OF Snohomish

On this 30th day of March, in the year 2001 before me, a Notary Public in and for said State, personally appeared Alex M. Verhoeven known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that he executed the same, I hereunto set my hand and seal the date last above written.

Maria G. Eason
Notary Public
Residing at Snohomish, Washington
My commission expires: 11-30-2004



Amount \$17,790.00

Pend Oreille Bank

March 29, 2001

IRREVOCABLE COMMERCIAL LETTER OF CREDIT NO. 658

To:

Idaho Transportation Department
600 W. Prairie
Coeur d'Alene, ID 83814

Gentlemen:

We hereby authorize you to draw on Pend Oreille Bank for the account of Mac, L.L.C. An Idaho Limited Liability Company, an aggregate amount of \$17,790.00 available by your draft(s) drawn at sight. Drafts are to be accompanied by a statement signed by one of your officers to the effect that the amount drawn is due and is unpaid. All drafts drawn under this letter of credit must be marked "Drawn Under Irrevocable Commercial Letter of Credit No. 658 of Pend Oreille Bank dated March 29, 2001." We hereby agree with the drawers, endorsers, and Bona Fide holders of drafts drawn under and in compliance with the terms of this credit that such drafts will be duly honored on presentation at Pend Oreille Bank.

The request for payment under this Letter of Credit shall be final and conclusive for all purposes without verification by Pend Oreille Bank and shall not be subject to refutation, denial or contest. Multiple drawings shall be permitted.

Notwithstanding the expiration of this credit, should you receive payments from Mac, L.L.C. which payments are subsequently invalidated, determined to be preferential, set aside or required to be repaid by you in whole or in part for reasons arising under the bankruptcy or other laws then all our obligations to you hereunder shall be reinstated in full and shall remain in full force and effect, provided said payments are for obligations entered into prior to the expiration date shown hereon.

This Credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision) fixed by the International Chamber of Commerce Brochure No. 400.

We engage with you that all drafts drawn under and in compliance with the terms of this credit will be duly honored upon presentation to us.

Drafts must be presented and negotiated at our counters not later than September 1, 2002.

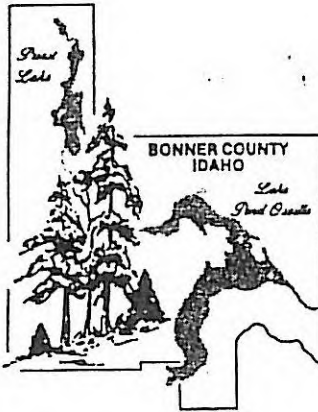
Pend Oreille Bank

By Evelyn Means
President



PEND OREILLE BANK

330 N. Washington • P.O. Box 1530 • Newport, WA 99156-1530 • (800) 481-2265 • (509) 447-5641
476655 Hwy 95 North • Sandpoint, ID 83863 • (800) 567-1796 • (208) 265-2232



BONNER COUNTY

PLANNING DEPARTMENT

Martin E. Taylor, AICP
Planning Director

October 6, 2000

MAC, LLC
S. 5111 Freya
Spokane, Washington 99223

Leroy and Penelope Armstrong
532 S. Boyer
Sandpoint, Idaho 83864

Subject: Conditional Use Permit for Expansion of a Commercial Resort - File C693-00

Dear MAC, LLC Representative and Mr. and Mrs. Armstrong:

The referenced application was approved with conditions by the Bonner County Planning and Zoning Commission at the October 5, 2000, public hearing. The ordinance and standards used in evaluating the application and the reasons for approving the application are as follows:

MOTION: It was moved by Commissioner Benner, seconded by Commissioner Hooker, that based on the Bonner County Comprehensive Plan, Bonner County Revised Code, evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing, this project FILE C693-00, a conditional use permit request for a 150 seat restaurant, two single unit rental cabins, a 24 room inn, a 359 square foot retail area, a 2 unit rental cabin and a 3 unit rental cabin, a 2,400 square foot maintenance building, a single family residence, and auxiliary parking, and the storm water plan be approved subject to the Findings and Conditions as discussed and as listed in the Staff Report, and subject to the following Conclusions and the action that could be taken to obtain the conditional use permit is to complete the Conditions of Approval, as adopted.

This action does not result in a taking of private property.

VOTED upon and the Chair declared the motion carried, unanimously.

FINDINGS and CONCLUSIONS

1. FINDING:

This proposal was reviewed for compliance with the criteria and standards set forth at Sections 12-1801 et seq., 12-2101 et seq., Bonner County Revised Code, and storm water management criteria and standards set forth in Chapter 24, Title 12, Bonner County Revised Code.

2. **FINDING:**

ECONOMIC DEVELOPMENT

Bonner County intends to designate sufficient suitable areas for future commercial development.

The project site contains 6.19 acres and has been recognized as suitable for recreational and commercial uses since 1981. Lots 1 through 4 were previously recognized as Commercial through a series of previous actions (Zone Change Files 76-81 and 105-84). Lot 5 was rezoned from Suburban to Commercial in 1993 (Zone Change File 207-93; Ord. 233).

Bonner County intends for future commercial development, along major roads, to locate in defined areas.

The project is located on Lakeshore Drive, a Bonner County-classified "major collector," hard surfaced roadway.

Bonner County intends to consider the impact on natural resources in the location and density of future recreational development.

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and the Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

A land capability report was prepared by the project engineer recognizing that building sites exist above (outside of) the mapped 100 year flood plain; that the properties are served by the Southside Water and Sewer District; that storm water can be managed [subject to the joint development agreement discussed above: staff comment]; that temporary erosion can be mitigated through the use of "velocity restrictors;" and that the site is geologically stable.

PUBLIC SERVICES

Bonner County intends to consider the quality of existing services (police, schools, roads) in the location and density of new development.

The Department of Transportation (ITD) reviewed a traffic study prepared by the project engineer for the conditional use permit and concluded that the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD.

The Bonner County Road Department recommends the following conditions:

1. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.

2. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
3. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue.
4. An encroachment permit for a commercial approach shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
5. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
6. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
7. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.

Bonner County intends to consider the quality of existing utilities (sewer, water) in the location and density of new development.

The Southside Water and Sewer District verified that the District can support the proposed inn together with the extended restaurant hours of operation.

Bonner County intends for new development to offset the capital costs of expanding services to their area.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

TRANSPORTATION

Bonner County intends to consider safety hazards and congestion in the location and design of future development.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

Bonner County intends for roads within new development to be built to county standards and at the expense of the developer.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

Bonner County intends for certain intense land use developments to provide paved roads.

Lakeshore Drive and U.S. Highway 95 are hard surfaced.

Bonner County intends to regulate roadside advertising signs.

Signage for the facility includes three on premises signs: one 128 square foot, double-sided, freestanding sign visible from Highway 95; one 64 square foot freestanding sign visible from the

Pend Oreille River frontage; and one 64 square foot attached sign mounted to the restaurant. The highway sign is subject to a 25 foot setback and is presently located about 10 feet from the highway right of way. This sign will need to be relocated. (BCRC, §12-630[c]) The water front sign is subject to a 40 setback and is presently located about 14 feet from summer pool. This sign will need to be relocated. (BCRC, §12-631) These are proposed use permit conditions.

NATURAL RESOURCES

Bonner County intends to regulate the location and density of new development in floodplains.

All development will be located above the 2,070 foot base flood elevation. (Site plan)

Bonner County intends to consider wetlands and aquifer recharge areas in the location and density of future development.

The property does not contain mapped wetlands. (USFWS Wetlands Map, Sagle Quad)

Bonner County intends to maintain or enhance present water quality.

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

Bonner County intends to maintain or enhance our fish and wildlife resource.

The U.S. Fish and Wildlife Service noted that the Pend Oreille River is bald eagle foraging habitat and formerly recommended a 200 foot buffer between the shoreline and the project. (C659-99) The Planning Commission previously concluded that the Bonner County 40 foot shoreline setback is appropriate.

The Department of Fish and Game did not respond.

COMMUNITY DESIGN

Bonner County intends for new development to locate in areas with similar densities and compatible uses.

The Smokehouse lies to the south, and the Long bridge Grill lies to the east. The subject property is developed with the Swan's Landing Restaurant. The former Mason lots are vacant.

Bonner County intends for new development to minimize the adverse impacts on adjacent areas.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services. In addition, the applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

2. **CONCLUSION:**

ECONOMIC DEVELOPMENT

This project is located in a suitable area for the growth of commercial development.

PUBLIC SERVICES

This project does provide essential public services, to the residents of Bonner County, at the least expense.

TRANSPORTATION

This project does provide a transportation system that is safe, uncongested and well maintained.

NATURAL RESOURCES

This project does manage natural resources to attain the greatest long-term public benefit.

COMMUNITY DESIGN

This project does maintain a variety of lifestyles and a rural character for the future development of Bonner County.

Therefore, the proposal is in accordance with the general and specific objectives of the Comprehensive Plan.

3. **FINDING:**

All development will be located above the 2,070 foot base flood elevation. (Site plan)

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

The **Department of Transportation (ITD)** reviewed a traffic study prepared by the project engineer for the conditional use permit and concluded that the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD.

The **Bonner County Road Department** recommends the following conditions:

- a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
- b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
- c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue.
- d. An encroachment permit for a commercial approach shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
- e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
- f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
- g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.

3. **CONCLUSION:**

The proposed use will not create a hazard or will not be dangerous to persons on or adjacent to the property.

CONDITIONS

1. The use shall be in accordance with the approved site plan.
2. The Conditional Use Permit shall not supersede deed restrictions.
3. All county setbacks shall be met.
4. The Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit, the applicant may make a written request to the Planning Director for a single extension of the Conditional Use Permit for a period up to two (2) years. The Planning and Zoning Commission may consider such request for extension at any public hearing. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit.
5. The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and storm water management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved.
6. Prior to conditional use permit issuance, the applicants shall relocate the on premise sign fronting on U.S. Highway 95 to a minimum 25 foot setback from the U.S. Highway 95 right of way boundary, and shall relocate the on premise sign fronting on the Pend Oreille River to a minimum

40 foot setback from the summer pool level/2,062.5 foot elevation. The project engineer shall provide written confirmation to the Planning Department verifying the relocation of the two signs.

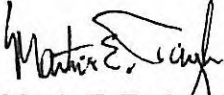
7. Prior to conditional use permit issuance, a rezone from Suburban 1/3 to Recreation shall become effective for Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79.
8. Prior to conditional use permit issuance, that applicant shall complete the following to the satisfaction of the Bonner County Public Works Department:
 - a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
 - b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
 - c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue, or an approach approved and constructed off of Lakeshore Drive, to the satisfaction of the Public Works Department.
 - d. An encroachment permit for a commercial approach(es) shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
 - e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
 - f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
 - g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.The project engineer shall provide written confirmation from the Road Department to the Planning Department verifying completion of Conditions 8a, 8b, 8c, 8d, 8e and 8f.
9. Prior to conditional use permit issuance, the applicant shall provide payment in advance for hook-up fees for water and sewer service to rebuild the Harford lift station in order for the station to effectively accommodate the expansion to 29 units. The applicant shall provide to the Planning Department written verification from the Southside Water and Sewer District upon completing this condition.
10. The project shall connect to the Southside Water and Sewer District for water and sewer services.
11. Prior to conditional use permit issuance, the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD. The applicant shall provide to the Planning Department written verification from ITD upon completing this condition.
12. Prior to conditional use permit issuance, Lots 1 through 10, Block 10, *Lakeside Place*, shall be combined into one lot, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, shall be combined into one lot, via lot line adjustments, and a final plat recorded.
13. Prior to inn occupancy a site obscuring barrier shall be constructed between Lots 10 and 11, Block 10 and Lots 5 and 6, Block 7, to the satisfaction of the lot owners and applicant.

Bonner County Revised Code, Section 12-451, provides an opportunity for affected persons to appeal Planning and Zoning Commission decisions to the Board of County Commissioners for the Board's consideration no more than 30 days after the final decision of the Planning and Zoning Commission. Any

such appeal must be submitted in accordance with the referenced code section no later than **5:00 p.m., Monday, November 6, 2000**. An appeal must be accompanied by a \$95.00 filing fee payable to the Bonner County Planning Department plus the actual cost of mailing notice and legal advertisement.

Please contact this department if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin E. Taylor".

Martin E. Taylor, AICP
Planning Director

c: Tucker, Brown & Vermeer, LLC, Project Representative
102 South Second Avenue
Sandpoint, Idaho 83864

MINUTE ORDER

BONNER COUNTY PLANNING AND ZONING COMMISSION REGULAR HEARING MINUTES THURSDAY, OCTOBER 5, 2000

CALL TO ORDER:

The Bonner County Planning and Zoning Commission hearing was called to order by Chair Jack Filipowski, at 6:00 p.m. in Courtroom 4, Bonner County Courthouse, 215 South First Avenue, Sandpoint, Idaho.

PRESENT: Commissioners Jack Filipowski, Chair; Doreen Anders, Vice Chair; Wayne Benner; Duane Wentz; Walt Larsen and Ray Hooker.

ABSENT: Commissioner Don Albertson.

ALSO PRESENT: Martin E. Taylor, AICP, Planning Director; Clare Marley, AICP, Senior Planner; Rob Wall, MRTTP, Associate Planner and Karen Guidry, Administrative Secretary.

SUMMARY OF PUBLIC HEARING PROCEDURES:

For the benefit of members of the public present, Staff summarized the public hearing procedures.

PUBLIC HEARING:

CONDITIONAL USE PERMIT

FILE C693-00 - CONDITIONAL USE PERMIT FOR A COMMERCIAL RESORT - MAC, LLC, ET AL are requesting a conditional use permit for the expansion of a "commercial resort" consisting of dining, lodging, storage and retail sales. (The previous resort was approved under File C659-99.) A concurrent application proposing to rezone Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79, totaling 2.67 acres, from Suburban-1/3 to Recreation in order to establish the proper zoning for the expansion of a "commercial resort" is being concurrently reviewed. (File ZC 274-00) The property is commonly known as "Swan's Landing" and the former Mason lots.

CONFLICT OF INTEREST/DISCLOSURE DECLARATIONS:

The Chair requested that the Commission declare any conflicts of interest or disclosures. Commissioner Benner disclosed that he knows the neighbor across the street.

STAFF PRESENTATION:

The project was presented and the previously circulated staff report was reviewed.

Bonner County has no height restriction, the Commission was advised by Staff. There may be structural standards that apply to buildings with regard to fire safety. That, however, would be at the discretion of the Uniform Fire Code.

Staff reminded the Commission that setbacks are required to provide for a separation of use.

The Planning Department noted that this application is consistent with Bonner County Revised Code and evidence in the record submitted up to the time the Staff Report was prepared, with the addition of the Findings and Conditions listed in this Staff Report, and subject to the conclusions required by Bonner County Revised Code.

APPLICANT PRESENTATION:

Don Davis, Project Representative, described the proposed development and the thought process behind the concept. He commented on access, traffic, parking, pedestrian crossing and the intersection at Lakeshore and U.S. Highway 95.

Alex Verhoogen, owner of Swan's Landing, advised the Commission that he would not be putting in a public dock. The existing dock with eight slips will probably remain commercial, he stated. He commented on parking.

PUBLIC/AGENCY INPUT:

Brent Sleep commented on traffic.

Elwin Harford requested a privacy screen to mitigate the impacts of this project.

Staff read into the record the following exhibit:

Exhibit A: Letter dated October 5, 2000, from Richard and Dawn Struntz

RESPONSE TO INPUT:

Mr. Verhoogen commented on the site obscuring screening request.

Mr. Davis commented on the site obscuring screening request, estimated traffic and access to Lots 6, 7 and 8, south of Lakeshore.

Staff advised that the first standard condition in any use permit is that the use has to be in accordance with the approved site plan. The Public Works Department comment, conditioned in proposed Condition 8, requires that Lots 6, 7 and 8, south of Lakeshore, be accessed via Greenwood. There has been no review of an encroachment off of Lakeshore, as it was not proposed.

Staff suggested that proposed Condition 8(c) could be amended to read, as follows: "A 'Local C' road will be required in the dedicated right-of-way designated as Greenwood Avenue, or an approach approved and constructed off of Lakeshore Drive, to the satisfaction of the Public Works Department."

COMMISSION INPUT:

The hearing was closed to public testimony.

STAFF INPUT:

Staff suggested that a proposed Condition 13 could be added to read, as follows: "Prior to inn occupancy, a site obscuring barrier shall be constructed between Lots 10 and 11, Block 10 and Lots 5 and 6, Block 7, to the satisfaction of the lot owners and applicant."

COMMISSION INPUT:

The Commission discussed Findings and Conclusions.

MOTION: It was moved by Commissioner Benner, seconded by Commissioner Hooker, that based on the Bonner County Comprehensive Plan, Bonner County Revised Code, evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing, this project FILE C693-00, a conditional use permit request for a 150 seat restaurant, two single unit rental cabins, a 24 room inn, a 359 square foot retail area, a 2 unit rental cabin and a 3 unit rental cabin, a 2,400 square foot maintenance building, a single family residence, and auxiliary parking, and the storm water plan be approved subject to the Findings and Conditions as discussed and as listed in the Staff Report, and subject to the following Conclusions and the action that could be taken to obtain the conditional use permit is to complete the Conditions of Approval, as adopted.

This action does not result in a taking of private property.

VOTED upon and the Chair declared the motion carried, unanimously.

FINDINGS and CONCLUSIONS

1. FINDING:

This proposal was reviewed for compliance with the criteria and standards set forth at Sections 12-1801 et seq., 12-2101 et seq., Bonner County Revised Code, and storm water management criteria and standards set forth in Chapter 24, Title 12, Bonner County Revised Code.

2. FINDING:

ECONOMIC DEVELOPMENT

Bonner County intends to designate sufficient suitable areas for future commercial development.

The project site contains 6.19 acres and has been recognized as suitable for recreational and commercial uses since 1981. Lots 1 through 4 were previously recognized as Commercial through a series of previous actions (Zone Change Files 76-81 and 105-84). Lot 5 was rezoned from Suburban to Commercial in 1993 (Zone Change File 207-93; Ord. 233).

Bonner County intends for future commercial development, along major roads, to locate in defined areas.

The project is located on Lakeshore Drive, a Bonner County-classified "major collector," hard surfaced roadway.

Bonner County intends to consider the impact on natural resources in the location and density of future recreational development.

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and the Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

A land capability report was prepared by the project engineer recognizing that building sites exist above (outside of) the mapped 100 year flood plain; that the properties are served by the Southside Water and Sewer District; that storm water can be managed [subject to the joint development agreement discussed above: staff comment]; that temporary erosion can be mitigated through the use of "velocity restrictors;" and that the site is geologically stable.

PUBLIC SERVICES

Bonner County intends to consider the quality of existing services (police, schools, roads) in the location and density of new development.

The **Department of Transportation (ITD)** reviewed a traffic study prepared by the project engineer for the conditional use permit and concluded that the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD.

The **Bonner County Road Department** recommends the following conditions:

1. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
2. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
3. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue.
4. An encroachment permit for a commercial approach shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
5. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
6. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
7. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.

Bonner County intends to consider the quality of existing utilities (sewer, water) in the location and density of new development.

The **Southside Water and Sewer District** verified that the District can support the proposed inn together with the extended restaurant hours of operation.

Bonner County intends for new development to offset the capital costs of expanding services to their area.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

TRANSPORTATION

Bonner County intends to consider safety hazards and congestion in the location and design of future development.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

Bonner County intends for roads within new development to be built to county standards and at the expense of the developer.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services.

The applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

Bonner County intends for certain intense land use developments to provide paved roads.

Lakeshore Drive and U.S. Highway 95 are hard surfaced.

Bonner County intends to regulate roadside advertising signs.

Signage for the facility includes three on premises signs: one 128 square foot, double-sided, freestanding sign visible from Highway 95; one 64 square foot freestanding sign visible from the Pend Oreille River frontage; and one 64 square foot attached sign mounted to the restaurant. The highway sign is subject to a 25 foot setback and is presently located about 10 feet from the highway right of way. This sign will need to be relocated. (BCRC,

§12-630[c]) The water front sign is subject to a 40 setback and is presently located about 14 feet from summer pool. This sign will need to be relocated. (BCRC, §12-631) These are proposed use permit conditions.

NATURAL RESOURCES

Bonner County intends to regulate the location and density of new development in floodplains.

All development will be located above the 2,070 foot base flood elevation. (Site plan)

Bonner County intends to consider wetlands and aquifer recharge areas in the location and density of future development.

The property does not contain mapped wetlands. (USFWS Wetlands Map, Sagle Quad)

Bonner County intends to maintain or enhance present water quality.

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

Bonner County intends to maintain or enhance our fish and wildlife resource.

The U.S. Fish and Wildlife Service noted that the Pend Oreille River is bald eagle foraging habitat and formerly recommended a 200 foot buffer between the shoreline and the project. (C659-99) The Planning Commission previously concluded that the Bonner County 40 foot shoreline setback is appropriate.

The Department of Fish and Game did not respond.

COMMUNITY DESIGN

Bonner County intends for new development to locate in areas with similar densities and compatible uses.

The Smokehouse lies to the south, and the Long bridge Grill lies to the east. The subject property is developed with the Swan's Landing Restaurant. The former Mason lots are vacant.

Bonner County intends for new development to minimize the adverse impacts on adjacent areas.

The applicants are improving the approach onto Lakeshore Drive (former Goodness residential approach) and installing any needed water and sewer services. In addition, the applicants will be installing a right turn lane on Lakeshore Drive southbound onto U.S. 95.

2. CONCLUSION:

ECONOMIC DEVELOPMENT

This project is located in a suitable area for the growth of commercial development.

PUBLIC SERVICES

This project does provide essential public services, to the residents of Bonner County, at the least expense.

TRANSPORTATION

This project does provide a transportation system that is safe, uncongested and well maintained.

NATURAL RESOURCES

This project does manage natural resources to attain the greatest long-term public benefit.

COMMUNITY DESIGN

This project does maintain a variety of lifestyles and a rural character for the future development of Bonner County.

Therefore, the proposal is in accordance with the general and specific objectives of the Comprehensive Plan.

3. FINDING:

All development will be located above the 2,070 foot base flood elevation. (Site plan)

A storm water management plan was prepared by the project engineer demonstrating that the majority of the site runoff is directed north from the impervious areas, then across a forested area where the runoff is presently absorbed by native vegetation. Two retention ponds will be constructed, however, north of the impervious areas to detain any additional runoff generated from the proposed inn and any subsequent paving. The balance of any impervious surface runoff has been directed to a swale located in part on the eastern boundary of the project site, and in part within the U.S. Highway 95 right of way. A "joint management agreement" was provided between the landowners (MAC, L.L.C. and Idaho Transportation Department) in order for Bonner County to approve off site storm water disposal. (BCRC, §12-2430[b]; ITD Permit 1-99-120 "Permit to allow existing use of detention pond for runoff from private property")

The **Department of Transportation (ITD)** reviewed a traffic study prepared by the project engineer for the conditional use permit and concluded that the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD.

The **Bonner County Road Department** recommends the following conditions:

- a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
- b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
- c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue.
- d. An encroachment permit for a commercial approach shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
- e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
- f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.
- g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.

3. **CONCLUSION:**

The proposed use will not create a hazard or will not be dangerous to persons on or adjacent to the property.

CONDITIONS

1. The use shall be in accordance with the approved site plan.
2. The Conditional Use Permit shall not supersede deed restrictions.
3. All county setbacks shall be met.
4. The Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit, the applicant may make a written request to the Planning Director for a single extension of the Conditional Use Permit for a period up to two (2) years. The Planning and Zoning Commission may consider such request for extension at any public hearing. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit.
5. The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and storm water management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved.
6. Prior to conditional use permit issuance, the applicants shall relocate the on premise sign fronting on U.S. Highway 95 to a minimum 25 foot setback from the U.S. Highway 95 right of way boundary, and shall relocate the on premise sign fronting on the Pend Oreille River to a minimum 40 foot setback from the summer pool level/2,062.5 foot elevation. The project engineer shall provide written confirmation to the Planning Department verifying the relocation of the two signs.
7. Prior to conditional use permit issuance, a rezone from Suburban 1/3 to Recreation shall become effective for Lots 7, 8, 9 and 10, Block 10, *Lakeside Place*, Book of Plats 1, Page 79, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, Book of Plats 1, Page 79.
8. Prior to conditional use permit issuance, that applicant shall complete the following to the satisfaction of the Bonner County Public Works Department:
 - a. An extension of the previously granted right-of-way from Lot 6, Block 7, through Lots 7 and 8, Block 7, will be required due to the existing 40' wide right-of-way.
 - b. A painted and signed crosswalk will be required from the auxiliary parking lot across Lakeshore Drive. The developer or his representative needs to meet with the Road Department to determine the exact location of the crosswalk.
 - c. A Local "C" road will be required in the dedicated right-of-way designated as Greenwood Avenue, or an approach approved and constructed off of Lakeshore Drive, to the satisfaction of the Public Works Department.
 - d. An encroachment permit for a commercial approach(es) shall be applied for, approved, and constructed, or bonded for through the Public Works Department. The entrance must be graded to ensure water flows into the conveyance swales along Lakeshore Drive.
 - e. An additional 5' of right-of-way will be required on Greenwood Avenue due to the existing 50' wide right-of-way.
 - f. A right hand turn lane will be required on Lakeshore Drive as it enters Highway 95 in accordance with plans approved by ITD.

- g. All additional storm water must be treated on-site. No additional storm water will be allowed to enter the County right-of-way.

The project engineer shall provide written confirmation from the Road Department to the Planning Department verifying completion of Conditions 8a, 8b, 8c, 8d, 8e and 8f.

9. Prior to conditional use permit issuance, the applicant shall provide payment in advance for hook-up fees for water and sewer service to rebuild the Harford lift station in order for the station to effectively accommodate the expansion to 29 units. The applicant shall provide to the Planning Department written verification from the Southside Water and Sewer District upon completing this condition.
10. The project shall connect to the Southside Water and Sewer District for water and sewer services.
11. Prior to conditional use permit issuance, the applicant shall construct to the satisfaction of ITD a right turn lane on Lakeshore Drive (turning south) at the intersection of Lakeshore Drive and U.S. Highway 95 to the satisfaction of ITD. The applicant shall provide to the Planning Department written verification from ITD upon completing this condition.
12. Prior to conditional use permit issuance, Lots 1 through 10, Block 10, *Lakeside Place*, shall be combined into one lot, and Lots 6, 7 and 8, Block 7, *Lakeside Place*, shall be combined into one lot, via lot line adjustments, and a final plat recorded.
13. Prior to inn occupancy a site obscuring barrier shall be constructed between Lots 10 and 11, Block 10 and Lots 5 and 6, Block 7, to the satisfaction of the lot owners and applicant.

EXHIBITS LIST

DATE: 10/5/00

FILE: C 693-00

P&Z/BOARD HEARING
(Circle one)

[illegible]

October 5, 2000

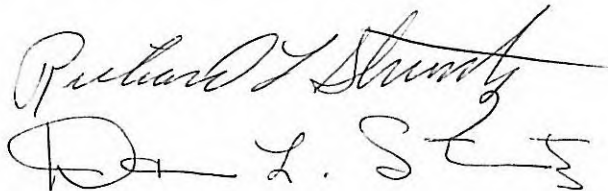
Bonner County Planning and Zoning
127 South 1st Ave.
Sandpoint, Idaho 83864

RE: Conditional Use Permit, File #C693-00, Mac LLC Commercial Resort

Dear Clare,

We are not writing in opposition to the above project, but only to request a condition be considered as part of the application request to require the developer to construct and maintain a sight obscuring fence along our West property line. That is between lots 5 and 6 of Block 7 Lakeside Place. Although we have never seen any plans for the property South of Lakeshore Drive, or for that matter the North side either, we hear through the rumor mill that this area is being pursued for parking and storage. We would like to minimize the visual impact and discourage people from entering our property.

Sincerely,



Richard and Dawn Struntz
The Smoke House RDRC



PTZ
EXHIBIT
A
C693-00

Exhibit E

BEFORE THE
BONNER COUNTY
BOARD OF COUNTY
COMMISSIONERS

APPEAL OF DENIAL OF CONDITIONAL USE PERMIT CUP008-25

Date: March 31, 2026

To: Bonner County Board of Commissioners

Applicant: Long Bridge Land Holdings Company LLC

Long Bridge Land Holdings Company LLC (“Applicant”), pursuant to Bonner County Revised Code (“BCRC”) § 12-262, hereby appeals the written decision dated March 5, 2026 of the Bonner County Zoning Commission (“Commission”) denying File No. CUP008-25, an application for a conditional use permit to allow marina expansion and associated upland accommodations. The Zoning Commission’s decision was arbitrary, capricious, and abuse of discretion, and not supported by substantial evidence on the record as a whole.

I.

BACKGROUND AND COMMISSION FINDINGS

The Applicant applied for a conditional use permit to the Bonner County Planning Department, requesting approval for a marina expansion and associated upland accommodations. The application was reviewed by Planning staff for compliance with the Bonner County Revised Code and applicable provisions of the Idaho Local Land Use Planning Act (“LLUPA”), Idaho Code § 67-6501 et seq.

Following staff review, the application was scheduled for a duly noticed public hearing before the Bonner County Zoning Commission. Notice of the hearing was provided in accordance with BCRC requirements, and relevant agencies, including the Idaho Transportation Department and Bonner County Road and Bridge, were solicited for comment.

On February 12, 2026, the Commission conducted the public hearing, during which it received the staff report, agency correspondence, public testimony, and evidence submitted by the Applicant, including a Trip Generation Distribution Letter evaluating anticipated traffic impacts. The Commission deliberated on the application and evaluated it against the applicable

standards set forth in BCRC Title 12, including § 12-223, governing conditional use permits.

During the February 12, 2026, public hearing, and later included in the March 5, 2026, written decision, the Commission made affirmative findings that the proposed use:

1. Is consistent with the Bonner County Comprehensive Plan, as required under Idaho Code § 67-6508; and
2. Complies with applicable development standards set forth in BCRC Title 12, including Chapter 3, Subchapters 3.3 and 3.4; Chapter 4, Subchapters 4.2 through 4.6; and Chapter 7, Subchapter 7.2.

Notwithstanding these findings, the Commission denied the application based solely on BCRC § 12-223, concluding that “The proposed use will create a hazard and will be dangerous to persons on or adjacent to the property.”

II.

STANDARD OF REVIEW: RELEVANT REGULATIONS, GUIDELINES, AND CODE SECTIONS

Pursuant to BCRC 12-262, the Bonner County Revised Code expressly authorizes an appeal from a final decision of the Zoning Commission, providing that:

- A. Presentation of Appeal: Any “affected person”, as defined by Idaho Code title 67, chapter 65, may appeal to the Board any final decision by the Zoning Commission/hearing examiner.
- B. Filing Time Limit; Fee: Any affected person may file an appeal of the final decision of the Zoning Commission/hearing examiner with the Planning Director within twenty eight (28) days after the final written decision of the Zoning Commission/hearing examiner has been issued. The appellant shall pay the fee required by this title upon filing the appeal. An appeal shall not be considered to be filed until such fee has been paid. Failure to file the appeal within the time limits shall cause automatic dismissal of the appeal.

The Zoning Commission issued its initial written decision on File CUP0008-25 dated February 17, 2026, initiating the 28-day appeal period. The Decision Letter, shared via email, did not include Reasoning Statement or Comprehensive Plan Worksheet. The written decision was then revised to include the missing information and reissued on March 5, 2026, therefore the appeal period was extended. As this motion has been filed prior to that date, the motion is timely. On appeal, the Board must determine whether the Zoning Commission properly applied the standards set forth in BCRC § 12-223 and whether its decision is supported by substantial evidence in the record. Where a decision is based on speculation, generalized concerns, or conditions not attributable to the proposed use, reversal is required under Idaho law.

A. RELEVANT BCRC SECTIONS

BCRC § 12-223 requires that a conditional use permit be granted where the proposed use complies with enumerated standards, including that the use will not “create a hazard or be dangerous to persons on or adjacent to the property.”

Here, the Commission’s own findings establish compliance with all other applicable provisions of the BCRC, including:

- BCRC12-223 provides:

The Zoning Commission or Hearing Examiner shall review the particular facts and circumstances of each proposal submitted. To grant a conditional use permit, the Zoning Commission or Hearing Examiner must find that the proposal is not in conflict with the policies of the comprehensive plan, as found in the adopted Implementation Component, and that the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.

The only basis for denial was the hazard standard under § 12-223. However, the Commission failed to properly apply this standard by conflating pre-existing roadway conditions with speculative impacts not supported by evidence in the record attributable to the proposed use.

Prior to the public hearing, all applicable agencies were notified of the application and provided an opportunity to submit technical comments or recommend conditions. Bonner County Road and Bridge identified existing safety concerns and recommended that a traffic study could be required to further evaluate potential impacts. The Idaho Transportation Department did

not provide any objections or identify any safety concerns related to the proposal.

Importantly, no agency concluded that the proposed use would create a hazard. The Commission did not require a traffic study, request additional information, or identify any objective standard demonstrating how the proposal would create a hazard. Instead, the Commission relied on generalized concerns regarding existing roadway conditions, which are unrelated to the proposed use.

The absence of agency objection, combined with the lack of any required traffic study or identified standard of noncompliance, confirms that the record contains no competent evidence establishing that the proposed use would create a hazard.

- BCRC 12-328 provides:

A. The recreation district is intended to provide for a range of housing types and uses that are accessory and complementary to recreational and residential uses. These purposes are accomplished by:

5. Applying simple design standards that enhance recreational opportunities and character of the area.

B. Use of this zone is appropriate in areas designated as transition, neighborhood commercial...and resort community with the following conditions:

1. Land is physically suitable to accommodate a broad range of residential and recreational uses.

The Commission was deliberate in concluding that the proposal was not in conflict with zoning district regulations. The Commission's affirmative findings of compliance with these provisions establish that the proposal satisfies all applicable technical and design standards governing the use, including those related to site suitability, circulation, and compatibility with surrounding uses.

No contrary evidence was presented demonstrating noncompliance with these provisions, and the Commission did not identify any deficiencies under the applicable zoning standards. Accordingly, the record establishes that the proposed use complies with all applicable requirements of the BCRC, and the only remaining basis for denial is the hazard standard under § 12-223.

B. RELEVANT IDAHO CODE SECTIONS

Idaho Code § 67-6512 states:

“As part of a zoning ordinance each governing board may provide by ordinance ... for the processing of applications for special or conditional use permits. A special use permit may be granted to an applicant if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance...”

The record demonstrates compliance with this standard. The Commission found no conflict with the Comprehensive Plan and the application was found to be in compliance with the specific development standards for the proposed use. The only asserted basis for denial—traffic hazard—is not supported by substantial evidence attributable to the proposed use. Evidence in the record, including the Trip Generation Distribution Letter, demonstrates that the proposal generates fewer peak-hour trips than previously approved uses and therefore does not create a hazard.

Idaho Code § 67-6519(5) requires that:

“The decision-making body shall specify the ordinance and standards used in evaluating the application and shall provide the reasons for approval or denial.”

While the Commission cited BCRC § 12-223, its conclusion that the proposal would “create a hazard” is not supported by substantial evidence in the record. Under Idaho law, such unsupported conclusions do not satisfy the requirements of § 67-6519. See *Lane Ranch Partnership v. City of Sun Valley*.

C. RELEVANT CASE LAW

This appeal is governed by Idaho Code § 67-6501 et seq. Under Idaho Code § 67-6519(5), a governing body must base its decision on standards set forth in the applicable ordinance and provide reasons supported by the record.

Judicial review of land use decisions requires reversal where the decision is:

- Arbitrary, capricious, or an abuse of discretion; or
- Not supported by substantial evidence on the record as a whole. See *Lane Ranch Partnership v. City of Sun Valley*; *Neighbors for Responsible Growth v. Kootenai County*.

“Substantial evidence” is defined as relevant evidence that a reasonable mind might accept to support a conclusion. *Lane Ranch*, 145 Idaho 87 (2006). Moreover, a denial may not be based on speculation, generalized concerns, or unsubstantiated public opinion. *Neighbors for Responsible Growth*, 147 Idaho 173 (2009). A denial cannot be sustained where the record lacks evidence demonstrating that the proposed use itself causes the alleged impact.

In *Northwest Neighborhood Association v. City of Boise*, 172 Idaho 607 (2022), the Idaho Supreme Court reaffirmed that land use decisions must be grounded in clearly articulated standards and supported by a reasoned explanation tied to the record.

Idaho Code section 67-6535 expressly provides that the approval or denial of a land use application must be based upon standards and criteria set forth in the governing authority’s adopted regulations:

“The approval or denial of any application... shall be based upon standards and criteria which shall be set forth in the comprehensive plan, zoning ordinance or other appropriate ordinance or regulation of the city or county.” (I.C. § 67-6535(1))

The Court emphasized that this requirement ensures that “permit applicants, interested residents, and decision makers alike may know the express standards that must be met in order to obtain a requested permit or approval.” *Id.* (internal citation omitted).

Idaho Code section 67-6535 further requires that a governing body issue a written “reasoned statement” explaining its decision:

“The approval or denial... shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision...” (I.C. § 67-6535(2)).

The statute provides that: “Failure to identify the nature of compliance or noncompliance with express approval standards or failure to explain compliance or noncompliance with relevant decision criteria shall be grounds for invalidation...” (I.C. § 67-6535(2)(a)).

The Idaho Supreme Court has consistently enforced these requirements. In *Lane Ranch Partnership v. City of Sun Valley*, 145 Idaho 87, 175 P.3d 776 (2007), the Court held that a local governing body must apply the plain language of its own ordinances and may not impose requirements or reach

conclusions that are inconsistent with those standards. The Court affirmed that decisions lacking a reasonable basis in fact or law cannot stand.

Similarly, in *Neighbors for Responsible Growth v. Kootenai County*, 147 Idaho 173 (2009), the Court held that generalized public concern and speculative impacts do not constitute substantial evidence sufficient to support denial of a land use application.

The Court has further explained that the “reasoned statement” requirement serves essential functions, including facilitating judicial review and ensuring careful administrative decision-making. *See Jasso v. Camas County*.

III.

ARGUMENT

THE COMMISSION’S WRITTEN DECISION FAILS TO ADEQUATELY EXPLAIN THE CRITERIA AND STANDARDS UTILIZED AND FAILS TO ADEQUATELY EXPLAIN THE RATIONALE FOR DENIAL

A. THE DECISION IS NOT SUPPORTED BY SUBSTANTIAL EVIDENCE

The Commission’s conclusion that the proposal would “create a hazard” is not supported by substantial evidence in the record.

The record demonstrates that:

- Any traffic hazard at the intersection of Lakeshore Drive and U.S. Highway 95 is pre-existing and unrelated to the proposed use;
- Commissioners acknowledged during deliberations that the hazard exists independent of the application and debated whether the proposal would “create” versus merely “exacerbate” an existing condition;
- No agency with jurisdiction over transportation infrastructure concluded that the proposed use would create a hazard;
- The Applicant’s Trip Generation Distribution Letter (TGDL) shows that the proposed use would generate fewer weekday peak-hour trips than previously approved uses for the site; and
- No competent evidence was presented demonstrating that the proposed use would create a new or increased hazard.

Mischaracterizations of the TGDL during deliberations further illustrate that the decision was not grounded in a correct understanding of the record.

Under Idaho law, such speculation and misunderstanding cannot constitute substantial evidence sufficient to support denial, see Lane Ranch, 145 Idaho at 93.

B. AGENCY REVIEW DOES NOT SUPPORT DENIAL

Agency input likewise fails to support the Commission's conclusion.

The Idaho Transportation Department (ITD), despite being solicited for comment, provided no objections, recommendations, or conditions. The absence of agency concern is significant and weighs against a finding of hazard.

Bonner County Road and Bridge (BCRB) identified existing safety concerns and suggested potential mitigation measures, including traffic control modifications and infrastructure improvements. BCRB further recommended that a traffic study could be required to evaluate impacts.

However:

- A traffic study was not required under applicable code provisions;
- The Commission declined to impose such a study as a condition of approval; and
- The Commission denied the application outright rather than utilizing available tools under BCRC § 12-223 and 12-226 to impose reasonable conditions.

Idaho Code § 67-6512 authorizes the imposition of conditions to ensure compliance with applicable standards and to protect public health, safety, and welfare. Where potential impacts can be addressed through conditions or additional analysis, denial of an otherwise compliant application is improper.

C. THE DECISION IS ARBITRARY AND CAPRICIOUS

While the Commission is authorized to evaluate evidence in the record, its decision must be supported by substantial, competent evidence demonstrating that the proposed use itself will create a hazard. Here, no such evidence exists. The Commission failed to analyze the record in a manner consistent with § 12-223 and failed to articulate how the proposal would result in a hazard to persons on or adjacent to the property.

A finding of hazard cannot be based on speculation or pre-existing conditions but must be supported by evidence demonstrating a direct causal relationship between the proposed use and the alleged impact. Accordingly, the denial is arbitrary, capricious, and not supported by substantial evidence in the record.

The denial constitutes an arbitrary and capricious action and an abuse of discretion under Idaho law, see *Neighbors for Responsible Growth*, 147 Idaho at 180, because the Commission:

- Found the application consistent with the Comprehensive Plan and compliant with all applicable development standards;
- Relied on pre-existing conditions unrelated to the proposal; and
- Failed to base its decision on substantial evidence specific to the proposed use.

VII.

CONCLUSION

The record demonstrates that the proposed conditional use permit satisfies all applicable requirements of Idaho Code and the Bonner County Revised Code. The Commission's contrary conclusion is unsupported by substantial evidence and reflects a misapplication of BCRC § 12-223. Where a governing body finds compliance with all applicable standards but denies an application based on unsupported conclusions, such action is inherently arbitrary and capricious.

Per BCRC § 12-225, If the Zoning Commission or Hearing Examiner denies the conditional use permit, the Zoning Commission or Hearing Examiner shall state in writing the reasons for the decision and shall specify any actions the applicant could take to obtain approval.

Accordingly, the Applicant respectfully requests that the decision be reversed and the conditional use permit approved, as approval is the only lawful outcome supported by the record.