

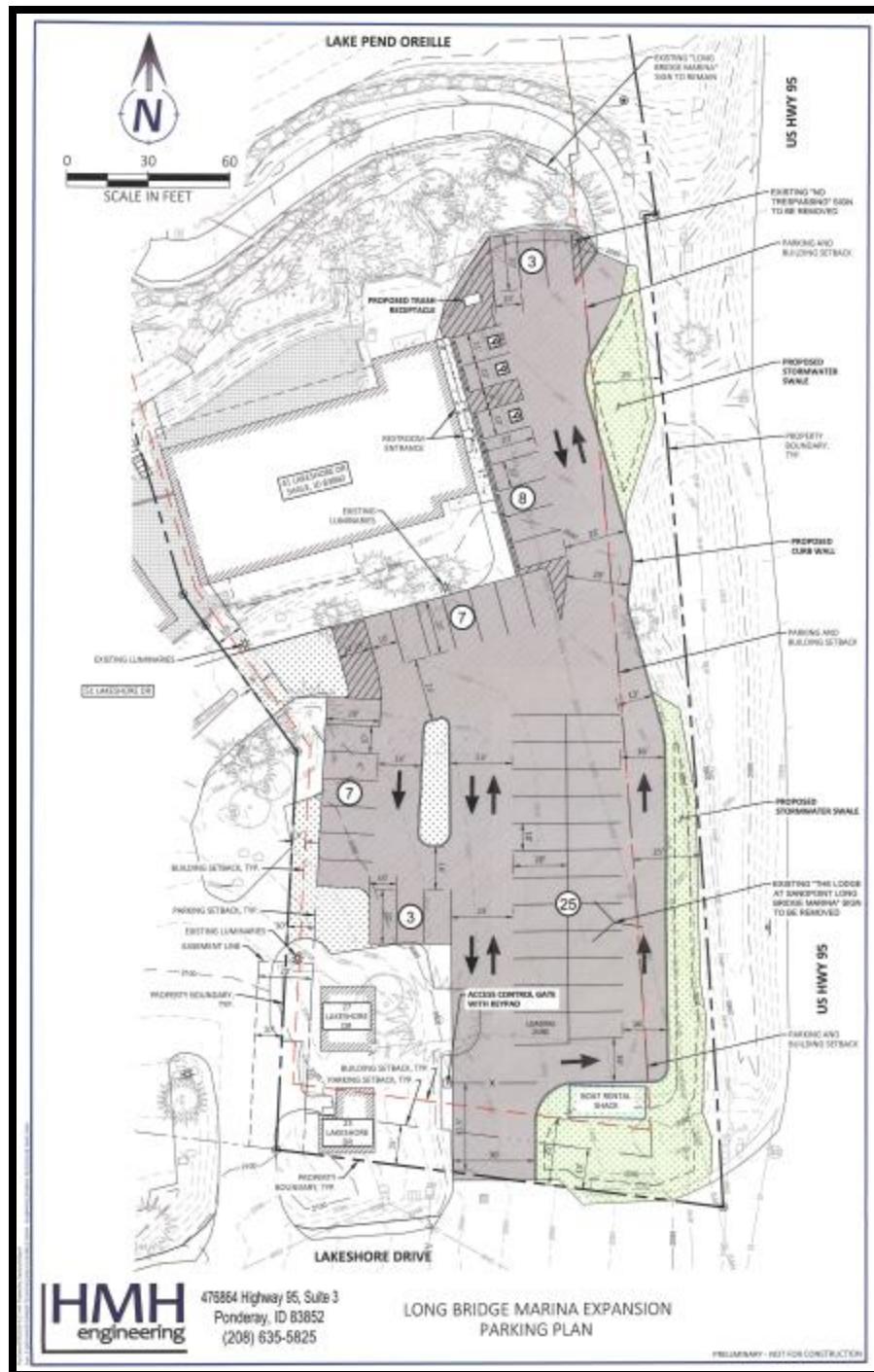
BONNER COUNTY PLANNING DEPARTMENT

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 $0\text{--}\geq 30\%$ 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 ±400sq.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 ±400sq.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:

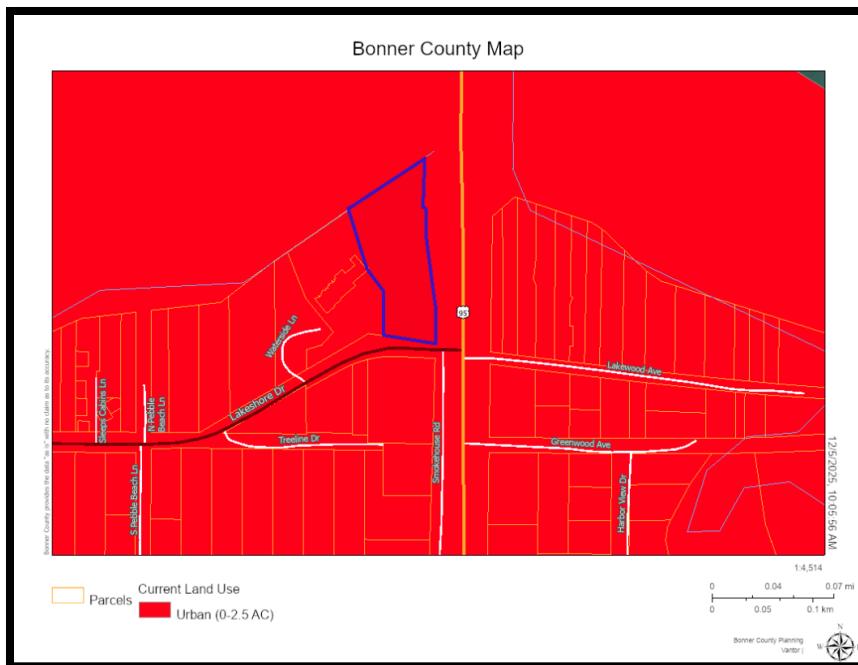
D. New building construction which occurs within three hundred feet (300') of any lake, slough, pond, river, stream or intermittent stream shown on the national hydrography dataset (NHD), as published by the United States geological survey, or by actual survey, and which is subject to the provisions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

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.

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- \geq 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 COMMISSION

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**

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 L Welter

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
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C001270A	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
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C00B190A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP0023400706A0A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C003010A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C001220A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C002150A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP0023401001C0A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C00B220A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C003110A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C001230A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C002160A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C001190A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Aj & Am Llc	Po Box 1333	Spokane Valley	WA	99037
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP00234007005AA	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C001290A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C001210A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	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
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C003090A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C00B230A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP0023401001D0A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C002220A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
	Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int				
RP07352C001250A	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 Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C002230A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP00234007001BA	Long Bridge Land Holding Company Llc Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 1942	Spokane	WA	99210
RP07352C002140A	Harvey, Jacqueline - 12.5% Int Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C00B210A	Harvey, Jacqueline - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP0023401002B0A	Long Bridge Land Holding Company Llc	Po Box 1942 4777 S Fulton Ranch Blvd Unit 2113	Spokane	WA	99210
RP0023400920A0A	Hardin, Le'carlton Ruen, Rochelle Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int		Chandler	AZ	85248-5049
RP07352C002170A	Harvey, Jacqueline - 12.5% Int Wood, Leslie - 75% Int Harvey, Amanda - 12.5% Int	Po Box 30365	Santa Barbara	CA	93130
RP07352C003100A	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>
To: Bonner County Planning Department <planning@bonnercountyid.gov>
Cc: Jason Topp <jason.topp@bonnercountyid.gov>

Wed, Jan 28, 2026 at 3:33 PM

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

Tue, Jan 13, 2026 at 10:08 AM

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 Corp - 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@spiritlakeid.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 <Frankiejdunn@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 - 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 <pllibrary@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 <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 <eplfdchief@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>
To: Bonner County Planning Department <planning@bonnercountyid.gov>

Wed, Jan 28, 2026 at 12:54 PM

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 Corp - 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>; Carroll 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@spiritlakeid.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 <Frankiejdunn@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 - 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 <sagewatersewer@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@selkirkaoa.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 <eplfdfchief@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>

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

Tue, Jan 6, 2026 at 1:12 PM

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 Corp - 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>; Carroll 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@spiritlakeid.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 <Frankiejdunn@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 - 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 <sagewatersewer@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@selkirkao.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 <chiventresswlvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <eplfchief@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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Bonner County Planning Department

Systems Technician

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

Tue, Jan 6, 2026 at 2:36 PM

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 Corp - Jay West
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<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>; Carroll Stejer <CASTEJER@gmail.com>; Charity Hinshaw
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<hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown
<cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>;
cityclerk@spiritlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill
<craighill@hillsresort.com>; D1Permits <D1Permits@idl.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@lacledewaterdistrict.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@selkirkcoor.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 <eplfdchief@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>
To: Bonner County Planning <planning@bonnercountyid.gov>

Fri, Jan 9, 2026 at 4:04 PM


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

Public Health
Prevent. Promote. Protect.
Panhandle Health District

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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.

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

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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 Tanyan - PHD* *1/9/24*
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>
Reply-To: Ken Flint <ken_flint@tcenergy.com>
To: Bonner County Planning Department <planning@bonnercountyid.gov>

Wed, Feb 4, 2026 at 2:30 PM

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.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 Corp - 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>; Carroll 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@spiritlakeid.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 <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 <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@lacledewaterdistrict.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@selkirkao.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 <eplfchief@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!

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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>
Reply-To: Ken Flint <ken_flint@tcenergy.com>
To: Bonner County Planning Department <planning@bonnercountyid.gov>

Wed, Feb 4, 2026 at 1:28 PM

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 Corp - 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>; Carroll 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@spiritlakeid.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@lacledewaterdistrict.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 - Glynnis 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@selkirkao.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@id.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 <eplfdchief@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 _____

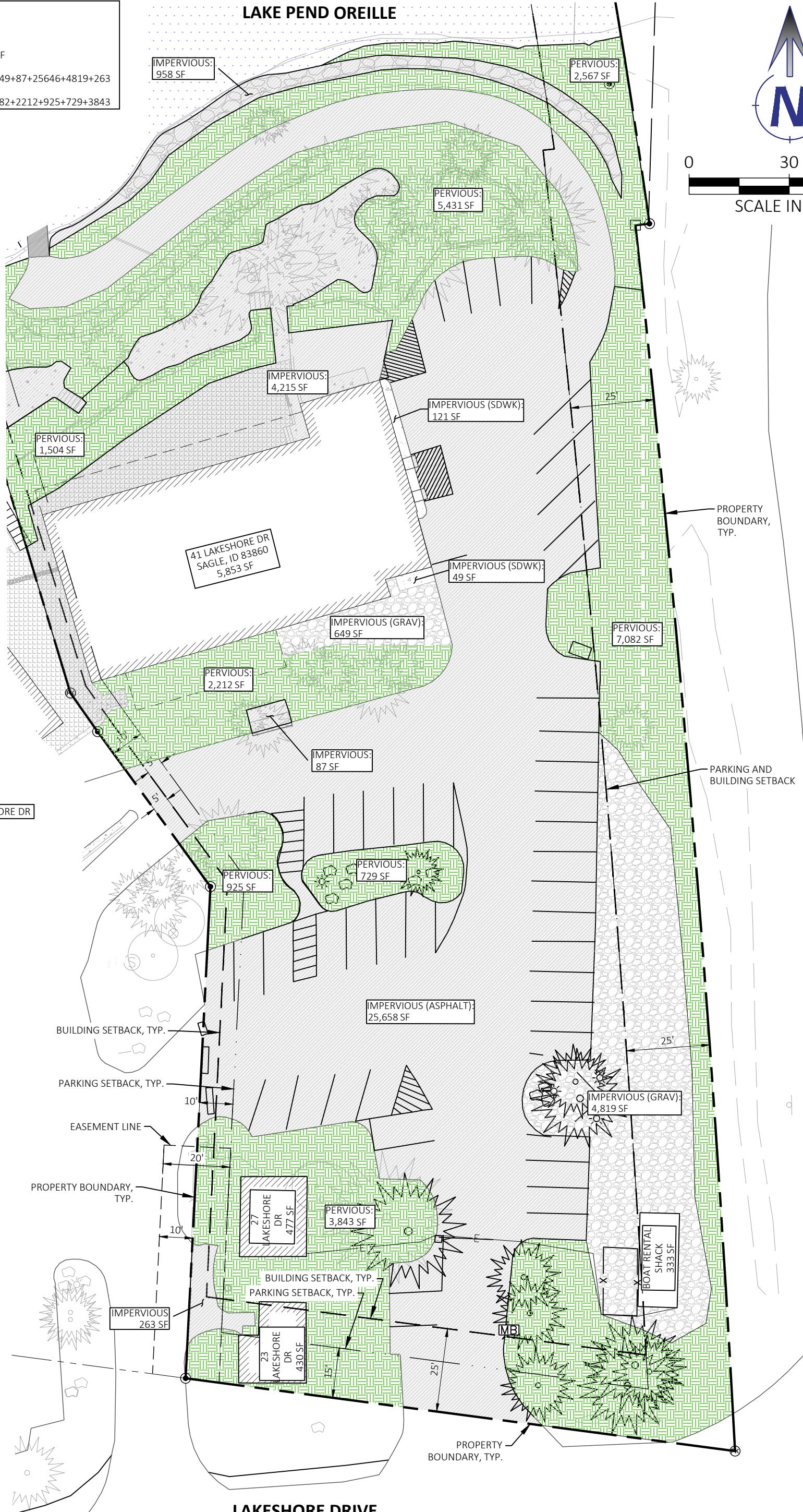
Exhibit A

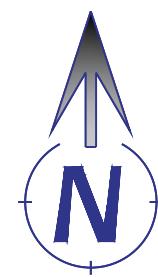
BUILDING = 7,093 SF
 MAIN: 5,853 SF
 COTTAGE 1: 430 SF
 COTTAGE 2: 477 SF
 RENTAL SHACK: 333 SF
 IMPERVIOUS = 36,807 SF
 $958+4215+121+49+649+87+25646+4819+263$
 PERVIOUS = 24,293 SF
 $2567+5431+1504+7082+2212+925+729+3843$

LAKE PEND OREILLE



0 30 60
SCALE IN FEET





0 40 80
SCALE IN FEET

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

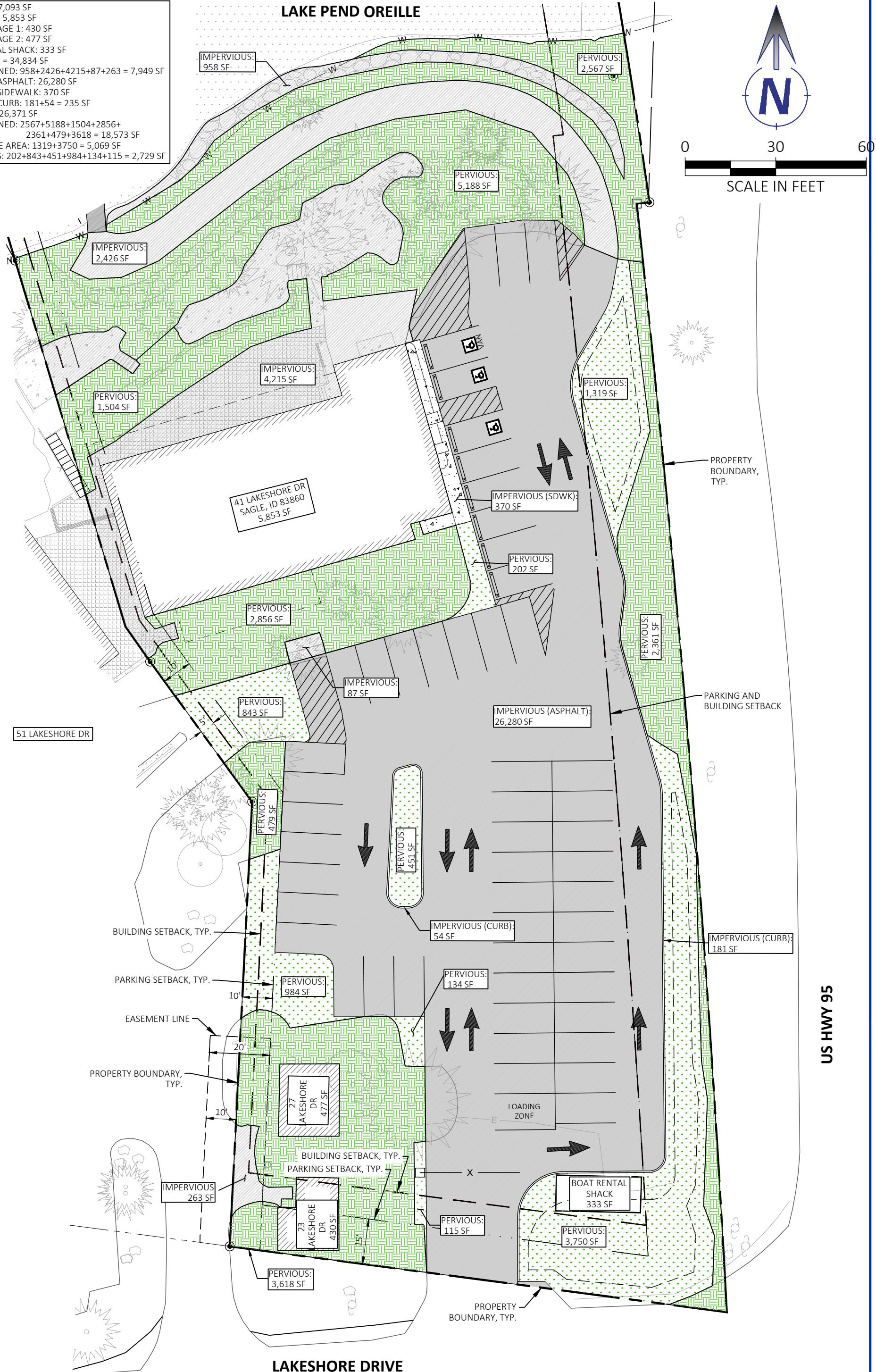
LAKE PEND OREILLE



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

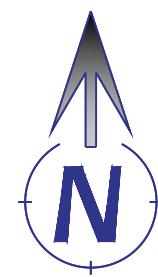
LAKE PEND OREILLE



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

LONG BRIDGE MARINA EXPANSION PROPOSED SURFACE QUANTITIES

PRELIMINARY - NOT FOR CONSTRUCTION



0 40 80
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



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 (Specific) Resort+

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>6/26/00</u>		
END OF 30 DAY AGENCY REVIEW <u>7/28/00</u>	AGENCY REVIEW MAILED <u>7/29/00</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 Seven Landing 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 8½ x 14 B/W 11 x 17 B/W 8½ x 11 Color 8½ x 14 Color 11 x 17 Color	.10/page plus sales tax .15/page plus sales tax .20/page plus sales tax \$1.25/page plus sales tax 1.75/page plus sales tax 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 Date: 208-255-1303 9/3/06

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 + 74 x 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





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

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

5-30-03

1 lot - commercial /

29 units not counting lofts

(> 'hotel/inn' units)

multi-family units -

4-acres

2 separate bldgs -

REC

only allows
1 MF

on 1 lot

→ needs split - short plat -

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

parking go \rightarrow 2/ DU ...
lot coverage 35%

→ condo plat

→ has approval of 'unit count'

$\frac{17}{3} \rightarrow 1440(d)$ MF - C.U.P. new not
modify

→ need new BLP for structures / changed
S/H/O is changing - so need new

3/18/04 Leo Gauza

4ac x 43,560 - 12,000 \div 3000 = 55 units

but has restaurant already lot coverage

issue start all over new cut

sewer traffic / lot coverage / traffic improvements
need plan prep

! what is actual decrease

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



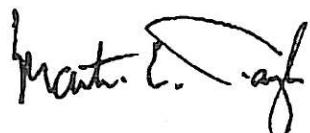
9. Parking for these two buildings must be within 300' of the units.
10. Structural lot coverage is limited to 35% for both resulting lots.
11. Stormwater management plans may need to be modified accordingly based on possible changes in impervious surface (parking, roofs, etc.).
12. Condo "platting" 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

Swan's Landing

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.

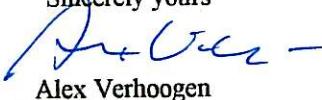
We will then plan on continuing construction.

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

RECEIVED

APR 15 2003

BONNER COUNTY
PLANNING DEPARTMENT

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.

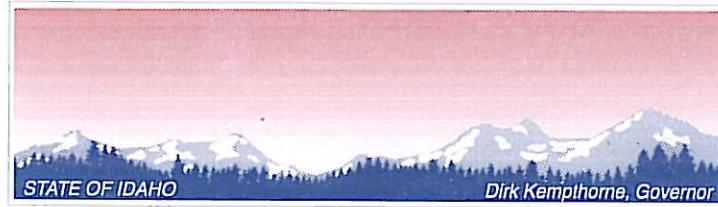
I greatly appreciated your trust in dealing with the postponement we requested, and I would expect that Dr. Verhoogen will honor that trust in providing either the turn lane itself or a renewed letter of credit **prior to** any further work being commenced on the project.

Raphael Barta
President
Eterra Resorts Inc.



cc *Clare*

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

U693-00

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,

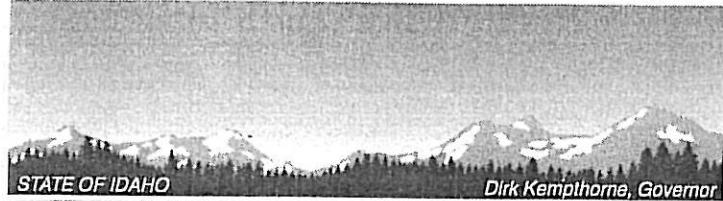
Further to your correspondence of September 21, 2001, I am writing to inform you that we have still not completed the financing arrangements for the project. The combination of economic recession and the effects on the hotel industry of September 11, have made it very difficult to raise the necessary 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,



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.

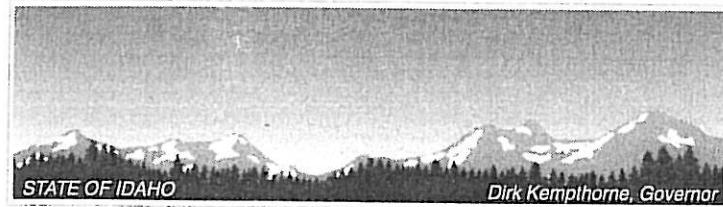
Thank you for coordinating with ITD on this project. If you have any questions, please do not hesitate to contact our offices.

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:

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

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

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

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.

RECEIVED

MAY 15 2002

13 May 2002

metn - please
bring up to
Speed on request
Sally - thanks
Sally

RECEIVED

MAY 21 2002

BONNER COUNTY
PLANNING DEPARTMENT

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,



RECEIVED

MAY 21 2002

BONNER COUNTY
PLANNING DEPARTMENT

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

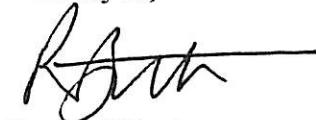
RE: Surety Agreement and Letter of Credit
The Inn at Swan's Landing
US 95 and Lakeshore Drive

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,



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.

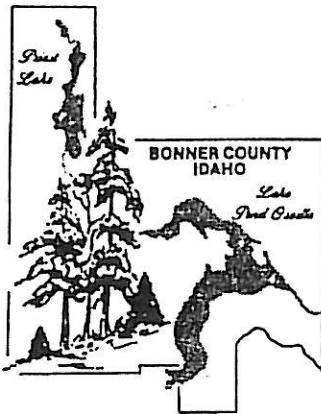
Thank you for coordinating with ITD on this project. If you have any questions, please do not hesitate to contact our offices.

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

"Protecting property rights and enhancing property values..."

127 South First Ave., Suite 1 • Sandpoint, Idaho 83864 • Phone (208)263-1458 • Fax (208)263-1463
• e-mail: planning@co.bonner.id.us • Web site: www.co.bonner.id.us

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

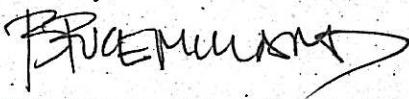
Dear Mr. Taylor,

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



FATZO
39346

656523

First American Title

FILED BY

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

2004 AUG -6 P 3:05

MARIE SCOTT
BONNER COUNTY RECORDER

RS DEPUTY

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. ROSS
SENIOR VICE PRESIDENT

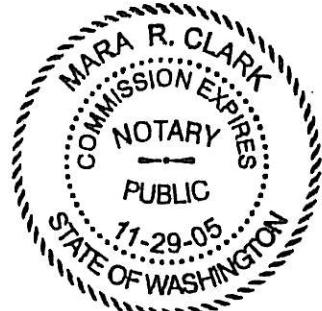


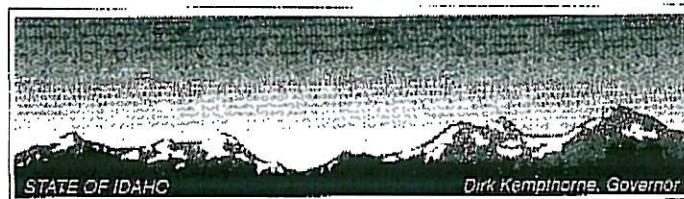
STATE OF WASHINGTON)
County of KING) ss.

This day personally appeared before me, the undersigned Notary Public, TODD A. BOSS, 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: 516 NW 113
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.

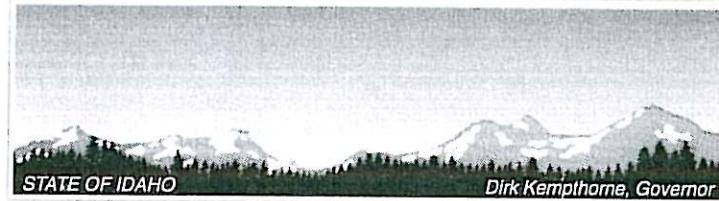
Sincerely,

Michael A. Porcelli

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.

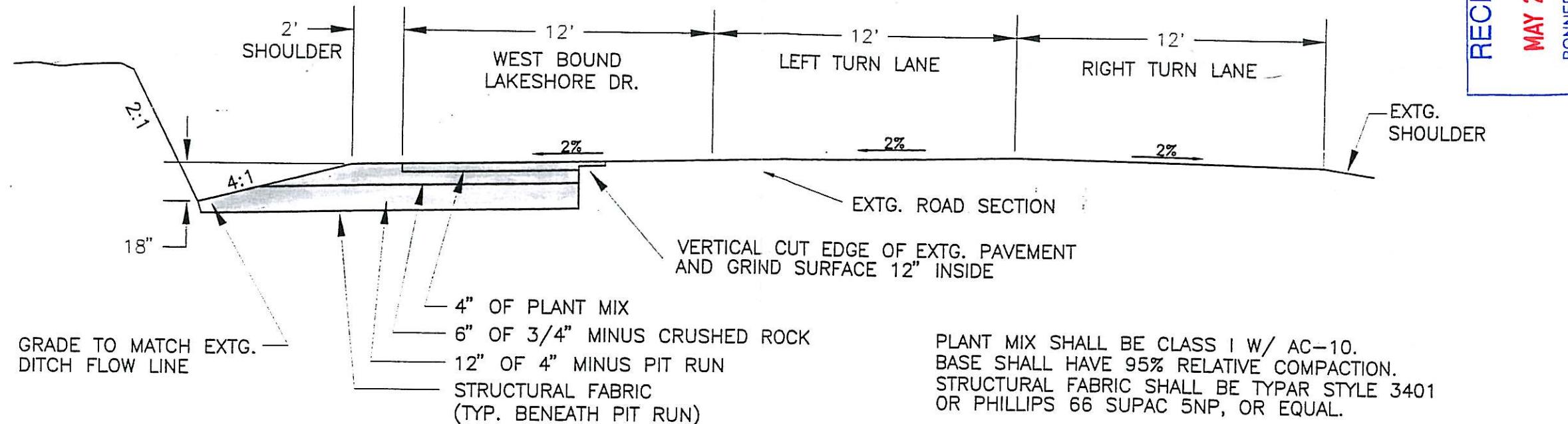
Please feel free to contact me with questions at 208-772-1218.

Sincerely,

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

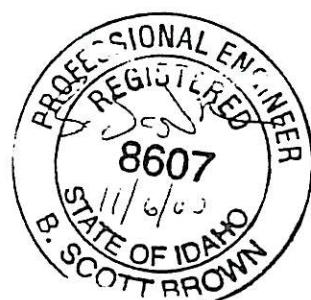
Cc: Bonner County P&Z



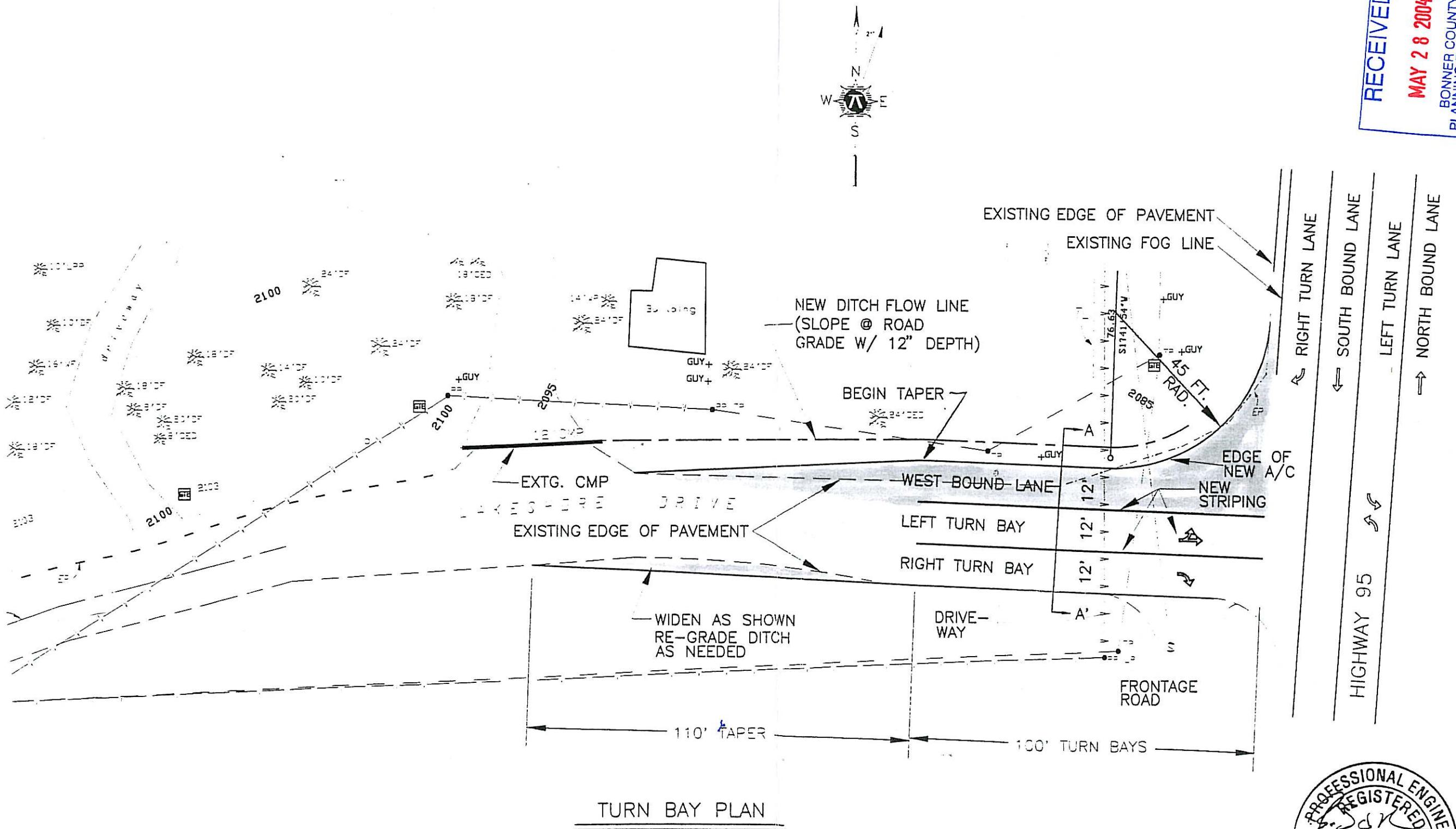


GENERAL NOTES AND SPECIFICATIONS

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



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

LEARNING DEPARTMENT

MAY 28 2004

RECEIVED
MAY 28 2004
BONNER COUNTY
PLAINTIFF

RECEIVED

- RIGHT TURN LANE
- ← SOUTH BOUND LANE
- LEFT TURN LANE
- → NORTH BOUND LANE

HIGHWAY 95 ↗ ↘





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.

April 4, 2001

MAC, LLC
Applicant

Andrea Stoyjohann
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. Verhoogen 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.

Mari A. Eston
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.

Not withstanding 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.

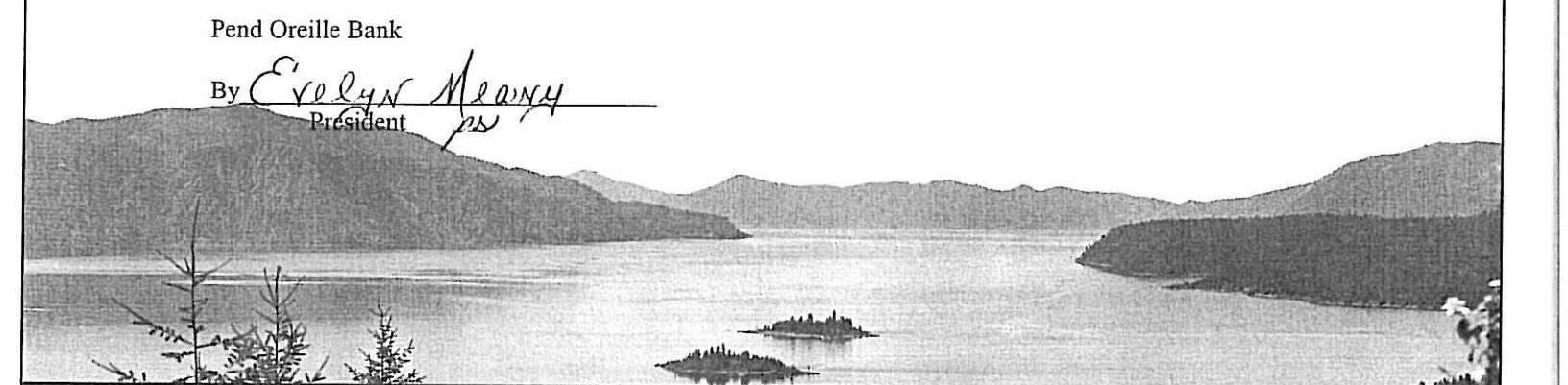
This Credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision) fixed by the International Chamber of Commerce Brochure No. 400.

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 Clyde W. 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 Leroy and Penelope Armstrong
S. 5111 Freya 532 S. Boyer
Spokane, Washington 99223 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.
0. The project shall connect to the Southside Water and Sewer District for water and sewer services.
1. 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.
2. 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.
3. 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
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

RECEIVED

SEP 01 2000

BONNER COUNTY
PLANNING DEPARTMENT

Instrument # 0580434 Date 2001-04-24 Time 15.28.00 Operator SANDY
Trans Code : 830 PLATS # of Pages : 002
Desc BOOK 6 PG 132 35-57-2W Fee \$: 11.00

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

Grantor/Grantee name

MAC, LLC	GRANTOR
VERHOOGEN, ALEX R	GRANTOR
VERHOOGEN, MARY LEE	GRANTOR
ARMSTRONG, LEROY W	GRANTEE
ARMSTRONG, PENELOPE A.	GRANTEE
LAKESIDE PLACE REPLAT LTS 1-10	GRANTEE

F3=EXIT

F23>Show Referenced FROM F24>Show Referenced TO

Bottom

Conso. 12

Instrument # 0580196 Date 2001-04-19 Time 14.02.00 Operator SANDY
Trans Code : 830 PLATS # of Pages . . : 002
Desc BOOK 6 PG 130 Fee \$: 11.00

>>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

Copy 12

FAX # 208-773-5199

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 UV Koley and Keys
Street 474 Hart Lane
City Post Falls
State ID 83877
Telephone Number 1-208-265-7271

Street Sixten Lucking
City Sixten Lucking 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 Board

Patching Install 2 ped. Crosswalk sign + cost to DOT Spec.

Other

	Subtotal	<u>585.00</u>
	Tax	<u>0</u>
	Total	<u>585.00</u>

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 Ybarra

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 _____



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.

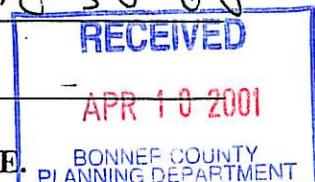
DRIVEWAY WIDTH: _____ FT. ROADWAY WIDTH _____ FT. *9 AIV. METAL*

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

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

FINAL

BUILDING DEPARTMENT INSPECTION: Jay Eller



PERMIT EXPIRATION: 6 MONTHS FROM DATE OF ISSUE.

PERMIT NO: 11074001-2

BONNER COUNTY ROAD AND BRIDGE DEPARTMENT
123 SOUTH FIRST AVENUE, SANDPOINT, ID 83864
(208) 263-8899 2-14-17

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: LAKESHORE 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' G.A.U. M.E.A.L

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

FINAL

BUILDING DEPARTMENT INSPECTION: Jim Eller



PERMIT EXPIRATION: 6 MONTHS FROM DATE OF ISSUE.

BONNER COUNTY
PLANNING DEPARTMENT

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-1-23 Wa Reg. #INTERCCI37RU

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:	LAKESHORE DRIVE		
CITY:	SAGLE	CITY:		STATE:	
STATE:	ID.	ZIP:	83860	CONTACT:	FRANK WAKELEY / TED E.

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
 (9.61 / S.Y.)

TRAFFIC CONTROL INCLUDED FOR ENTERING/EXITING LAKESHORE 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 customers 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.

Signature: _____

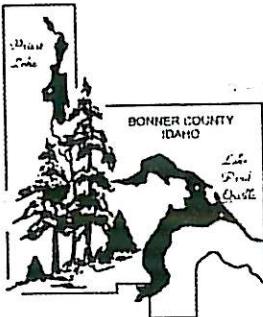
Date: _____

Signature: _____

RECEIVED

APR 10 2001

BUNNELL COUNTY
 PLANNING DEPARTMENT



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.

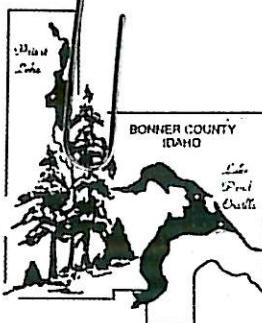
If problems arise with the work or there is road failure the applicant will be contacted to correct any identified problem areas. There will be a thirty (30) day period to complete the work, if the corrections are not addressed within the time period the County will make the repairs and apply for payment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

Frank Wakeley
Frank Wakeley (Wakeley & Key Const.)

4/5/01

Tim Elsea for Tim Elsea
Tim Elsea, Public Works Director

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.

Wakeley & 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.)

Tim Elsea
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,

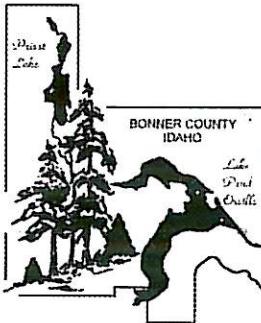
B. Scott Brown, P.E.
TUCKER BROWN & VERMEER, LLC

BSB/fb



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

Cont. 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 #C695-99 and ZC268-99, Inn at Swan's Landing

C693-

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 Wilson

From: Shirley Wilson
Sent: Monday, April 02, 2001 2:14 PM
To: Carole Richardson; Don Davis; Michael Porcelli; John Perfect; 'mtaylor@co.bonner.id.us';
Cc: Chuck Spickelmire
Subject: Andrea Storjohann
 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.

(Marty - I will mail you a copy of the agreements)

*Shirley Wilson
 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			From SHIRLEY WALSON		
Co/Dept.	D-1 PLANNING			Co. ITD		
Phone #	208-772-8013			Phone # 208-772-8013		
Fax #	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.

Ax Verhoeven

MAC, LLC
Applicant

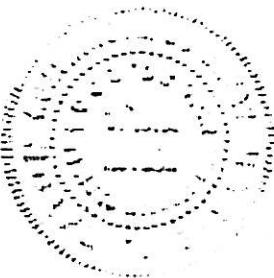
Andrea Stojohar
Idaho Transportation Department

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.

Mark A. Carlson
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.

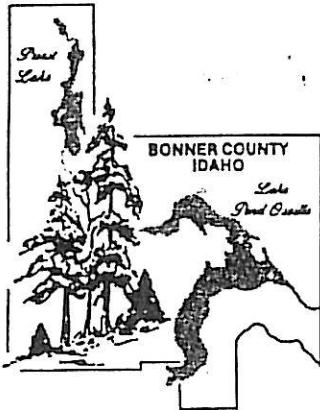
Pend Oreille Bank

By Evelyn Meany
President



PEND OREILLE BANK

330 N. Washington • P.O. Box 1530 • Newport, WA 99156-1530 • (300) 431-2265 • (509) 447-5641
4766.55 Hwy 95 North • Sandpoint, ID 83864 • (300) 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,



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")

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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.
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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.
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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: C693-00

P&Z/BOARD HEARING
(Circle one)

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,

The image shows two handwritten signatures. The top signature is "Richard D. Struntz" and the bottom signature is "Dawn L. Struntz".

Richard and Dawn Struntz
The Smoke House RDRC

