



DORMAR Land Management, LLLP

NARRATIVE &

SUPPORTING DOCUMENTS

ZONE CHANGE REQUEST, BONNER COUNTY

Contents

OVERVIEW.....	3
SITE PLAN.....	5
NARRATIVE.....	6
SERVICES – SEWER	6
SERVICES – WATER.....	8
SOILS	9
FLOODPLAIN	9
TRANSPORTATION.....	10
NATURAL RESOURCES	12
Wetlands/Drainage:	12
Wildlife:.....	12
CULTURAL RESOURCES:	13
COMPREHENSIVE PLAN ANALYSIS	14
PROPERTY RIGHTS	14
POPULATION	15
SCHOOL FACILITIES & TRANSPORTATION.....	15
ECONOMIC DEVELOPMENT	15
LAND USE	16
NATURAL RESOURCES	16
HAZARDOUS AREAS	16
PUBLIC SERVICES	17
TRANSPORTATION.....	17
RECREATION.....	17
SPECIAL AREAS OR SITES.....	17
HOUSING	17
COMMUNITY DESIGN	17
AGRICULTURE.....	18
ZONING ANALYSIS.....	19
EXHIBITS	22

OVERVIEW

The 1,153 acres on the Hope Peninsula that comprises the Dormar Land Management, LLLP, and Byron and Kelly Ruen (Dormar) properties has been in the Ruen Family for three generations and enjoyed for five generations. The property is located on the Hope Peninsula and is ideally situated for access to Lake Pend Oreille. The property is well suited for recreational activities, with its 15,000 linear feet of shoreland and 11,000 linear feet of accessible water frontage. Upper elevations of the property provide spectacular views of Lake Pend Oreille and the mountains in the near and distance viewsheds, including the Monarchs, and Cabinets. Of the 1,153 acres, about 200 acres are submerged lands.



Vicinity Map

The Oliver and Tillie Ruen family actively farmed the lands along the Clark Fork River, east of Shepherd Point. The Ruens raised seed potatoes, a significant contribution to the Idaho potato industry of the 1940s and 1950s. The family also rotated grain and hay crops within the fertile river bottomland during this era. But, as part of the Albeni Falls dam project, the federal government in 1954 purchased the right to flood the Ruen farmlands, causing the farm operations on these lowlands to cease. Cattle grazing and timber management has occurred on the remainder of the property.

Seasonal and year-round dwellings have been constructed on the property. The property has a variety of buildable sites, including sloping beach accesses, meadowland, sloping treed areas, and multiple benched areas providing the magnificent views of the lake, islands, and mountains.



With its 1,153 acres, the terrain, and soil types are capable and suitable for development of a private community wastewater treatment and disposal system. There are many options for the development of a private community water system.

Adequate, existing access is provided to entire property, leading from U.S. Highway 200.

The request for the rezone to Recreation is well supported by the application and attachments provided to Bonner County. The applicant has invested in numerous studies and mapping to support water and wastewater systems, road access, and development designs that take into account the unique nature of this site. At least three pre-application meetings have been conducted with Bonner County Planning Department in the past to review these development opportunities, representing an investment-backed expectation to use these lands as represented by its current Resort Community future land use map designation.

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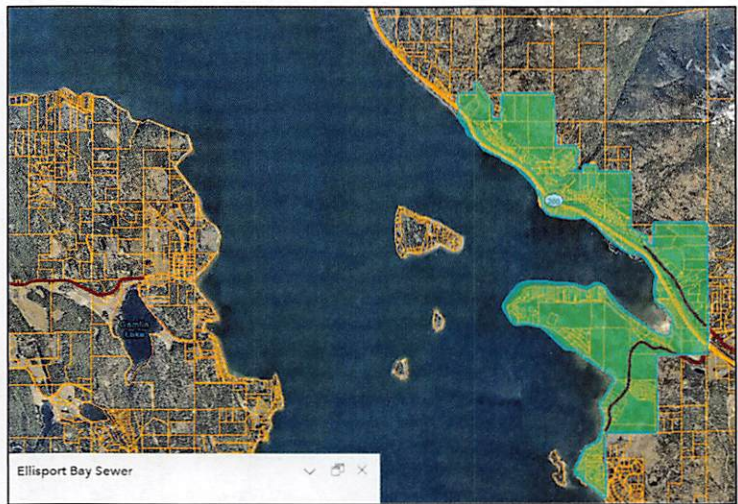
NARRATIVE

SERVICES – SEWER

Ellisport Bay Sewer District (EBSD) provides wastewater collection, treatment, and land application for the cities of Hope and East Hope.

Dormar Land Management, LLLP has a long relationship with the Ellisport Bay Sewer District through one of the General Partners, Darius L Ruen, PE who is the current owner of the engineering firm Ruen-Yeager & Associates, Inc. (RYA). Ruen-Yeager & Associates, Inc. assisted in the formation of EBSD. RYA prepared the original Facilities Plan Report that identified the existing system as the most feasible system to provide sewer collection, treatment, and disposal for the cities of Hope and East Hope.

The original Facilities Plan anticipated a phased project with Phase I providing sewer service to the cities of Hope and East Hope and Phase II providing sewer to the Hope Peninsula.



Dormar Land Management, LLLP (Dormar) has two options available to develop a community sewer system to serve their property. The first option is to develop a private sewer company that provides onsite collection, treatment, and land application in the same manner as described in the 2018 Wastewater Facility Plan prepared for EBSD and the subject property. The second option is to annex its property to EBSD and participate in sewer line extensions, treatment system upgrades, and land application expansion of the current EBSD facility.

Dormar fully supports EBSD's stated intent included in the 2018 Facilities Plan: "to minimize the overall effect wastewater collection, treatment, and reuse practices have on the local environment, including the surface water quality in Lake Pend Oreille (LPO). Specifically, the Board seeks to eventually eliminate all onsite septic treatment systems from the Hope Peninsula (presumed to be major non-point source nutrient contributors to LPO near-shore waters) and enhance the treatment capability of the entire system."

The proposed treatment system identified in the 2018 Facility Plan and supported by Dormar "consists of primary sedimentation, flow equalization, scum removal in existing lagoons, influent pumping and screening, biological treatment with nutrient removal, membrane separation, and UV disinfection."

“The selected alternate for the treatment facility is a modular design, single train MBR (*Membrane Bioreactor*) unit to be operated with the existing upper treatment lagoons as backup for off-spec discharge. This option will facilitate the most consistent and reliable treatment technology to produce Class A effluent for reuse and/or discharge. The MBR offers the advantage of a modular installation that can be easily upgraded with additional modular units as capacity demands with the expansion of the collection system along the Hope Peninsula. This will also allow the deferral of some capital equipment and installation costs until capacity is actually required.”

“Class A effluent is considered essential to address the need for expanded effluent disposal in the future. A system that consistently meets Class A requirements will allow for the most flexible multiple reuse options as capacity overwhelms the current storage lagoon and limited growing season land application area. Additionally, it will offer the best possible reduction in nutrient loading to LPO by eliminating onsite septic systems and treating wastewater to the highest possible quality”

“A single MBR train unit will be designed for a capacity that will cover current ERU allocation, speculative ERU allocation, a portion of Hope Peninsula septic transfers, and growth in the EBSD service area for initial operations. Each MBR train can also be installed with excess capacity for additional membrane modules to be added for incremental capacity flexibility between purchases of full trains.”

“Future expanded operations would involve the installation of a second MBR train to allow expansion of service to the entire Hope Peninsula as the collection system is incrementally developed. The second MBR train will allow treatment redundancy as well as additional capacity.” Preliminary discussions between EBSD and Dormar explored the benefits of the second MBR treatment train being provided by a private sewer company located on Dormar property.

Dormar has identified approximately 250 subdivided lots and two RV parks within proximity of the Dormar property. These include the Wendlemere, Kullyspell Estates, Buena Vista Beach, La Bahia Del Sol, Sun Ray Estates, Antler Point subdivisions and Island View and Beyond Hope RV parks. EBSD has been unsuccessful in extending sewer service to this area primarily due to the cost of pumping, piping and roadway repair from the subdivisions and RV parks back to the EBSD treatment/land application site.

Dormar Land Management, LLLP is confident that the subject property has suitable sites to install a treatment system and adequate land area to allow storage, reuse, and land application of the Class A effluent that would be generated from future development of the property. Dormar is willing, through a private sewer company, to evaluate the feasibility of including additional capacity to allow connections from the nearby subdivisions and RV parks.

SERVICES – WATER

Dormar Land Management, LLLP, (Dormar) has several options available to provide a reliable water source to the property represented in the requested zone change. The preferred option is to create a private water company formed to provide a water system capable of providing a reliable source to meet the required system capacity, adequate treatment, and a water distribution network with adequate storage to meet the system demands.

Dormar has reviewed well logs and has commissioned a hydrologist to evaluate the potential for a ground water supply. Dormar anticipates that groundwater will provide a portion of the water needed to serve the Dormar property when developed. Dormar is aware of the Kullyspell Estates Water Association (Kullyspell) initial system that relied on a well for its water source. Kullyspell subsequently abandoned the well due to low production and developed a lake source to meet its needs. Ruen-Yeager & Associates, Inc. (RYA) assisted Kullyspell in the permitting, design, and construction oversight of the lake intake, slow sand filtration, and connection to the system. RYA provided operations and maintenance of the intake structure, slow sand filter, and distribution system for five years following the construction of the lake source.

Dormar anticipates that the private water company will explore options to draw water directly from Lake Pend Oreille to supplement the ground water source to meet the water needs of development proposed on the Dormar property. Dormar has had preliminary communication with adjoining landowners that have good producing wells about joint development of a water system that would benefit both properties.

Idaho Department of Water Resources well log information for this area shows well depths ranging from shallow-well static water levels of about 6 feet to 150 feet with gallon-per-minute production of up to 150 gallons per minute.

The Dormar property provides elevation relief that will allow the water system to place storage reservoirs throughout the property to provide adequate operating pressure to the users.

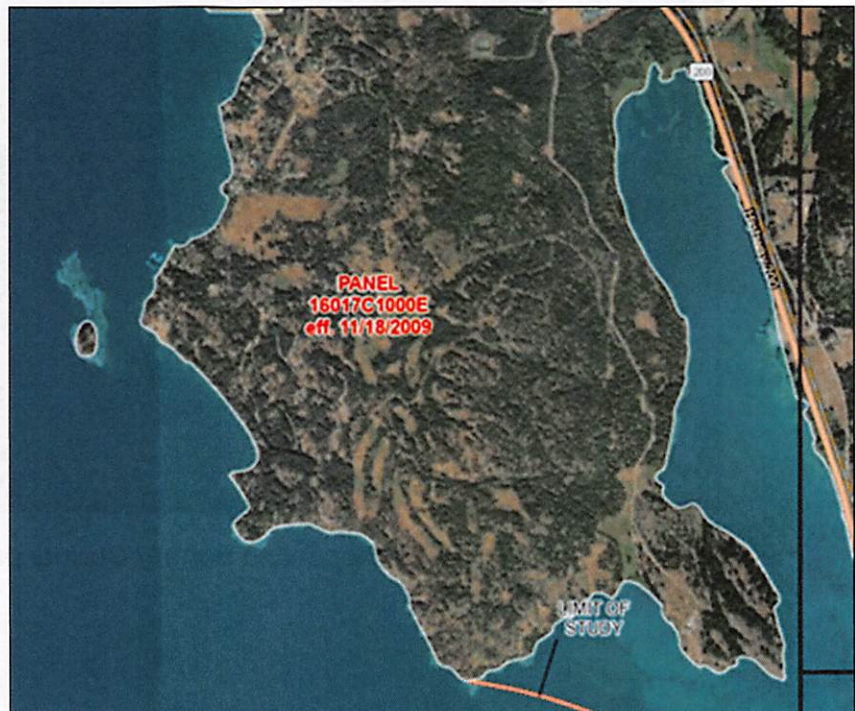
SOILS

The Dormar properties contain four major soil map units, the water unit, and a small inclusion of a silt loam unit (shown as 0.1 acre), according to the Natural Resources Conservation Service soil survey for this site. The soil survey reveals the following soil units, percentages found at the site, and general characteristics: (For a full reading of the soil types, see Appendix A, *Report for Bonner County Area, Idaho, Dormar Properties*, of this document.)

Map Unit #/Name Characteristics	Acres	Percent	Percent minus water unit
4: Bonner Silt Loam Prime farmland	0.1	0.0%	0%
28: Lenz-Rock outcrop, 30-65% slopes Not prime farmland	93.7	5.1%	8.1%
35: Pend Oreille silt loam, 5-45% slopes Not prime farmland	430.2	23.4%	37.3%
37: Pend Oreille rock outcrop complex, 5-45% slopes Not prime farmland	209.8	11.4%	18.2%
55: Treble-Rock outcrop association, 20-65% slopes Not prime farmland	418.6	22.8%	36.3%
65: Water	683.3	37.2%	0%

FLOODPLAIN

A small portion of the subject site is within the special flood hazard area (FIRM Panel #16017C1000E). The floodplain is limited to the immediate shoreline of the waterfront properties. With the application of the Bonner County 40-foot waterfront setback, any future structures would likely be outside the mapped floodplain. The base flood elevation for this AE zone is 2074.0. The remainder of the site is Zone X, meaning not within a special flood hazard area.



TRANSPORTATION

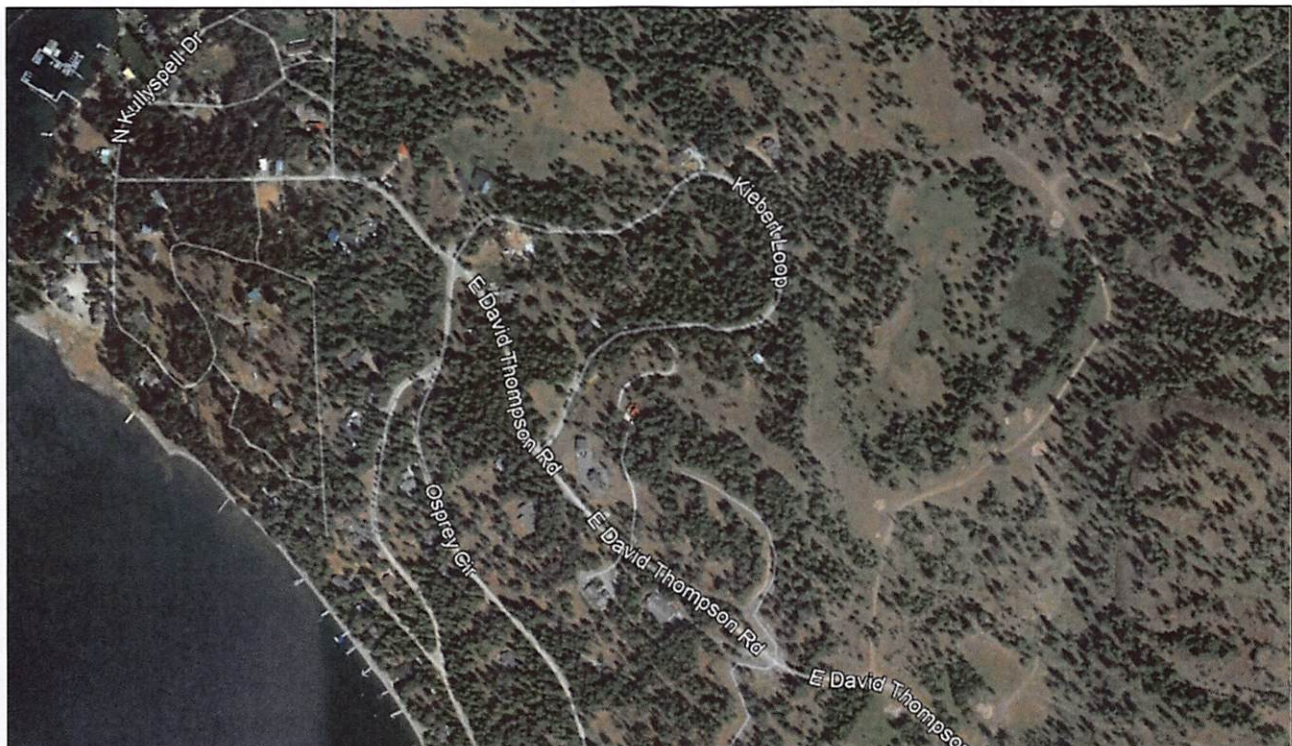


The Dormar property has direct access to Bonner County paved roads and a system of private roads on the Hope Peninsula.

Peninsula Road is the main paved county road accessing the area from U.S. Highway 200 and serving the western side of the peninsula, the resort areas, and portions of the Dormar property. Peninsula Road provides approximately 1,320 linear feet of roadway access to the northwestern portion of the property.



Peninsula Road intersects with East David Thompson Road, also a paved county road providing a 60-foot wide right-of-way leading to the western portion of Dormar lands. Kiebert Loop, a



graveled county road, intersects with E. David Thompson Road and provides a 60-foot wide access point to the Dormar property.

Southeast of the highway intersection is Hope School Road, a paved county road that leads to Dormar Drive. Dormar Drive is a private gravelled road with a 24-foot travelway that provides access to the northern and eastern portions of the Dormar property. Dormar Land Management, LLLP, has established a network of looped roadways, logging roads, fire accesses, and other access points to effectively manage and protect the properties. This network of access roads facilitates access to existing dwellings on the property, provides access for fire suppression, and has provided access for past logging operations.

NATURAL RESOURCES

Wetlands/Drainage:

The site contains three distinct mapped wetland areas, according to the U.S. Fish and Wildlife Service Wetlands Inventory. The applicant has also obtained an independent wetlands reconnaissance, which is generally consistent with the USFW inventory.

There are also four distinct drainages shown on the wetlands inventory, representing intermittent streams. These drainages and wetland areas are shown on the Wetland/Drainage exhibit that is a part of this application record. In addition, the land immediately adjacent to Lake Pend Oreille is mapped as wetlands. The wetlands types and characteristics are as follows:

- L1UBH: Lacustrine, Limnetic, Unconsolidated Bottom, Permanently Flooded. This wetland adjoins the immediate shoreline of Lake Pend Oreille and is submerged or permanently flooded by lakewaters.
- L2AB4C: Lacustrine, Littoral, Aquatic Bed, Floating Vascular, Seasonally flooded. This area is located on the eastern side of the property along Denton Slough and is represented by lands that immediately adjoining the waterfront, and are affected by the seasonal changes in the lake levels.
- PEM1C: Palustrine, Emergent, Persistent, Seasonally Flooded. These wetland areas include a meadow in the northwestern area of the property, a basin near the center of the northern boundary, an area north of the southern tip of the Dormar property.
- PAB3H: Palustrine, Aquatic Bed, Rooted Vascular, Permanently Flooded. This wetland type occurs within the basin area near the center of the northern boundary.
- R4SBC: Riverine, Intermittent, Streambed, Organic. These wetland types occur within the intermittent streams shown on the Dormar Wetland/Drainage exhibit.

Wildlife:

The entire Hope Peninsula, inclusive of the developed residential/recreational subdivisions, housing, and resorts, is within the David Thompson State Wildlife Preserve, created by state legislature at Idaho Code §36-1906. The purpose of preserves is to protect wild animals and birds by prohibiting hunting or the “taking” of these animals (IC §36-1901 and §36-1902). Deer, elk, moose, and turkeys and game birds have been observed on the properties.

CULTURAL RESOURCES:

The Hope Peninsula, the cities of Hope and East Hope, Denton Slough, Lake Pend Oreille's islands, and lake shoreline are recognized for the region's history and pre-history and cultural resources.

An archaeological survey of the Dormar property was conducted in 2005. A cultural resources pedestrian survey was conducted within areas that were determined to be culturally sensitive within an Area of Potential Effect. These areas were defined by the presence of wetland resources, a previously documented cultural resource, or areas likely to contain cultural resources. The total area inventoried during the survey of all culturally sensitive areas was approximately 300 acres.

This survey identified one new site, located four isolated objects, and attempted to revisit three previously document sites. The new site identified is a historic utility pole alignment located in the southeast portion of the Dormar property. The site consists of five utility poles forming an alignment of a power line that served the property prior to the construction of the Albeni Falls dam.

Four isolated objects were observed during the survey.

IO 1 is a small prospect pit located on a low-lying forested plain. Originally thought to be a mineral exploration pit, it was determined to be a test pit that was dug by the landowner to evaluate the site for a potential drain field.

IO 2 is an intact clear glass jar 4 ½ inches tall and 2 inches in diameter at the base.

IO 3 is a white ceramic insulator fragment.

IO 4 is a granite groundstone located on top of a rock outcrop.

Of the known sites, one alleged pictograph panel was later deemed to have been created in modern times, according to an anonymous report from a local resident who claimed to have drawn the figures in 1973 while picnicking with his family. No further update of this site was performed due to its recent genesis.

The two remaining sites were recorded by L Hudson and W.R. Peterson in 1985. These sites are located on the eastern shore of the Hope Peninsula. Attempts were made to identify and revisit these sites. However, most of these sites were submerged by Lake Pend Oreille, and the investigation of the shoreline in the vicinity of the site locations did not result in the identification of any materials associated with these sites.

COMPREHENSIVE PLAN ANALYSIS

PROPERTY RIGHTS

The rezoning of the proposed site would not infringe upon the rights of the neighboring properties or the current/future landowners as the proposal is 1) compatible with the site's comprehensive plan land use designation of Resort Community (see LAND USE section below); 2) compatible with the adjoining land uses (small acreage residential lots, elementary school, commercial lots, and public utility properties); 3) will have no effect on elements such as noise, light glare, odor, fumes and vibrations on those adjoining lands any more than the site would with the current zoning due to development regulations; and 4) denial of the rezone does show a potential for a taking per the Attorney General's checklist criteria (see criteria below).

- Physical Occupation: *Does the regulation or action result in a permanent or temporary physical occupation of private property?*
 - No physical occupation of private property by Bonner County is proposed for this rezone.
- Property Dedication: *Does the regulation or action require a property owner to dedicate a portion of property or to grant an easement?*
 - All parcels included in the site will be accessed via internal private easements that originate from existing public and private roads. The public roads include State Highway 200 (state), Peninsula Road, Kiebert Loop, and David Thompson Road, and Hope School Road (all county owned). The private easements/roads include existing Dormar Drive that originates from Hope School Road, and the proposed internal roads for the travelways on site. No dedication of any portion of property or easement is required for the rezone. This request is not for a conditional rezone, and no dedications of public easements or rights-of-way would be warranted with such a rezone request.
- Viable Use: *Does the regulation deprive the owner of all economically viable uses of the property?*
 - The regulations of the Rural-10 zoning is not compatible with the site's comprehensive plan land use designation of Resort Community, which permits the zoning designations of Suburban, Rural Service Center, and Recreation, making the current zoning out of compliance with the comprehensive plan (see Zoning Analysis section). The current zoning also restricts the landowners' right to use the site as would be permitted under the Recreation zoning, similar to properties adjacent to the site. The physical characteristics and uses of the site also do not align with the current zoning and is more appropriate for recreational zoning.
- Economic Interest: *Does the regulation have a significant impact on the landowner's economic interest?*
 - Without the rezone, the owners would not be able to have the highest and best use of the lands that by right should be permitted to them. The landowners did

not request the lands to be incorrectly zoned from the existing comprehensive land use designation. Similar properties adjacent to the site have a comprehensive plan land use designation of Resort Community and are zoned Recreation.

- Fundamental Ownership Attributes: *Does the regulation deny a fundamental attribute of ownership?*
 - The rezone would not cause a denial of a fundamental attribute of ownership to any landowner as the right to possess, exclude others and dispose of all or a portion of property is not being taken away.
- Nexus: *Does the regulation serve the same purpose that would be served by directly prohibiting the use or action; and does the condition imposed substantially advance that purpose?*
 - The rezone from Rural-10 to Recreation would 1) bring the site into compliance with the comprehensive plan land use designation of the site; and 2) would then allow the density and uses permitted through the Recreation zoning and afforded to the adjacent parcels to the site. Denial of the zone change would serve the same purpose as prohibiting uses afforded by the county's Resort Community land use designation.

POPULATION

No change to population is proposed with the rezone and would only occur if the land were to be developed in the future like any property in Bonner County that is yet to be developed. No large influx of people is anticipated to occur in the area due to the proposal.

SCHOOL FACILITIES & TRANSPORTATION

The site is within the Lake Pend Oreille School District #84 and is only approximately 2,700 feet from the Hope Elementary School property (parcel RP56N02E074050A) located at 255 Hope School Road, Hope. The nearest middle school and high school is Clark Fork Jr./Sr. High School (parcel RPC0059012001FA) at 502 North Main Street, Clark Fork, which is approximately 8 miles from the site. Any children who may reside on site in the future would have minimal to no impact on the local school district. Due to Dormar Drive connecting to School House Road, and Hope Elementary School, no additional bus routes would be required because schoolchildren could be dropped off at the elementary school to access the school transportation system.

ECONOMIC DEVELOPMENT

There is no anticipated impact on the economic development of Bonner County or its residents other than economic development would be supported and encouraged if the land were to be correctly zoned due to the existing and potential uses for the site. No public dedication for roads are proposed and the landowner proposes to create its own community water and sewer system that would be able to extend to lands outside the site that are unable to be served by existing public and private water and sewer systems. (See Public Services analysis and narrative.)

LAND USE

The site has a comprehensive plan land use designation of Resort Community, which states, *The Resort Community provides for urban-like densities for areas centered around the recreational areas developed for winter and water sports, golf and hiking, and where urban services are provided.*

The site is currently used in a residential and recreational manner similar to adjacent properties. No crops have been planted on site and plantings have not occurred on site since the mid-1950s, when the Albeni Falls Dam was constructed and flooded the only farming area of the site located east of Sheepherder Point. Since the mid-1950s, the site has been used recreationally and residentially by members of the Ruen family, with some cattle grazing and timber management uses.

NATURAL RESOURCES

- No crop agricultural uses occur on site. Forest management includes fire protection and timber health. No agricultural uses have occurred on site since the mid-1950s by the Ruen family.
- Minimal mapped wetlands present on site per the National Wetland Inventory Map (see wetland map exhibit and Natural Resources analysis in the narrative).
- Five (5) soil types and one water unit are present on site (see soils report exhibit and soil analysis in the narrative), are all classified as not being prime farmland except the shoreline Bonner Silt Loam soil (represented as 0% in the soils report) and are well drained soils. Present soils include;
 - Treble-Rock Outcrop Association, 20-65% Slopes
 - Pend Oreille-Rock Outcrop Complex, 5-45% Slopes
 - Pend Orielle Silt Loam, 5-45% Slopes
 - Lenz-Rock Outcrop Association, 30-65% Slopes
 - Bonner Silt Loam, 0-4% Slopes
- Lake Pend Oreille borders the site along the western, eastern and southern boundaries while Denton Bay borders the site to the east. There is a small shallow pond on site on parcel RP56N01E130151A. Four (4) “intermittent streams” are shown to be on site, but are drainage areas in reality (see wetlands exhibit and natural resources analysis).

HAZARDOUS AREAS

- Various areas on site include slopes of 15-29% and greater than 30% in grade on the rocky outcrops. There are flat, level valleys that exist throughout the site as well.
- No floodplains or floodways are present upland on site per FEMA d-FIRM maps. The immediate shoreline is within the AE special flood hazard area. (See floodplain analysis in narrative.)
 - Special Flood Hazard Area Zone X in panel 16017C1000E

PUBLIC SERVICES

- Water: The applicant plans to create a community system on site with the ability to serve areas off site that are unable to be served by the existing water system in the area, Kullyspell Estates Water Association. (See service summary in narrative)
- Sewer: First preference is to create a community system on site with the ability to serve areas off site that are unable to be served by the existing sewer systems in the area such as Ellisport Bay Sewer District and Bioclear. A backup option would be to partner with Ellisport Bay Sewer District to expand their facilities and services to allow service to the site. (See Service Summary in Narrative)
- Power: Avista Utilities – multiple power hook-ups exist on site for current and future development.
- Fire: Sam Owen Fire District – within the district boundaries and within 1-mile of the fire station.
- Solid Waste: Clark Fork Refuse Site – within 8 miles

TRANSPORTATION

The site has multiple access points which include:

- Lake Pend Oreille
- State Highway 200
- County roads Peninsula Road, East David Thompson Road, Kiebert Loop, and Hope School Road.
- Private road/easement Dormar Drive, which originates from Hope School Road.

RECREATION

The site currently provides a variety of water- and land-related recreational opportunities, the proposed rezone would allow for a broader expansion of recreational opportunities in the area. (see Zoning Analysis section)

SPECIAL AREAS OR SITES

An archeological survey was completed of the property in 2015. The report documented the existence of power pole locations remaining from a powerline installation prior to the construction of the Albeni Falls Dam.

HOUSING

Currently there is a mix of seasonal and year-round single-family dwellings on site with multiple areas on site able to provide buildings sites for future residential development. The proposal would allow for a broader range of residential development than the current zoning.

COMMUNITY DESIGN

The Hope Peninsula area is developed with a mix of small-lot residential homes (long-term, seasonal, vacation rentals), commercial multi-family housing, resort/hotel lodging, and RV/camping housing for seasonal use. Along with the residential and residential/commercial mix uses there are also public lands (U.S. Forest service), Lake Pend Oreille School District

property (Hope Elementary), public utility lands (Ellisport Bay Sewer District, Kullyspell Estates Water Association), commercial businesses (Beyond Hope Resort, Sam Owen Park, Island View Resort, Pearl's on the Lake) adjacent and within the vicinity of the subject site. The proposed rezone would not change the character of the area as the uses that would be permitted on site would be the same as those permitted on the rest of the Hope Peninsula areas also zoned Recreation.

AGRICULTURE

Since the mid-1950s, no crop agricultural uses have occurred on site by the Ruen family due to the installation of the Albeni Falls Dam. The dam caused the only areas used for agriculture, low-lying areas located under Lake Pend Oreille, to be flooded and unusable for agricultural pursuits. The majority of the site is characterized with rocky outcrops and timber, and not desirable for crop production. The site is also characterized by soils that are less than satisfactory for agricultural pursuits.

ZONING ANALYSIS

EXPLAIN WHY THE ZONE CHANGE IS NECESSARY

The site conforms with Recreation Zone more than the current Rural-10 Zone and the landowners wish to have the correct zoning reflected for the subject parcels. Currently, the site does not have the comprehensive plan land use designation appropriate for the Rural-10 zone to be applied nor the characteristics, uses and potential uses of the site that would conform with the Rural-10 zone. The site conforms with the Recreation zone. The

IS THE COMPREHENSIVE PLAN MAP DESIGNATION FOR THIS SITE CONSISTENT WITH THE PROPOSED ZONING?

Yes – the site, like the rest of the Hope Peninsula, has a comprehensive plan land use designation of Resort Community. This land use designation allows for the following zoning districts – Suburban, Rural Service Center, and Recreation. The Rural-10 zone district is not a permitted zone with the Resort Community land use designation.

HOW DOES THE PROPOSAL MEET THE SPECIFIC CRITERIA OF THE PROPOSED ZONING DISTRICT?

DESCRIPTION	RURAL-10 ZONE	RECREATION ZONE	SUBJECT SITE
Comprehensive Plan land use designation of Transition, Neighborhood Commercial, Urban Growth Area, and Resort Community	No	Yes	Yes
Land is physically suitable to accommodate a broad range of residential and recreational uses	No	Yes	Yes
Sites are served by adequate sewage disposal service, water supply, roads and other needed public facilities and services	No	Yes	Yes

COMPREHENSIVE PLAN LAND USE DESIGNATION OF RESORT COMMUNITY

The Resort Community provides for urban-like densities for areas centered around the recreational areas developed for winter and water sports, golf and hiking, where urban services are provided. (see attached current comprehensive plan land use designation map)

LAND IS PHYSICALLY SUITABLE TO ACCOMMODATE A BROAD RANGE OF RESIDENTIAL AND RECREATIONAL USES

The general location of the site being located on the Hope Peninsula with extensive access to Lake Pend Oreille coupled with the site's varied topography provides a broad

range of recreational and residential opportunities. The site is currently used for water-related recreation such as boating, tubing, water skiing, wake boarding, swimming, and fishing. The site is also currently used for hiking, ATVs, dirt biking, trail running, and bird and wildlife enjoyment, and photography. The property provides ample opportunities for horseback riding, mountain biking, and similar uses. Large portions of the site show to have the appropriate site conditions to establish a golf course.

Winter activities include cross-country skiing, snowmobiling, tracked ATVs, snowshoeing, and sledding. Currently, a portion of the site is used in a residential manner with seasonal and year-round single-family dwellings. Multiple areas on site provide for building sites for future residential development.

No agricultural crop use has occurred on site since the mid-1950s when the only farmed lands were flooded by the installation of the Albeni Falls Dam, an area located east of Shepherd Point. The only “timber-based activities” that have occurred on site have been logging for forest health management.

SITES ARE SERVED BY ADEQUATE SEWAGE DISPOSAL SERVICE, WATER SUPPLY, ROADS AND OTHER NEEDED PUBLIC FACILITIES AND SERVICES

Currently the site is served by individual septic systems and wells along with Avista Utilities for power. For water, it is proposed to create a community system on site that would have the ability to also serve those properties off-site that are unable to be served by Kullyspell Estates Water Association.

For sewer, the preferred option proposed is to create a community system on site that would also be able to serve areas off site that would not be able to be served by Ellisport Bay Sewer District and/or Bioclear. A second option would be to partner with Ellisport Bay Sewer District and expand their facilities and capacity to not only serve the subject site but off-site areas as well that are currently unable to be served.

Avista Utilities would be able to be expanded throughout the site as needed for development along with internal private easements/roads. The site lies within the Sam Owen Fire District boundaries and can be accessed via existing roads and Lake Pend Oreille.

A public road system provides access up to the private easement that is Dormar Drive, starting at Highway 200. From the highway Peninsula Road connects to Hope School Road and E. David Thompson Road. From Hope School Road, Dormar Drive provides access to the eastern portion of the site, while from E. David Thompson Road, Kiebert Loop provides access to the eastern portion of the subject site. E. David Thompson Road currently dead-ends at a locked gate to the subject site on the western side of the site. There are multiple waterway access points on site via Lake Pend Oreille as well.

Public State Roads –

- Highway 200

Public County Roads –

- Peninsula Road
- Hope School Road
- E. David Thompson Road
- Kiebert Loop

Private Roads –

- Dormar Drive

EXPLAIN HOW THE PROPOSED ZONE CHANGE WILL EFFECT ELEMENTS SUCH AS NOISE, LIGHT GLARE, ODOR, FUMES AND VIBRATIONS ON ADJOINING PROPERTY

There would be no effect from noise, light glare, odors, fumes, or vibrations because any zone change is not required to provide specific development plans. If developed in the future with Recreation zoning, there is potential for an increase in density which will be similar to the existing development of the Hope Peninsula areas also zoned Recreation.

HOW HAS THE PROPOSAL BEEN DESIGNED TO BE COMPATIBLE WITH THE ADJOINING LAND USES

The entire Hope Peninsula has a comprehensive plan land use designation of Resort Community with the majority of the developed areas being zoned Recreation. The area off-site is developed with a mix of small-lot residential homes, commercial multi-family housing, resort/hotel lodging, and RV/camping housing for seasonal use. Along with the residential and residential/commercial mix uses there are also public lands, Lake Pend Oreille School District property, public utility lands, and commercial businesses. The proposed rezone would not change the character of the area as the uses that would be permitted on site would be the same as those permitted on the rest of the Hope Peninsula areas also zoned Recreation. (see Community Design component of the Comprehensive Plan Analysis).

EXHIBITS

DEEDS

LEGAL DESCRIPTIONS

WETLANDS/AND DRAINAGE MAP

SLOPE ZONES

SOILS MAP

SOILS REPORT

ZONING MAP

COMPREHENSIVE PLAN FUTURE LAND USE MAP