

This narrative provides required and supplemental information to be considered in support of a zone change application for parcel RP00279002018AA, an approximately 15.6-acre property situated along the Hope Peninsula adjacent to Lake Pend Oreille. The property is currently zoned Rural 5 (R-5). However, a review of the Bonner County Comprehensive Plan shows that this area is explicitly designated as a Resort Community.

The applicant respectfully requests that Bonner County approve a rezone from R-5 to Recreation (REC). This request is not a developer-driven deviation; rather, it is a necessary, proactive step to legally harmonize the property's zoning map with the County's own adopted long-term vision. As detailed below, this request is vigorously supported by the guiding elements of the Comprehensive Plan, fulfilling the County's economic and land-use directives while helping to responsibly meet the severe and growing community demand for lakeside recreational amenities, such as boat docks.

Justification Maintaining an R-5 (Rural) zoning on this parcel is in direct conflict with the Comprehensive Plan. Approving the Recreation zone directly implements the following specific chapters and policies:

- **Property Rights Component:** The Comprehensive Plan is grounded in the principle of protecting private property rights while providing a predictable framework for land use decisions. This application directly advances that principle. The subject property is currently constrained by an outdated zoning designation that does not reflect the County's adopted land use vision. By realigning the zoning with the Resort Community designation, the County restores the property owner's ability to reasonably use the land in a manner that is both anticipated and encouraged by the Comprehensive Plan. This is not an expansion of entitlement, but a correction that ensures the property is regulated consistently with similarly situated parcels in the surrounding area, thereby reinforcing fairness, predictability, and respect for private ownership.
- **Population Component:** Bonner County has experienced sustained population growth, with long-term trends demonstrating increasing demand for housing, services, and recreational access. The Comprehensive Plan recognizes that population growth directly influences land use patterns and infrastructure planning, noting that the "timing, location, and sizing of public services, utilities and transportation systems are based upon... growth patterns, distribution, and population forecasts." This proposal responds to that reality by directing growth and use intensity to an area already designated for Resort Community development. Rather than contributing to dispersed, inefficient rural sprawl, the requested Recreation zoning allows population-driven demand—particularly seasonal and recreation-based use—to be accommodated in a location with existing access, service potential, and established development patterns. This is consistent with the Plan's overarching objective of aligning land use decisions with population trends in a coordinated and efficient manner.

- **Land Use:** The County's Land Use matrix explicitly states that the **Resort Community** designation provides for urban-like densities for areas centered around recreational areas developed for winter and water sports, where urban services are provided. The current R-5 zoning is fundamentally out of step with this adopted goal, while a Recreation zone directly implements it.
- **Natural Resources:** Lake Pend Oreille supports some of the most popular recreational fisheries in Idaho, and these waters are a significant contributor to the local economy and community enjoyment. Allowing recreational zoning on this shoreline parcel directly supports the documented public use and appreciation of this irreplaceable natural asset.
- **Economic Development:** The County's economic policies formally recommend fostering specific economic segments that have historically been a significant part of the county's economic base, explicitly including **recreation**. Rezoning this prime Lake Pend Oreille frontage empowers the property to contribute to this vital economic sector and address the region's severe shortage of lakeside amenities.
- **Community Design:** A primary principle of the Community Design component is that new development should occur in areas of similar densities and with compatible uses. The abutting parcel to the east, along with the vast majority of the surrounding area, is already zoned Recreation. Rezoning this subject property simply extends the established zoning pattern, preventing arbitrary spot-zoning and ensuring neighborhood compatibility.
- **Agriculture:** While the community strongly desires to maintain a viable agriculture sector, this specific parcel's highest and best use is clearly recreational. By concentrating resort and recreational development on designated lakeshore parcels like this one, the County effectively reduces the pressure to subdivide and fragment actual prime agricultural lands elsewhere in the county.
- **Hazardous Areas:** The Comprehensive Plan seeks to protect people and property by discouraging development in high-hazard areas. This 15.6-acre parcel features gentle, accommodating topography that completely avoids the severe development challenges, erosion potentials, and wildfire risks associated with steep slopes of 30% or greater found elsewhere in the county.
- **Housing:** Bonner County's housing stock must accommodate both permanent residents and a significant number of part-time residents who enjoy the area's recreational opportunities. The Recreation zone permits a range of housing types that are accessory and complementary to recreational uses, helping to absorb this specific housing demand appropriately.
- **Transportation:** The transportation system's integrity must be protected. Access to this property is provided directly via Peninsula Road, a county-maintained, hard-surfaced public right-of-way. Placing recreational development here utilizes existing, capable road infrastructure rather than stressing substandard rural gravel networks.
- **School Facilities and Transportation:** The property falls within the Lake Pend Oreille School District. While any residential growth impacts schools, development within a Recreation zone typically caters heavily to seasonal residents, retirees, and vacationers, which historically places a

much lower burden on the local school system's capacity than traditional high-density suburban neighborhoods.

- **Special Areas or Sites Component:** The requested Recreation zoning is consistent with this directive. It does not diminish these values, but rather places the property into a land use category that is specifically intended to recognize and respond to them. Recreational zoning acknowledges the site's relationship to the lake and allows for its use in a manner that is both economically beneficial and contextually appropriate. Future development will be required to respect scenic qualities, protect ecological functions, and avoid impacts to sensitive areas, ensuring that the defining characteristics of the site are preserved while allowing for reasonable and anticipated use.

Infrastructure Extensions and Service Impacts

Approval of this zone change does not, in itself, require the extension of water, sewer, roadway, or other public infrastructure. This application establishes the appropriate zoning framework consistent with the Comprehensive Plan; it does not authorize a specific development or trigger construction activity.

That said, the property is already favorably positioned with respect to infrastructure and services:

Sewer: The parcel is located within the Ellisport Bay Sewer District, providing a defined and feasible pathway for wastewater service. Any future connection or system extension, if required, would occur at the time of development and be subject to district approval and capacity verification.

Water: Domestic water service can be provided through private well systems. Documented well performance in the immediate vicinity demonstrates adequate groundwater availability to support typical development consistent with the requested zoning.

Roads: Access is provided directly from Peninsula Road, a county-maintained, hard-surfaced public right-of-way. No off-site road extensions are anticipated. Any future improvements, if warranted, would be limited to standard access upgrades or frontage improvements required at the time of development.

Fire and Emergency Services: The property is within the Sam Owen Fire District. Any future development will be required to meet all applicable fire protection standards, including access, water supply, and defensible space requirements.

Utilities (Power/Communications): Electrical service is available in the area and can be extended to the site through standard utility extension practices at the time of development, coordinated with the service provider.

Importantly, Bonner County Code and applicable agency requirements ensure that no development can proceed without demonstrating adequate service capacity and infrastructure availability. Any necessary extensions or upgrades will be evaluated, engineered, and conditioned at the time of subdivision or site development review.

In summary, the requested rezone does not obligate the County or service providers to construct new infrastructure. Instead, it places the property into the correct zoning district, with all future infrastructure needs to be addressed through established regulatory processes that ensure capacity, safety, and compatibility are maintained.

Potential Effects on Adjacent Properties (Noise, Light, Odor, Fumes, Vibration)

The requested zone change, in and of itself, will not generate noise, light, odor, fumes, or vibration. These types of impacts are associated with specific development proposals, not with the establishment of zoning. As such, no direct impacts will occur as a result of approval of this application.

From a land use standpoint, the Recreation (REC) district is intended to accommodate low- to moderate-intensity, recreation-oriented uses that are inherently compatible with lakeshore environments and surrounding properties. The types of uses anticipated under this zoning—such as residential, accessory recreational amenities, and visitor-oriented activities—are not typically associated with industrial-scale noise, emissions, or vibration.

Importantly, Bonner County Code provides multiple layers of protection to ensure compatibility with adjoining properties at the time of development. Any future project will be subject to:

Site-specific review and permitting, where operational characteristics are evaluated
Including but not limited to setbacks and buffering requirements, particularly along shoreline and property boundaries along with conditional use review, where applicable, allowing the County to impose operational limits if needed.

Additionally, the property’s physical characteristics naturally mitigate potential impacts. The site’s gentle topography, combined with its elevation relative to the road and adjacent properties, allows future development to be internally oriented and visually screened by existing vegetation and landform. This reduces the potential for visual intrusion.

Much of the peninsula is already zoned Recreation or have been previously subdivided to lots below the 5 acre minimum meaning adjacent properties are subject to similar expectations and regulatory standards. The proposed rezone therefore does not introduce a new or incompatible intensity of use, but rather aligns the subject parcel with the existing pattern of development.

In summary, the zone change will not itself create any of the identified impacts, and any future development will be required to demonstrate compliance with County standards designed to protect neighboring properties from noise, light, odor, fumes, and vibration.

Consistency with Recreation (REC) Zoning District Criteria (BCRC 12-321 through 12-329)

The proposed zone change to Recreation (REC) meets the applicable criteria of Bonner County Revised Code (BCRC) Subchapter 3, specifically Sections 12-321 through 12-329, which establish the purpose, intent, and applicability of zoning districts, including the Recreation district.

Purpose and Intent of the District (BCRC 12-321, 12-322):

The Recreation (REC) district is intended to accommodate land uses associated with recreational activities, visitor-serving amenities, and residential uses that are compatible with those activities. The subject property's location along Lake Pend Oreille—one of the County's primary recreational resources—makes it inherently suited to this designation. The requested zoning directly aligns with the intent of providing opportunities for recreation-oriented use in appropriate geographic areas.

Relationship to Comprehensive Plan (BCRC 12-323, 12-324):

Zoning districts are intended to implement the Comprehensive Plan's land use designations. The property is designated as Resort Community, which contemplates recreation-oriented development, access to amenities, and a broader mix of uses than traditional rural zoning. The Recreation district is the zoning classification that most closely corresponds to and implements that designation, thereby bringing the zoning map into conformance with the adopted Plan.

Applicability and Use Compatibility (BCRC 12-325 through 12-327):

The uses allowed within the Recreation district are compatible with the surrounding area, which is already predominantly zoned Recreation. Rezoning this parcel does not introduce a new or incompatible use pattern, but instead extends the existing development framework. This ensures continuity of land use, avoids isolated zoning inconsistencies, and supports coordinated development patterns.

Specific Criteria for Recreation Zoning (BCRC 12-328):

The Recreation district is appropriate where two key conditions are met:

Physical Suitability (BCRC 12-328(B)(1))

The property is physically well-suited for Recreation zoning. It consists of gently sloping terrain with no significant geologic or topographic constraints, and its lakeshore setting is inherently conducive to recreational and residential use. The site does not present the types of hazards or limitations that would preclude development under this designation.

Topography & Hazards: The land slopes gently from south to north directly toward the lake, consisting primarily of open meadow with scattered second-growth trees. It completely avoids the development challenges associated with steep slopes (30% or greater) found elsewhere in the county. There are no mapped hazardous features.

Availability of Services (BCRC 12-328(B)(2))

The property is served or serviceable by necessary infrastructure:

Access is provided via Peninsula Road, a county-maintained, 24' hard-surfaced roadway

Sewer: The property sits entirely within the Ellisport Bay Sewer District boundaries. Future wastewater management will be addressed via connection to this district at the development stage. The parcel lies within the Ellisport Bay Sewer District

Water: Water will be provided by private well. Idaho Department of Water Resources data proves that adjacent parcels support highly productive established wells yielding 100 gallons per minute (GPM), assuring abundant water capacity.

Fire protection is provided by the Sam Owen Fire District. Any future development will be strictly held to the District's requirements.

These factors demonstrate that the site can support development consistent with the Recreation district without requiring unreasonable extension of services.

Implementation and Consistency (BCRC 12-329):

The requested zone change represents an orderly and logical application of the zoning ordinance, ensuring that land use regulations reflect both the Comprehensive Plan and existing development patterns. It eliminates an inconsistency in the zoning map and provides a clear, predictable framework for future land use decisions.

We recognize that reviewing a zone change application naturally invites questions from the Commission and community regarding the scale, density, and environmental impacts of whatever might eventually be built on the site. However, it is vital to emphasize that this application is solely for a zone change to establish the correct, plan-aligned baseline for the property.

We respectfully remind the Commission that approving this zone change does not bypass a single environmental, infrastructure, or neighborhood protection. Bonner County's code is strictly designed to handle the "next steps" of development. When the property owner proposes a specific subdivision or site development, the following defensive, code-mandated triggers automatically apply to mitigate concerns:

Wetland & Shoreline Protections: Any future development must strictly adhere to BCRC Chapter 7 (Environmental Standards). This includes a mandatory 40-foot shoreline setback from Lake Pend Oreille, a required shoreline vegetative buffer to protect water quality, and a professional wetland reconnaissance professional to protect the potential Freshwater Emergent Wetlands currently identified on the Bonner County GIS map.

Infrastructure & Safety Protections: Before any final plat or site development is approved, the applicant will be required to submit engineered grading and stormwater management plans. Additionally, the Samowen Fire District will require thorough fire risk assessments, defensible space planning, and the installation of specific fire suppression infrastructure.

The requested zone change to Recreation represents a logical, legally supported, and entirely appropriate alignment of the zoning map with the Bonner County Comprehensive Plan's Resort Community designation. The legal and factual basis for this request is exhaustive and sound. The applicant urges the County to confidently approve this zone change, knowing that the County's robust subdivision and environmental codes retain full regulatory authority to ensure any future project is safe, environmentally sound, and an asset to the Lake Pend Oreille and Bonner County.

Respectfully submitted,

Sincerely,



Jeremy Grimm
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