

# FERNAN COMPREHENSIVE PLAN 2011

Good plans shape good decisions. That's why good planning helps to make elusive dreams come true.

- Lester Robert Bittel (b. 1918), writer

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**CITY OF FERNAN LAKE VILLAGE**

**COMPREHENSIVE PLAN**

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# THE CITY OF FERNAN LAKE VILLAGE COMPREHENSIVE PLAN 1980

As amended, 2002, 2011

## FOREWORD

In the fall of 1975, the City of Fernan Lake Village City Council made the commitment to approve the City's first Comprehensive Land Use Plan and Zoning Map. This decision was based on the philosophy and knowledge that community planning is the only effective way to guide and properly develop the City's resources, both physical and natural.

### *What is a Comprehensive Land Use Plan?*

"A PLAN is a generalized set of goals and policies that establish direction for optimum land use. As such, the plan is an official statement of the City's long-range development policies."

"A ZONING ORDINANCE is a law which defines categories for different land uses. ZONING MAP is a legal map showing where the boundaries are for the categories described in the ordinance."

"A PLAN IS NOT THE SAME AS ZONING. Along with the zoning map and ordinance, subdivision ordinance, the official street program, public acquisition and construction programs, the building code, and other ordinances are regulatory devices that serve to IMPLEMENT the Comprehensive Plan."

In fall of 2000, the City of Fernan Lake Village City Council chose to have the existing Comprehensive Plan and regulatory documents reviewed for compliance to the ever-changing Idaho Code requirements and changes in conditions in and around the City.

In 2010, the City chose to review, update and amend the Comprehensive Plan and accompanying regulatory documents.

## CHAPTER ONE: THE PLANNING PROCESS

### Introduction:

This Plan, together with Fernan Lake Village's Goals and Policies constitutes the Fernan Lake Village Comprehensive Plan. By Council mandate, it was decided that the City would update and modernize its planning documents to more effectively deal with urban development problems that confront Fernan Lake Village.

The purpose of the Goals and Policies simply states is "To provide a framework for planning decisions, the framework is to be based on the greatest degree of community consensus that can be achieved."

The Goals and Policies are intended to be a statement of community planning issues and policies, which can be used for development of appropriate new plans, regulations, planning practices, and land uses. State law requires that cities plan for the adequate provision of a variety of services and facilities. The Goals set forth policies based on short and long term objectives and expectations, some of which are more realizable than others. The one overriding goal is to foresee and react to change in a positive and decisive manner.

### The Comprehensive Plan: Its Scope

The Comprehensive Plan of Fernan Lake Village is designed to guide future development in a desirable and efficient manner, to provide a basis for public decisions regarding the development of community resources, the expenditure of public funds, and the allocation of land for various purposes. Also, it has been the intent of this planning effort to give particular attention to the problems this community faces in development of Fernan Lake Village, public recreation and city services.

### The Comprehensive Plan: Its Elements

In legal terms, the Comprehensive Plan in the State Planning Enabling Legislation is defines as "... A Comprehensive, Long-Term General Plan, for the physical development of the City and of any land outside its boundaries which in the planning agency's judgment bears relationship to its planning." The City Planning Commission is authorized by Idaho Code 67-6504 to develop a Comprehensive Plan. The State Law requires the following be done:

67-6508. PLANNING DUTIES. It shall be the duty of the planning or planning and zoning commission to conduct a comprehensive planning process designed to prepare, implement, and review and update a comprehensive plan, hereafter referred to as the plan. The plan shall include all land within the jurisdiction of the governing board. The plan shall consider previous and existing conditions, trends, desirable goals and

objectives, or desirable future situations for each planning component. The plan with maps, charts, and reports shall be based on the following components unless the plan specifies reasons why a particular component is unneeded.

(a) Property Rights -- An analysis of provisions which may be necessary to ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of property and analysis as prescribed under the declarations of purpose in [chapter 80, title 67](#), Idaho Code.

(b) Population -- A population analysis of past, present, and future trends in population including such characteristics as total population, age, sex, and income.

(c) School Facilities and Transportation -- An analysis of public school capacity and transportation considerations associated with future development.

(d) Economic Development -- An analysis of the economic base of the area including employment, industries, economies, jobs, and income levels.

(e) Land Use -- An analysis of natural land types, existing land covers and uses, and the intrinsic suitability of lands for uses such as agriculture, forestry, mineral exploration and extraction, preservation, recreation, housing, commerce, industry, and public facilities. A map shall be prepared indicating suitable projected land uses for the jurisdiction.

(f) Natural Resources -- An analysis of the uses of rivers and other waters, forests, range, soils, harbors, fisheries, wildlife, minerals, thermal waters, beaches, watersheds, and shorelines.

(g) Hazardous Areas -- An analysis of known hazards as may result from susceptibility to surface ruptures from faulting, ground shaking, ground failure, landslides or mudslides; avalanche hazards resulting from development in the known or probable path of snowslides and avalanches, and floodplain hazards.

(h) Public Services, Facilities, and Utilities -- An analysis showing general plans for sewage, drainage, power plant sites, utility transmission corridors, water supply, fire stations and firefighting equipment, health and welfare facilities, libraries, solid waste disposal sites, schools, public safety facilities and related services. The plan may also show locations of civic centers and public buildings.

(i) Transportation -- An analysis, prepared in coordination with the local jurisdiction(s) having authority over the public highways and streets, showing the general locations and widths of a system of major traffic thoroughfares and other traffic ways, and of streets and the recommended treatment thereof. This component may also make recommendations on building line setbacks, control of access, street naming and numbering, and a proposed system of public or other transit lines and related facilities

including rights-of-way, terminals, future corridors, viaducts and grade separations. The component may also include port, harbor, aviation, and other related transportation facilities.

(j) Recreation -- An analysis showing a system of recreation areas, including parks, parkways, trailways, river bank greenbelts, beaches, playgrounds, and other recreation areas and programs.

(k) Special Areas or Sites -- An analysis of areas, sites, or structures of historical, archeological, architectural, ecological, wildlife, or scenic significance.

(l) Housing -- An analysis of housing conditions and needs; plans for improvement of housing standards; and plans for the provision of safe, sanitary, and adequate housing, including the provision for low-cost conventional housing, the siting of manufactured housing and mobile homes in subdivisions and parks and on individual lots which are sufficient to maintain a competitive market for each of those housing types and to address the needs of the community.

(m) Community Design -- An analysis of needs for governing landscaping, building design, tree planting, signs, and suggested patterns and standards for community design, development, and beautification.

(n) Implementation -- An analysis to determine actions, programs, budgets, ordinances, or other methods including scheduling of public expenditures to provide for the timely execution of the various components of the plan.

(o) National Interest Electric Transmission Corridors -- After notification by the public utilities commission concerning the likelihood of a federally designated national interest electric transmission corridor, prepare an analysis showing the existing location and possible routing of high voltage transmission lines, including national interest electric transmission corridors based upon the United States department of energy's most recent national electric transmission congestion study pursuant to sections 368 and 1221 of the energy policy act of 2005. "High-voltage transmission lines" means lines with a capacity of one hundred fifteen thousand (115,000) volts or more supported by structures of forty (40) feet or more in height.

### The Comprehensive Plan: It's Function

The Comprehensive Plan sets forth City Goals and Policies, as established by the Planning Commission and City Council, which are related to the long-range growth of the community. As such, it provides a guide for the evaluation of significant future development proposals and should serve the following purposes:

1. To express the quality of physical environment sought by citizens of the community.

2. To provide sufficient information about City Policies and long-range goals of the community to enable public and private enterprise to coordinate their planning activities and developmental programs.
3. To facilitate City Council considerations of future public investments, capital improvement programs and other fiscal programs related to future urban development.

### What are Goals and Policies?

The Goals and Policies of Fernan Lake Village are developed in the Comprehensive Plan for each planning element. These policies are intended to provide a directory and framework within which the City can make planning decisions.

The Local Planning Act of 1975, as amended, requires Goals and Objectives be developed as a part of the Plan and that the public have an opportunity to participate in the development and review of these policies.

Since Fernan Lake Village is a small community with limited land uses, the Goals and Policies do not cover several planning elements. Goals and Policies have been included where future planning issues may develop. The Goals and Policies may be rewritten, revised, expanded upon or deleted by the Planning Commission depending upon what community desires or objectives are most important to the people.

A "Goal" is defined as the following:

A general statement in the Plan which indicates an aim or purpose to be achieved.

A "Policy" is defined as the following:

A specific statement in the Plan which relates to methods of achieving a determined goal.

## CHAPTER TWO: BACKGROUND AND HISTORY

“The Fernan Lake Village area was homesteaded by John Fernan, one of the first soldiers to be stationed at Fort Sherman.” Sometime in the late 30’s, Sam Theis bought the property, “Mr. and Mrs. Theis occupied the former Fernan Lake Village home for some time and after selling it, converted the former stable into a comfortable residence” where Mr. Theis had his saddle shop. He also rented boats on the lake, raised a few horses, and during World War II, he had a huge “Victory garden” in rich soil. “When Theis filled his first Plat (Block 1) he included only 15 lots along the lakeshore.” In December of 1954 he filed a new plat to include 40 adjoining lots.

The plat is titled “Theis Subdivision- Block – 2, 3, 4, 5, and 6,” and bears a dedication, signed by Mr. and Mrs. Theis on December 1, 1954; a Certificate and Acknowledgement, signed and dated December 4, 1954; a Certificate of Approval, signed by Mr. Lunden, Board of County Commissioners for Kootenai County, dated December 4, 1954; and a Certificate of Approval –City Council, City of Coeur d’Alene, signed December 6, 1954 by Elmer Soniville, City Engineer and J.R. Wilcox, City Clerk. When Mr. Theis took his approved plat to the Coeur d’Alene City Council in 1955, asking that the area be annexed by the city, annexation did not occur. Several times between 1955 and 1957, Mr. Theis tried to have the area annexed.

By 1957 there were several homes built in the Fernan Lake Village area, and on May 20, 1957, 32 residents petitioned the Board of County Commissioners for incorporation of the “Village of Fernan Lake Village.” The City of Coeur d’Alene questioned validity of the Commissioners’ actions; an appeal to the district court was dismissed; and the dismissal later was upheld by the Idaho Supreme Court. The order creating Fernan Lake Village by the commissioners was signed on July 15, 1957.

### TOPOGRAPHY

The topography of Fernan Lake Village is generally flat, with some sloping grades near the shoreline of Fernan Lake Village. The area affords good building sites and few natural hazards for development. The southwestern portion of Fernan Lake Village Addition near Interstate 90 and the County dock is the only area where ground contours vary more than several feet and mild slopes are present. A small nob or hill rises from the lake in this area and an irregular and bumpy topography is evident. Building in this area would require extensive excavating and some cutting of slopes to prepare the subdivided lots in Fernan Lake Village addition for development.

### GENERAL AREA

The City of Fernan Lake Village is located in Kootenai County on the shores of Fernan Lake. East of Fernan Lake Village is the lake; north and south are mountains, the lake, Fernan Lake Village Creek and Coeur d’Alene Resort Golf Course. Much of the past and planned development has been formerly agriculture areas as was the John Fernan Lake Village Homestead.



## GEOLOGIC BACKGROUND IN FERNAN LAKE VILLAGE

During the Pleistocene Glacial periods, deep canyons were cut in the rocks underlying the present-day Rathdrum Prairie and Spokane Valley. A very rough topography which included deep channels and bedrock hills resulted from the down cuttings. Glacial outwash filled this uneven landscape with coarse gravels, cobbles, boulders, and some fine-grained material. Glacial Lake Missoula discharged in a catastrophic flood through this area, reworking the outwash deposits; much of the finer material was carried away, leaving very coarse valley fill.

The extremely permeable material comprises the aquifer underlying the Rathdrum Prairie and the Spokane Valley. The buried channels and bedrock hills make delineation of the aquifer difficult. A study by the U.S. Geological Survey in the northern part of the Rathdrum Prairie, for example, identified three buried channels separated by bedrock highs. Only two of the channels transmit significant amounts of groundwater. ~~Because of the uneven bedrock topography, extremely high permeability of the valley fill, poorly known water level gradients, and unknown quantities of recharge, the ground water flow system is only generally.~~

## CHAPTER 3 - PROPERTY RIGHTS

Land use policies within the City of Fernan Lake Village are based upon the protection of private property rights. The implementation strategy outlined within this Plan, the adopted ordinances and fee schedule do not violate private property rights or create unnecessary technical limitations on the use of the property of each and every citizen within the City.

Idaho Code 67-6508(a) requires “an analysis of provisions which may be necessary to ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of property and analysis as prescribed under the declarations of purpose in Chapter 80, Title 67, Idaho Code.”

Zoning and other regulatory devices are also seldom deemed a taking, but safeguards to ensure property rights have been enacted for the benefit of property owners in Idaho. The State Attorney General recommends that the following process be utilized by local governments when private property is at issue:

*“State agencies must use this evaluation process whenever the agency contemplates action that affects privately owned property. Each agency and local government must also use this process to assess the impacts of proposed regulations before the agency publishes the regulations for public comment. In Idaho, real property includes land, possessor’s rights to land, ditch and water rights, mining claims, and freestanding timber. I.C. Sections 55-101 and 63-108. In addition, the right to continue to conduct a business may be a sufficient property interest to invoke the protections of the just compensation clause of the Idaho Constitution.”*

“Each agency and local government must review this advisory memorandum and recommended process with appropriate legal counsel to ensure that it reflects the specific agency or local government mission. It should be distributed to all decision makers and key staff.”

The State Attorney General’s checklist asks the following six questions:

1. Does the regulation result in a permanent or temporary physical occupation of private property? If so, then this action generally constitutes a taking.
2. Does the regulation or action require a property owner to dedicate a portion of property or to grant an easement? If it is deemed substantial enough, it may be a taking, but there is ample legal authority that this action usually does not constitute a taking.
3. Does the regulation deprive the owner of all economically viable uses of the property? If so, this action generally constitutes a taking. However, if only a portion of the property is impacted, no taking occurs.
4. Does the regulation have a significant impact on the landowner’s economic interest? A reduction of property value alone is not a taking.

5. Does the regulation deny a fundamental attribute of ownership? If the right to possess, sell, or exclude others is taken from a property owner, then a taking has probably occurred.
6. Does the regulation serve the same purpose as if it was a directly prohibited use or action, and does the regulation advance that purpose? If the regulation does not advance the public's interest or the action has the same effect as a physical invasion, a taking may occur.

In addition to the regulatory situations discussed in the Attorney General's statutory checklist above, state and local governments are faced with issues involving zoning changes, amendments to the Comprehensive Plan, fee increases, new restrictions or requirements for developers, environmental concerns, and future land use planning.

**GOAL:**  
**PRESERVE THE PROPERTY RIGHTS OF THE CITIZENS OF FERNAN LAKE VILLAGE.**

POLICY:  
Use the State Attorney General Checklist in the development of zoning regulations.

## CHAPTER 4 - POPULATION ANALYSIS

The earliest estimated population figure for Fernan Lake Village was 150 and date back to 1960, three years after formal incorporation which occurred on July 15, 1957. Over the past twenty years, the City's population in 1976 increased to 238 people.

In 1974, the Fernan Lake Village Addition was annexed to the City and eleven (11) additional lots were platted, raising the total subdivided lots in Fernan Lake Village to 83. The federal census data reflects that the City of Fernan Lake Village's population has remained virtually static. No significant or substantive changes in age, gender or income have been noted.

As of the 2000 census, there were 186 people, 70 households, and 52 families residing in the city. The population density was 2,069.0 people per square mile (797.9/km<sup>2</sup>). There were 71 housing units at an average density of 789.8/sq mi (304.6/km<sup>2</sup>). The racial makeup of the city was 95.16% White, 0.54% Native American, 2.15% Asian, 0.54% from other races, and 1.61% from two or more races. Hispanic or Latino of any race were 1.61% of the population. The average household size was 2.66 and the average family size was 3.15.

In the city the population was spread out with 30.1% under the age of 18, 3.2% from 18 to 24, 17.2% from 25 to 44, 28.5% from 45 to 64, and 21.0% who were 65 years of age or older. The median age was 45 years. For every 100 females there were 104.4 males. For every 100 females age 18 and over, there were 91.2 males.

The median income for a household in the city was \$68,125, and the median income for a family was \$73,125. Males had a median income of \$80,393 versus \$43,125 for females. The per capita income for the city was \$35,384. About 9.3% of families and 14.6% of the population were below the poverty line, including 28.3% of those under the age of eighteen and none of those sixty five or over.

### POPULATION STATISTICS

1940	1950	1960	1970	1976	1980	1999	2000	<u>2008</u>	2010*	2015*	2020*
10	35	123	215	238	252	170	186	<u>183</u>	186	190	<u>195</u>

State of Idaho Department of Commerce

- 2010, 2015 and 2020 are Projected Estimates

## CHAPTER FIVE: ECONOMIC DEVELOPMENT

Because the City of Fernan Lake Village is a small bedroom community bordering the City of Coeur d'Alene, the economic base of the area is not supplied within the community, with the exception of a very limited commercial area on the West side of Interstate 90. The Commercial District in the Village provides primarily service oriented businesses. Fernan Lake Village residents are predominantly employed outside of the City and work in various areas either in or outside of Kootenai County. Social characteristics of the community indicate that the majority of employable workers fall into the "white collar" business, service or professional employment categories with above average to upper per capita income levels.

### Existing Conditions

In 2000, the workforce over 16 years of age was 98% employed, 2% unemployed and the vast majority drove to work. Ninety (90%) of the workforce were in typical white collar occupations such as management, administration or sales. The average income exceeds \$50,000 per year for the household. The 2010 census is being currently conducted and as new statistics are available, the Plan will be amended and updated.

The Commercial District of Fernan Lake village is located adjacent to Coeur d Alene Lake Drive and is primarily service oriented with one restaurant/bar, and two motels. There is one vacant parcel of ground. The condition of the existing businesses and the structures that house these businesses has deteriorated over the years. The decline of the current economic climate has increased the deterioration of those businesses.

Based on the past patterns of development, the existing physical development limitations of the City, and the citizens' preferences, the City should encourage further economic commercial development within the commercial district of the City limits. In order to preserve unique geographic separation of the residential and commercial character of the community, zoning should continue to be implemented to protect and enhance the existing, legally allowed land uses.

### **GOAL:**

**Promote continued support of a strong workforce, a vibrant economy in Fernan Lake Village and encourage through plans and ordinances the development of a stable Commercial District.**

### POLICY:

Enact regulations that direct land uses and design standards that compliment the future direction of Fernan Lake Village.

## CHAPTER SIX: LAND USE

Land use within the City of Fernan Lake Village falls into three general categories. These categories are: residential, commercial, and recreation/lake oriented uses.

The following section will consist of an examination of the natural land types, existing land covers and uses, and the suitability of lands for existing or proposed land uses.

### RESIDENTIAL

There are two residential areas and one recreational area. All residential housing is currently connected to City of Coeur d'Alene water and sewer systems.

Access to Fernan Lake is provided in two areas. When Sam Theis subdivided the property he dedicated an access strip to the lake to other residents ~~and the public~~ to use. This access property is located in the northeast section of Block 1, east of Lot 15, in an area south of Forest Service Road. The strip begins at the northeast corner of Lot 15, runs east for approximately 620 feet and averages from 5 to 20 feet wide. This property comprises the north bank of Fernan Lake in Block 1 of the access property. In most places, the bank is very sloped with little useable property.

The second access point is the property located on the South end of Theis Lane which is a dedicated road. Over the past several decades Theis Lane has been used as a public access to reach Fernan Lake. An established recreational use has existed for at least fifty (50) years in this general vicinity. Currently, Kootenai County Parks and Waterways operates the public park and docks at this site.

Three dedicated streets exist in this area: Lakeview Drive, Theis Lane, and Five Firs Drive. The existing homes have frontage on Lakeview Drive. Interstate 90 borders this area on the west, and the west end of Fernan Lake Village on the south.

The county boat ramp and dock are located in this area on the south end of Theis Lane. The ground cover is mostly natural grasses and some wild bushes. Several fir and pine trees dot the area and the land remains in its natural state. The southwestern portion of the subdivision slopes to the shoreline and is quite marshy.

The residential district includes 83 platted lots and 2 unplatted lots. The first neighborhood area includes all the City property within the two (2) Theis Subdivisions, which total 72 residential lots. The second neighborhood review area includes all the City property within the Fernan Lake Village Addition (11 platted lots) and two unplatted lots to the north of the County Park and Boat Launch. Neighborhood Number 2 includes the Kootenai County Park and Boat Launch and comprises the vast majority of the Fernan Lake Village Addition plat. Accessory structures and outbuildings, which are not part of or attached to single-family dwellings, are allowed. The City adopted standards and criteria for the siting of accessory buildings in 2008.

## Neighborhood Review Area Number 1 Theis Subdivision Plat

The land area in this neighborhood area is all located within Blocks 1, 2, 3, 4, 5, and 6 of the Theis Subdivisions. Seventy-two (72) lots comprise this area. Only two platted lots are undeveloped and all lots are used for single family dwellings, no other types of land uses are used or permitted in this area. There is a small strip of land adjacent to Fernan Lake that is dedicated to the homeowners of Theis Addition that do not have access to lakefront property. This strip of land is unplatted and is under the liability and responsibility of the property owners of Blocks 2, 3, 4 and 5 and all lots that do not have direct waterfront access. The present zoning is classified as R-1 Residential District and a minimum of 10,000 square feet of lot area with the lot 100 feet wide is required to build.

The houses located in this neighborhood have been built within the last forty years and the majority of the lots are well maintained by the owners. As stated in the housing section, there are six non owner-occupied houses in this neighborhood. Paved streets, curbs, ~~and~~ street lights, and storm sewers are also provided. Traffic flows are well-controlled and adequate egress and ingress provided through the dedication of public streets.

~~All lots~~ The majority of the lots in Fernan Lake Village ~~which border Fernan Lake~~ are developed, and many of these lots have docks and other man-made structures along the shoreline.

**GOAL: Promote a stable residential environment within Fernan Lake Village.**

### POLICIES:

1. The R-1 Neighborhood should be preserved as a single-family residential area.
2. Home based businesses in single family dwelling will require a permit and be allowed under certain conditions. The City will consider the adoption of special notice provisions and review any approval criteria for home based businesses.
3. Any new residential development should be required to connect to public water and sewer.

Neighborhood Review Area Number 2 – Fernan Lake Village Addition and Fernan Park and Boat Launch.

The majority of the Fernan Lake Village Addition plat is located within the Kootenai County Park and Boat Launch. The City adopted regulations within the Zoning Ordinance that allowed a public recreational area with certain standards. The Fernan Park and Boat Launch is regulated by these standards. The Fernan Boat Launch is located at the west end of Fernan Lake in the Village of Fernan. The park and launch includes a 15'x26' concrete launch; 10.4% grade; (2) 4'x30' gangways - ADA compliant with rails; 2,560 square feet of dock ~~as follows: (4) 8'x20' docks; (6) 16'x20' docks; 10~~

~~docks are poly float construction;~~ (17) spaces vehicle w/trailer parking; (15) spaces single vehicle parking; (1) concrete vault toilet. There are also picnic tables, a fishing dock and 17 single vehicular spaces and 15 spaces for boat trailer parking. Park hours are 5:00 a.m. to 10:00 p.m. seven days per week. Issues have risen from the Village residents regarding the park. The majority of the issues that have been raised are parking along residential streets, noise and the public feeding the wildlife, which has created environmental concerns.

There are three residential lots within Neighborhood 2. These are single family dwellings and are owner occupied.

**GOAL:           Recreational Areas within Fernan Lake Village should be compatible with residential characteristics of Fernan Lake Village.**

POLICIES:

1. Amend the Fernan Development Code to require development or expansion of recreational areas be permitted only under a special use permit.
2. Ensure that adequate provisions for parking, litter control and sanitation to handle existing county boat dock usage should be provided by public agencies in cooperation with the City of Fernan Lake Village.
3. Require the County ~~boat launch~~ to enforce the do not feed the wildlife regulations pursuant to Fernan regulations.

COMMERCIAL DISTRICT

The land area in the Commercial District is all located on the west side of Interstate 90 adjacent to Coeur d Alene Lake Drive. This ~~small area~~ and currently encompasses five parcels. Two motels and a restaurant/bar are located within this area. It is anticipated that the area will continue to be used for commercial purposes.

The land area is flat and suitable for commercial use. Public utilities are available from the City and the City of Coeur d Alene. The types of uses located in the District are oriented toward services such as motels and restaurants. The uses access on Coeur d Alene Lake Drive. The right of way is owned by the State ~~if~~ of Idaho. The current uses are deteriorating rapidly and due to the current economy, it is anticipated that there will be turn-over.

LAND CAPABILITY

Development of this area creates no apparent land capability problems. Interstate 90 divides this neighborhood from Fernan Lake Village property and creates a man-made barrier between the three areas.



**GOAL: Encourage renewal and redevelopment of the Commercial District.**

**POLICIES:**

1. The area should be retained in commercial use.
2. ~~Remaining vacant or undeveloped property should be encouraged to develop as commercial use.~~ Encourage development in the commercial district.
3. Enact regulations that require improvements to the districts, such as landscaping, architectural design standards, and mitigation of nuisances.

## CHAPTER SEVEN: NATURAL RESOURCES

The Department of Environmental Quality has developed a substantial body of information regarding Fernan Lake. This information was initially used in the Panhandle Area Council Section 208 Planning Grant for Wastewater Treatment Management. Studies have been conducted throughout the years on Fernan Lake Village. In 2005, the Department of Environmental Quality in conjunction with private citizens and the City of Fernan Lake Village developed a Lake Management Plan for Fernan Lake and its watershed.

Fernan Lake covers a surface area of approximately 450 acres and has a maximum recorded depth of 25 feet. The only major surface tributary, Fernan Lake Village Creek, enters the lake at the eastern end and the only surface outlet exits at the western end of the lake before entering Coeur d'Alene Lake located approximately ¼ mile away.

In all the studies done on Fernan Lake, the conclusions remain fairly consistent. Low nitrate-nitrogen levels during the summer months can be accounted for due to the uptake of nitrogen by aquatic plants and incorporation into the lake biomass. Generally, Fernan Lake can be said to have fair to poor water quality and can expect a general decline in the present water quality, due to the various human activities in the watershed. Any construction or agricultural activities in the watershed can be assumed to add to the fertility of the lake.

### POINT AND NON-POINT POLLUTION

The major tributaries to Fernan Lake have been sampled throughout the years since the early 70's and have consistently revealed that nutrient loading of the lake can be attributed to various activities occurring within the Fernan Creek watershed. Those activities have not been identified as yet, but are believed to be chiefly concerned with non-point source pollution arising from agricultural and timber activities adjacent to Fernan Creek.

**GOAL:           Coordinate with agencies and local environmental groups to continue monitoring and protecting Fernan Lake.**

### POLICIES:

1. No new development around the lake should be allowed without proper control and disposal of sanitary sewer wastes.
2. Public agencies which control or manage land use outside the City of Fernan Lake Village should be encouraged or given the authority to prevent further pollution of the lake within the Fernan Lake Village watershed through appropriate land management practices.
3. Agricultural and Forest Service practices should be reviewed to insure that these operations are not adding to the nutrient loading of the lake.
4. The City should actively support the continued monitoring and sampling of the water quality of the lake on a regular basis.

5. Homes located in Block 1 should take precautions to insure that lawn fertilizer is not washed into lake waters.
6. If motorized boat usage increases, the impact of the activity should be determined and boat usage controlled, if merited by the water quality data.
7. The City should negotiate with the County and City of Coeur d'Alene to at minimum, receive notice regarding proposals for certain land use actions, (i.e. subdivisions, rezones, major changes of use, etc.). The notice could be used for the purposes of the City, or concerned city residents could comment on pending proposals.
8. Assist lake coalition and applicable agencies to determine what impacts affect the Lake and what support the City can do to assist in the mitigation of those impacts.
9. Assist the lake coalition in updating the 2005 study from Al Issacson to ensure that eutrophication is minimized.
10. Appoint a Council member to participate in the Lake Coalition.

## CHAPTER EIGHT: HAZARDOUS AREAS OR SITES

Hazardous areas are defined as raw land that exhibits certain physical characteristics because of soils, location or geologic foundation that contributes to unsafe building conditions when improperly managed. In such areas development should be prevented, limited, or controlled to protect the homeowner and public from potential property damage.

### EXISTING CONDITIONS

The Federal Emergency Management Agency has designated a portion of the Fernan Lake shoreline within a flood hazardous area. The flood plain is low land abutting the lake shoreline that has been or may be covered by water of a flood of one hundred (100) year frequency. The flood plain in Fernan Lake Village includes the floodway fringe area as established per the engineering of practices established by the Army Corps of Engineers.

The flood plain in Fernan Lake Village extends to Lakeview Drive in Block 1, and includes most of the land area south of Lakeview the full length of the City Limits. The City has recently adopted the Fernan Flood Management Protection Ordinance that regulates building on areas prone to flooding. The City is also amending their flood plain map to accurately delineate which properties fall within the flood plain.

The City of Fernan Lake Village has qualified for the National Flood Insurance Program administered by the Federal Insurance Administration.

**GOAL: Support the protection of private property from hazards in the City through the development of plans, strategies and regulations.**

### POLICIES:

1. The City should continue to enforce the necessary flood plain development regulations in order to reduce or avoid future flood damage within the designated flood hazard area in Fernan Lake Village, Zone A.
2. Fernan Lake Village should carefully regulate any future development in the Fernan Lake Village Addition.
3. The City should encourage those property owners within the Flood Plain Area purchase flood insurance.
4. Pursue an appeal to the Flood Elevation Map.

## CHAPTER NINE: PUBLIC UTILITIES ELEMENT

Most public utilities in Fernan Lake Village are provided to the residents of Fernan Lake Village by agencies other than the City of Fernan Lake Village. Presently the City maintains or contracts to maintain its own streets, streetlights, and sewer and water system. Fernan Lake Village budgets, on a yearly basis, money to maintain these public service facilities.

### SEWER SYSTEM

The City of Fernan Lake Village currently owns the City Sewer system and has a negotiated agreement with the City of Coeur d'Alene for wastewater treatment and disposal. The agreement includes lease charges and maintenance responsibilities.

### WATER SYSTEM

City water is purchased on an individual subscriber basis from the City of Coeur d'Alene on an outside the City account basis. No special agreement exists between the two cities for the provision of this service. Adequate potable water is available to the residents of Fernan Lake Village and no supply shortage is foreseen in the future.

Considering the fact the existing system in many locations is now thirty (30) years old, future maintenance problems may develop.

### STREET SYSTEM

The City of Fernan Lake Village has paved streets with curbs and storm sewers. When the subdivisions were developed, the asphalt streets were installed. Street maintenance is provided by the City of Fernan Lake Village and the roads are in good condition at the present time. Future development within Fernan Lake Village should only be allowed with the provision of paved streets that meet current engineering and public works design and construction standards.

### OTHER PUBLIC SERVICES

Garbage collection in Fernan Lake Village is provided by private haulers. Recycling has recently been added as a service to the citizens. The service is efficient and no operational problems exist at this time. Satisfactory police protection is provided to Fernan Lake Village by mutual aid agreements. Kootenai County Sheriff's officers and Coeur d'Alene Police officers do respond to calls in Fernan Lake Village. Because the area is small and very compact, patrolling can be done fairly easily. Mail service is by delivery to a variety of methods including cluster mailboxes and individual homes. There is interest to install cluster locking mailbox units on ~~each~~ every block.

GOAL: Continue to provide public services and utilities to the residents and

property owners within Fernan Lake Village.

POLICIES:

1. The City should take a proactive role in providing for long-term maintenance and repair of the existing water distribution and sewage collection systems
2. The City should continue to evaluate and update agreements with Coeur d'Alene for the provision of potable water, and the treatment of sewage.
3. Plan and implement cluster locking mailbox units for each block.

## CHAPTER TEN: TRANSPORTATION ELEMENT

The City of Fernan Lake Village is composed of three separate areas which include the residential neighborhood, the County Park and the commercial district. All streets are paved streets.

All the streets within Fernan Lake Village, except Fernan Lake Village Road, would be classified as local streets. Fernan Lake Village Road is a major collector street for Fernan Lake Village residents and functions as an urban arterial with access to upper Fernan Lake watershed.

### Existing Conditions

Local streets in Fernan Lake Village have been built to fairly good construction standards. The dedicated streets are 50 feet wide in most areas and provide ample vehicular right of way for traffic flows. Curbs and storm sewers have also been installed in Fernan Lake Village. The streets are maintained and through the years the existing asphalt has held up quite well.

About the only major traffic bottleneck is the periodic traffic congestion created on the south end of Theis Drive by outdoor recreationalists during various months of the year. Access controls seem adequate in Fernan Lake Village and there have been very few traffic accidents in the area. Streets are adequately posted at this time and traffic usually flows easily through the area. At times, particularly during summer months, there are speed limit and parking problems on the streets that lead to the public dock.

Commercial development may cause impacts to surrounding residential neighborhoods and the freeway if built with a height in excess of six stories. Shadowing and noise are a factor with development adjacent to the freeway.

**GOAL: Maintain the local residential street network in Fernan Lake Village.**

### POLICIES:

1. Roadway signage should be reviewed and provided for on Theis Lane to regulate vehicular parking. Ensure that adequate maintenance of stop signs, crosswalks is continued.
2. Traffic speed limits should be monitored ~~during summer months~~.

**GOAL: Coordinate with local and transportation agencies to ensure safe roadways ~~that do not impact the residential and commercial districts~~.**

### POLICIES:

1. Ensure that any development in the commercial district does not create noise and shadow impact on the freeway or spill onto residential neighborhoods.
2. Coordinate with local law enforcement to regulate speed limits.
3. Review speed bump barriers in the Village and determine if traffic safety is met with those barriers.
4. Regulate parking in the Village, including parking on side streets. Enact parking regulations for ~~about~~ boats, trailers and cars on side streets.
5. Coordinate with East Side Highway District and the City of Coeur d Alene to construct a four way stop sign at Fernan Lake Road and Lake View Drive.



## CHAPTER ELEVEN: RECREATION ELEMENT

The Goals and Policies for Fernan Lake Village indicate the directions and desires of the community regarding the development and improvement of outdoor public recreation activities on Fernan Lake.

Since the public recreation use of Fernan Lake is well-established, adequate access and facilities should be provided to the public to enjoy the lake environment. Also, because the lake is small and residential dwellings are located near recreation activities, home owners' rights, wishes, and concerns must be recognized when considering any future development or improved public recreation resources. Citizen preferences must be carefully reviewed with regard to this issue and workable compromises reached as to how recreation facilities should be developed, where they will be located, how much and what type of facilities, who pays for them, and who maintains the facilities.

### Existing Conditions

The recreational use of Fernan Lake was well established before Fernan Lake Village was incorporated. Sam Theis rented rowboats to the public and various fishing and picnicking activities occurred around the lake.

Through the years this use has increased and has centered around the Kootenai County boat dock and ramp on the south end of Theis Lane. ~~This is a major public access to take that is convenient and provides public facilities and there is one anticipated to be constructed at the east end of the Lake in 2010.~~ One additional boat launch was constructed in 2010 on the east end of the Lake.

Currently, the City has an agreement with Kootenai County on the use, access and parking for the public at the public dock and park located at the end of Theis Road. Regulations are in place that dictates the standards required by the County to maintain a public park in the City of Fernan Lake Village. While many of the issues related to the park have been resolved with the residents, parking issues and feeling wildlife are chronic problems that must be addressed. Proper site development is needed to buffer and screen adjacent residential land uses.

**GOAL:** Provide recreational opportunities for the citizens of Fernan Lake Village. The Park should be kept for all to enjoy and not be allowed to be sub-contracted to special interest groups.

### POLICIES:

1. Require the development or expansion of any recreational area be permitted only with a special use permit.
2. Prohibit sub-leasing of public property to private individuals or organizations.
3. Retain the natural state of recreational areas.
4. Regulate nuisances within recreational areas such as noise, lighting, and refuse.

**GOAL:** ~~Support efforts of secondary lots to develop open space and park as delineated in the recorded title and plat of Fernan Lake Village.~~

POLICIES:

- ~~1. Assist property owners to explore options for secondary lots to develop and maintain park space.~~

## CHAPTER TWELVE: SPECIAL AREAS OR SITES

There are no significant areas or sites of historical, archeological significance. Fernan Lake is a point of scenic beauty, and, as such, has been the primary focus of the City's policies on enhancement and protection.

## CHAPTER THIRTEEN: HOUSING ELEMENT

Housing data has primarily been provided in earlier sections of this plan. Since the area is predominately a single-family residential area with only two undeveloped lots, and as such, a detailed housing component of the Plan is not necessary to prepare. Housing conditions have been consistently good throughout the years however there is some deterioration in housing units, primarily units that are not owner occupied. Most houses in the Village are ranch style homes due to the long standing regulations that limit height. Most homes within the Village are owner-occupied. In 2010, there were six homes that were not owner occupied.

**GOAL: Support a stable housing base of owner occupied housing.**

### POLICIES:

1. The City should continue to adopt and enforce the most recent versions of the International Building Code and International Mechanical Code.
2. The City should continue to contract for the provision of building inspections.
3. Explore incentives to increase owner occupied housing.
4. Preserve natural vistas and views of the lake by limiting height restrictions to a range of 22 to 28 feet.
5. Establish regulations that retain Lot size at 10,000 square feet.
6. Establish regulations that retain front yard setbacks for all properties at 25' from front property line.
7. Establish regulations that make the front yard property line to always be at the location of the driveway.

## CHAPTER FOURTEEN: COMMUNITY DESIGN

The City of Fernan Lake Village is uniquely situated next to Fernan Lake. The residential neighborhood is in excellent condition, and the homes are generally well cared for. Signage is regulated in the city. The City has adopted the International Building Code and has provisions for landscaping and buffering in the Development Code.

### COMMUNITY DESIGN

Preserving a residential lifestyle with basic amenities, adequate services and utilities, and access to regional facilities are important considerations to the citizens of Fernan Lake Village. Other considerations which affect the image of the community are regulations and design standards for both the residential and commercial and recreational districts.

Regulations and specific design standards which relate to the appearance of the community, and to the health and safety of its citizens are important to Fernan Lake Village. These are essential to the orderly management of new development and growth in general. Fernan Lake Village community design elements which enhance the City's community image should include but are not limited to:

- 1) Homes and businesses that are safe and provide satisfactory levels of service.
- 2) Design standards for residential uses such as lighting, height, and lot coverage regulations.
- 3) Continued code enforcement on regulations.
- 4) Principal streets that are safe and provide satisfactory levels of service.
- 5) Adequate site disturbance and stormwater management for both residential and commercial sites.
- 6) Landscaping for rights of way that are free from litter.
- 7) Attractive open space and park areas that are maintained for the community.
- 8) Landscaping, lighting, signage, parking and architectural design standards for the Commercial District that clearly indicate continuity and a cohesive theme.

**GOAL:**                    **To preserve and maintain the community's image for future generations by sustaining suburban residential tranquility.**

POLICIES:

1. Maintain the existing pedestrian lifestyle in Fernan Lake Village.
2. Develop, amend and enforce “dark sky” ordinance regulations to mitigate impacts from excessive lighting within the Residential District. Require lighting to be downward directed and shielded.
3. Discourage through traffic from other communities by:
  - a. Increasing communication with the City of Coeur d’Alene and Kootenai County and the Eastside Highway District.
  - b. Participating in the land use process of adjacent cities and developing memorandums of understanding or joint powers agreements to ensure adequate traffic mitigation.
  - c. Exploring methods of traffic control and traffic calming on Fernan Lake Road and Theis Road.
4. Develop and enforce regulations in residential areas that promote a suburban residential lifestyle by regulating nuisances such as inoperable vehicles, junk, litter and weeds.
5. Enforce the standards on lot coverage and fencing to ensure that Fernan Lake Village retains its open characteristics.
6. Review and evaluate existing ordinances, resolutions, and standards, and ensure that the provisions and regulations regarding community image ~~are met~~.

**GOAL – Develop an unique identity for the Fernan Lake Village Commercial District.**

POLICIES:

1. Establish design standards for the district that complement the City’s Residential District and adjacent communities.
2. Establish landscaping and beautification guidelines for city entryways and commercial corridors.
3. Plan and implement a greenbelt system to provide identity, enhance the beauty of the area and provide a transition to other land uses.
4. Plan, implement and regulate a street tree-planting program based on a detailed urban forestry.
5. Establish uniform signage for prominent features, public places, and attractions so that visitors can easily navigate within the community.
6. Develop design regulations that address noise, lighting, shadowing, signage, and buffering to ensure mitigation of impacts to Residential District.

## CHAPTER FIFTEEN: SCHOOL FACILITIES AND TRANSPORTATION

There are no schools within the city ~~corporate~~-limits of Fernan Lake Village. Children attend school within the Coeur d'Alene School District. Based upon an examination of the school districts capacity, there is sufficient room for any new students from the City. Children ~~in the Village~~ either are taken to school by their parents or are transported by the school district's bus system. ~~because of the distance to all elementary, middle and high schools.~~ There are two unsheltered bus loading areas in Fernan Lake Village.; however, ~~the~~ those bus loading areas are not sheltered.

**GOAL:        Cooperate with the Coeur d Alene School District on facilities and transportation.**

POLICY:

1. Develop a plan and coordinate with the CDA School District to locate and construct weather-resistant bus shelters for children.

## CHAPTER SIXTEEN AREA OF CITY IMPACT

The Local Planning Act of 1975 and subsequent amendments, requires, pursuant to Section 67-6526 of the Idaho Code, that the governing board of each county and city shall, adopt by ordinance(s) an area of city impact agreement for the unincorporated area of the county.

The City does not have an adopted Area of City Impact Agreement with the County. Even though the City is somewhat “land-locked” by Coeur d’Alene, land use actions under County jurisdiction do have the ability to affect the residents of the City. Primarily, the effects could impact views from and property values of existing, well-established neighborhoods, traffic impacts, and water quality of Fernan Lake Village. Impacts associated with land use actions within the City of Coeur d’Alene (and Coeur d’Alene’s Area of City Impact) could have similar effects upon the residents of Fernan Lake Village.

**GOAL:** Review surrounding area and coordinate planning efforts with Kootenai County and the City of Coeur d Alene.

**POLICIES:**

1. The Fernan Lake Village Planning Commission and the City Council should determine its area of city impact and then meet with the Kootenai County Planning Commission to negotiate the area and who’s Plan and Ordinances should apply. (consultant’s note: as part of the Consultant’s contract, a draft area of city impact ordinance has been prepared)
2. A memorandum of understanding, or inter-local agreement should be negotiated with the City of Coeur d’Alene on issues relevant to the City of Fernan Lake Village.



CHAPTER SEVENTEEN:  
GOALS AND POLICIES FOR THE  
CITY OF FERNAN LAKE VILLAGE

Goals and Policies are an important factor in the decision making process. The first factor is the background information which indicates the existing situation and the possible limitation or assets of particular areas for different uses. The Goals and Policies are those factors which are the values of the community and the types of considerations they wish to take into account when making decisions. In many situations, the physical environment would be the major determinant for designation of a use in a particular area. ~~In many situations, the Goals and Policies may indicate that because of the community importance, a site with limitation may be the best feasible site.~~

Decision makers will therefore, analyze the background information to determine the existing limitations and then view the goals and policies, which have been established by the Planning Commission and elected officials, to examined to see if the proposal is consistent with the physical limitations and the goals and policies, or if there is a conflict, which factor is the most important.

Goals and Policies change as a community changes. This Plan is published in a format whereby changes may be made without complete publication of a new Plan. For land use decisions, which are made to be legally binding, it must be stressed that those decisions be generally consistent with the current thinking, then the Goals and Policies should be changed before action is taken on a proposal contrary to the Goals and Policies. If this does not occur, the decisions made may not be legally binding in a court of law, and a concept of planning and providing fair and equitable, rather than arbitrary decision making processes will be voided.

The following goals and policies, therefore, reflect the values of the general community and the elected officials, and will be followed when those officials make land use decisions.

PLAN – GOALS AND POLICIES

## **PROPERTY RIGHTS**

**GOAL 1: Preserve the property rights of the citizens of Fernan Lake Village.**

### **POLICIES:**

1. Use the State Attorney General Checklist in the development of zoning regulations.
2. Land use regulations in pursuit of the public welfare should not be confiscatory.
3. A principle consideration of the Comprehensive Land Use Plan should be the right of private ownership.
4. Land use policies should be designed to protect and enhance private property rights and values in accordance with overall considerations of public health, safety and general welfare.
5. Zoning shall not be used as an indirect means of acquiring private property for public purposes.
6. The growth of Fernan Lake Village should be contained within the City limits.

## **ECONOMIC DEVELOPMENT**

**GOAL 1: Promote continued support of a strong workforce, a vibrant economy in Fernan Lake Village and encourage through plans and ordinances the development of a stable Commercial District.**

### **POLICIES**

1. Enact regulations that direct land uses and design standards that compliment the future direction of Fernan Lake Village.

## **LAND USE**

**GOAL 1: Promote a stable residential environment within Fernan Lake Village.**

### **POLICIES:**

1. The R-1 Neighborhood should be preserved as a single-family residential area.
2. Home based businesses in single family dwelling will require a permit and be allowed under certain conditions. The City will consider the adoption of special notice provisions and review any approval criteria for home based

- businesses.
3. Any new residential development should be required to connect to public water and sewer.

**GOAL 2: Recreational Areas within Fernan Lake Village should be compatible with residential characteristics of Fernan Lake Village.**

POLICIES:

1. Amend the Fernan Development Code to require development or expansion of recreational areas be permitted only under a special use permit.
2. Ensure that adequate provisions for parking, litter control and sanitation to handle existing county boat dock usage should be provided by public agencies in cooperation with the City of Fernan Lake Village.
3. Require the County boat launch to enforce the do not feed the wildlife regulations pursuant to Fernan regulations.

**GOAL 3: Encourage renewal and redevelopment of the Commercial District.**

POLICIES:

1. The area should be retained in commercial use.
2. Remaining vacant or undeveloped property should be encouraged to develop as commercial use.
3. Enact regulations that require improvements to the districts; such as landscaping, architectural design standards, and mitigation of nuisances.

**NATURAL RESOURCES**

**GOAL 1: Coordinate with agencies and local environmental groups to continue monitoring and protecting Fernan Lake.**

POLICIES:

1. No new development around the lake should be allowed without proper control and disposal of sanitary sewer wastes.
2. Public agencies which control or manage land use outside the City of Fernan Lake Village should be encouraged or given the authority to prevent further pollution of the lake within the Fernan Lake Village watershed through appropriate land management practices.
3. Agricultural and Forest Service practices should be reviewed to insure that these operations are not adding to the nutrient loading of the lake.
4. The City should actively support the continued monitoring and sampling of the water quality of the lake on a regular basis.
5. Homes located in Block 1 should take precautions to insure that lawn fertilizer is not washed into lake waters.

6. If motorized boat usage increases, the impact of the activity should be determined and boat usage controlled, if merited by the water quality data.
7. The City should negotiate with the County and City of Coeur d'Alene to at ~~minimum~~, receive notice regarding proposals for certain land use actions, (i.e. subdivisions, rezones, major changes of use, etc.). ~~The notice could be used for the purposes of the City, or concerned city residents could comment on pending proposals.~~
8. Assist lake coalition and applicable agencies to determine what impacts affect the Lake and what support the City can do to assist in the mitigation of those impacts.
9. Assist the lake coalition in updating the 2005 study from Al Issacson to ensure that eutrophication is minimized.
10. Appoint a Council member to participate in the Lake Coalition.

## **HAZARDOUS AREAS**

**GOAL 1: Support the protection of private property from hazards in the City through the development of plans, strategies and regulations.**

### **POLICIES:**

1. The City should continue to enforce the necessary flood plain development regulations in order to reduce or avoid future flood damage within the designated flood hazard area in Fernan Lake Village, Zone A.
2. Fernan Lake Village should carefully regulate any future development in the Fernan Lake Village Addition.
3. The City should encourage those property owners within the Flood Plain Area to purchase flood insurance.
4. Pursue an appeal to the Flood Elevation Map.

## **TRANSPORTATION**

**GOAL 1: Maintain the local residential street network in Fernan.**

### **POLICIES:**

1. Roadway signage should be reviewed and provided ~~for~~ on Theis Lane to regulate vehicular parking. Ensure that adequate maintenance of stop signs, and crosswalks are continued.
2. Traffic speed limits should be monitored during summer months.

**GOAL 2: Coordinate with local and transportation agencies to ensure safe roadways that do not impact the residential and commercial districts.**

### **POLICIES:**

1. Ensure that any development in the commercial district does not create noise and shadow impact on the freeway or spill onto residential neighborhoods.
2. Coordinate with local law enforcement to regulate speed limits.
3. Review speed bump barriers in the Village and determine if traffic safety is being met with those barriers.
4. Regulate parking in the Village, including parking on side streets. Enact parking regulations about boats, trailers and cars on side streets.

## **RECREATION**

**GOAL 1: Provide recreational opportunities for the citizens of Fernan Lake Village. Park should be kept for all to enjoy and sub-contracting to special interest groups should be prohibited. ~~and not be allowed to be sub-contracted to special interest groups.~~**

### **POLICIES:**

1. Require the development or expansion of any recreational area be permitted only with a special use permit.
2. Prohibit sub leasing of public property to private individuals or organizations.
3. Retain the natural state of recreational areas.
4. Regulate nuisances within recreational areas such as noise, lighting, refuse.

**GOAL 2: Support efforts of secondary lots to develop open space and park as delineated in the recorded title and plat of Fernan Lake Village.**

### **POLICIES:**

1. Assist property owners to explore options for secondary lots to develop and maintain park space.

## **HOUSING**

**GOAL 1: Support a stable housing base of owner-occupied housing.**

### **POLICIES:**

1. The City should continue to adopt and enforce the most recent versions of the International Building Code and International Mechanical Code.
2. The City should continue to contract for the provision of building inspections.
3. Explore incentives to increase owner occupied housing.
4. Preserve natural vistas and views of the lake by limiting height restrictions to ~~a range of 22 to 28 feet.~~
5. Establish regulations that retain Lot size at 10,000 square feet.
6. Establish regulations that retain Front yard setbacks for all properties at 25' from front property line.
7. Establish regulations that make the front yard property line ~~to~~ always be at

the location of the driveway.

## **COMMUNITY DESIGN**

**GOAL 1:**           **To preserve and maintain the community's image for future generations by sustaining suburban residential tranquility.**

### **POLICIES:**

1. Maintain the existing pedestrian lifestyle in Fernan Lake Village.
2. Develop, amend and enforce “dark sky” ordinance regulations to mitigate impacts from excessive lighting within the Residential District. Require lighting to be downward directed and shielded.
3. Discourage through traffic from other communities by:
  - a. Increasing communication with the City of Coeur d’Alene and Kootenai County and the Eastside Highway District.
  - b. Participating in the land use process of adjacent cities and developing memorandums of understanding or joint powers agreements to ensure adequate traffic mitigation.
  - c. Exploring methods of traffic control and traffic calming on Fernan Lake Road and Theis Road.
4. Develop and enforce regulations in residential areas that promote a suburban residential lifestyle by regulating nuisances such as inoperable vehicles, junk, litter and weeds.
5. Enforce the standards on lot coverage and fencing to ensure that Fernan Lake Village retains its open characteristics.
6. Review and evaluate existing ordinances, resolutions, and standards, and ensure that the provisions and regulations regarding community image goals are met.

**GOAL 2:**           **Develop an identity for the Fernan Lake Village Commercial District.**

### **POLICIES:**

1. Establish design standards for the district that complement the City’s residential district and adjacent communities.
2. Establish landscaping and beautification guidelines for city entryways and commercial corridors.
3. Plan and implement a greenbelt system to provide identity, enhance the beauty of the area and provide a transition to other land uses.
4. Plan, implement and regulate a street tree-planting program based on a detailed urban forestry.
5. Establish uniform signage for prominent features, public places, and attractions so that visitors can easily navigate within the community.
6. Develop design regulations that address noise, lighting, shadowing, signage, and buffering to ensure mitigation of impacts to Residential District.

## **SCHOOLS AND TRANSPORTATION**

**GOAL 1: Cooperate with the Coeur d Alene School District on facilities and transportation.**

### **POLICY:**

1. Develop a plan and coordinate with the CDA School District to locate and construct weather-resistant bus shelters for children.

## **AREA OF CITY IMPACT**

**GOAL 1: Review surrounding area and coordinate planning efforts with Kootenai County and the City of Coeur d Alene.**

### **POLICIES:**

1. The Fernan Lake Village Planning Commission and the City Council should determine its area of city impact and then meet with the Kootenai County Planning Commission to negotiate the area and who's Plan and Ordinances should apply. (consultant's note: as part of the Consultant's contract, a draft area of city impact ordinance has been prepared)
2. A memorandum of understanding, or inter-local agreement should be negotiated with the City of Coeur d'Alene on issues relevant to the City of Fernan Lake Village.

## CHAPTER EIGHTEEN: COMPREHENSIVE PLAN IMPLEMENTATION

The City of Fernan Lake Village's Goals and Policies (contained in the following Chapter), Comprehensive Plan, Zoning Ordinance, and other adopted topical ordinances reemphasize the importance of a number of community goals, and tools, which are available to help direct future development in desired patterns. These tools include the Comprehensive Plan itself, zoning and subdivision regulations, capital improvement of urban facilities, and numerous amendments to the regulatory tools since the original adoption of development regulations in the City. Many of these programs can be most-effectively used in connection with specific plans and proposals developed within the broad framework of the Fernan Lake Village Comprehensive Plan.

### REVIEW AND UPDATE EXISTING DEVELOPMENT CODE

The Development Code to implement the Comprehensive Plan is a fundamentally flexible and well-developed ordinance.

As it is important for a community to define its general goals and policies, it is equally important for a community to create regulatory development standards with adequate controls and mechanisms to effectuate the expectations of the Comprehensive Plan.

The review and amendment of Fernan Lake Village's development ordinances should allow proper public discussion of issues, policies, and related changes in the area. The development ordinances proposed in conjunction to the proposed amendments to the Plan will bring the City up to current enabling legislation requirements.

### PERIODIC PLAN REVIEW

Since the revised Fernan Lake Village Comprehensive Plan was developed to meet statutory requirements, the Local Land Use Planning Act research studies were confined in scope and depth.

Over time conditions will change, additional data will emerge and public values will change. Therefore, it is important that the Comprehensive Plan be subject to periodic review and modification to assure that it is maintained as a useful reflection of long-range development goals, policies and standards. It is recommended that at least every five years the Planning Commission and City Council should undertake a review and revision, if found to be necessary, of the Fernan Lake Village Comprehensive Plan.

### AREAS OF FURTHER STUDY

The following projects should be undertaken to provide development plans and programs to implement significant Comprehensive Plan goals and recommendations.



- A. Capital Improvement Programming (CIP)  
The City should identify public facility investments and areas where capital improvements, and increased maintenance costs can be expected. If local, State, or Federal grants or loans are available or necessary to finance public improvements, the most common prerequisite for obtaining financial assistance is a detailed identification of projected needs.

## REGULATORY CONTROLS

Taken together, the Fernan Lake Village Comprehensive Plan Goals and Policies, Comprehensive Plan Map, Zoning Ordinance, Zoning Map and Subdivision Ordinance, make up the majority of the City's regulatory controls.

The City's Zoning Ordinance, known as the Development Code was adopted in January, 1959, amended in 1976 and has been a good Zoning Ordinance for the community. After the Comprehensive Plan update in 2001, a development code was collated using the existing zoning and subdivision ordinances.

However, several sections of the Development Code should be updated and rewritten to reflect and be consistent with recommendations within the Comprehensive Plan. The changes suggested reflect current day thinking and much of its language can be found in other City ordinances.

## IMPLEMENTATION STRATEGIES

### IMPLEMENTATION

The Comprehensive Plan serves as a guideline to growth and development for the citizens of Fernan Lake Village Hauser. The Plan includes a number of components which offer background information, present characteristics, and, as appropriate, future trends and projections. The components offer policy statements and goals which were developed to assist the Planning Commission and the City Council in their plans and decisions relative to specific community objectives.

The policies include recommendations for organizing citizen committees, conducting studies, establishing priorities, amending provisions in ordinances or regulations, and budgeting items. Implementing these recommendations is the best way to ensure that the community's goals and policies are attained. However, the Plan should not be considered as cast in concrete; it should be reviewed regularly and amended or updated as circumstances or changes in objectives may warrant.

#### **Action**

Following the public hearing, the first step toward implementation of the Plan is its adoption by the Planning Commission and the City Council, as required by the Local Planning Act. Thereafter, the Commission and Council can establish priorities and begin to carry out the recommendations of the policy statements. The first priority will be to update the zoning and subdivision ordinances for Plan compatibility.