

**CITY OF DOVER, IDAHO**

**P O Box 115**

**Dover, Idaho 83825**

**ORDINANCE NUMBER 67  
AMENDMENTS TO THE COMPREHENSIVE PLAN**

**AN ORDINANCE OF THE CITY OF DOVER, COUNTY OF BONNER, STATE OF IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ESTABLISHING A COMPREHENSIVE PLAN; SETTING FORTH THE PURPOSE FOR IMPLEMENTATION OF A COMPREHENSIVE PLAN; ADOPTING A PROPERTY RIGHTS GOAL AND SUPPORTING POLICIES; ANALYZING POPULATION AND TRENDS IN THE FUTURE; ADDRESSING SCHOOL FACILITIES AND TRANSPORTATION; ANALYZING ECONOMIC AND COMMERCIAL DEVELOPMENT AND CONSIDERING ITS IMPACT UPON RESIDENTIAL AREAS AND NATURAL RESOURCES; GUIDING LAND USE DEVELOPMENT AND ADOPTING A LAND USE MAP; IDENTIFYING A GOAL AND POLICIES; PROTECTING THE NATURAL RESOURCES, WETLANDS AND FLOOD PLAINS; GUIDE GROWTH TO AVOID HAZARDOUS SITES; IDENTIFY PUBLIC SERVICE FACILITIES AND UTILITIES AND THE ENTITIES RESPONSIBLE FOR EXPENSES ASSOCIATED THEREWITH; RECOGNIZES TRANSPORTATION ISSUES ASSOCIATED WITH HIGHWAY 2 AND ITS RELOCATION; SETS FORTH DESIRE TO DEVELOP RECREATION AREAS AND MAINTAIN SPECIAL AREAS WITHIN THE CITY; PROVIDES THAT BUILDING CODES WILL APPLY TO HOUSING PROJECTS; ANALYZES EXISTING AND FUTURE COMMUNITY DESIGN; PROVIDES FOR IMPLEMENTATION OF THE COMPREHENSIVE PLAN THROUGH PLANNING AND ZONING ORDINANCES; CONSTITUTIONALITY AND SAVING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Council desires to amend the City of Dover Comprehensive Plan as provided for in Idaho Code at § 67-6507 and § 67-6509; and

WHEREAS, the City Council held duly noticed public hearings which resulted in amendments to the City of Dover Comprehensive Plan and the Land Use Map contained therein; and

WHEREAS, in accordance with § 67-6509 and the amended plan, said amendments can be adopted by ordinance or resolution;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Dover, County of Bonner, State of Idaho, that the following amendments and resulting text identified in Section 1 below be adopted as the City of Dover Comprehensive Plan:

**SECTION 1: Text**

All amendments to the current comprehensive plan document are identified as follows:  
**Deletions are struck out, additions are highlighted with stippling.**

# City of Dover Comprehensive Plan

## INTRODUCTION

At the time of enactment of this Comprehensive Plan, the City of Dover is remains one of Idaho's youngest cities, having been incorporated in 1989. From the start the city's elected and appointed officials have undertaken the task of forming a functioning city, capable of performing the tasks which the city's residents need to have accomplished, while limiting their efforts to those which the modest resources of the residents can afford. As a consequence, One of the legal responsibilities for a newly formed city is to establish and subsequently review a Comprehensive Plan to guide development and to direct changes which inevitable occur in any community.

The overriding purpose of this Comprehensive Plan will be to set forth the general goals and policies which will guide Dover's city government land use decisions as it moves to through the start of the twenty-first century. The plan is not intended to be a detailed document, rather it should be viewed as a general guideline which will establish the policy foundation for land use decisions, ordinances and other actions by the governing board with respect to the future of the City of Dover. This plan is intended to fulfill the planning duties spelled out in Idaho Code 67-6508. Citizen comments regarding the Comprehensive Plan and a direction of growth and change in the City of Dover should be directed to the Dover City Council during the effective life of this Comprehensive Plan.

## I. PROPERTY RIGHTS

*Goal* - To insure land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitation of the use of property.

### *Policies*

1. To consider fundamental property rights and the effects of limitations when adopting planning policings and zoning standards.
2. To ensure land use standards do not result in a taking of private property.

*Rationale* - The Idaho Legislature amended statutes to require a review of existing and proposed comprehensive plans and land use ordinances which may affect private property. Statutes have also been amended to require the City follow an Attorney General's checklist regarding regulatory takings.

## III. POPULATION

After considering its capabilities in light of its relatively short life to date, the city continues to adopts no particular population goal, but rather will attempt, within the limits of its resources, to accommodate the population change which properly executed development and redevelopment of the city will stimulate. Further, the city will accept requests for annexation to broaden the city's tax base to the extent that such expansion will not generate inordinate service demands for available city services.

*Rationale* - The United States Census Bureau year 2000 census showed a 16.3% growth over the previous decade from 294 to 342 residents. However, available census data did not accurately reflect the total population of the City. Many residents were included in Sandpoint's census data due to the Post Office's addressing system and data collection methods. Actual population is estimated at double these numbers.

The city recognizes that its ability to control population growth is quite limited. It possesses neither vast planning or financial resources. Rather than focus upon the issue of how many people live in Dover, the primary concern will be what quality of life the people who do live there enjoy. Growth impact management is key to maintaining those existing qualities. Requests for addition to the city may be approved when the city's well-being would be enhanced by such additions.

For a number of years prior to incorporation, the area which the city now encompasses was not a rapidly growing area, primarily because of shortages of water and sewage treatment capacity. Incorporation of the city accompanied development of a new water and sewer systems which had made development within the city more feasible for existing and future land owners. Previous estimates placed growth of new dwelling units in the 10-15 per cent range for the remainder of this century. This held true, however, permit activity in 2002 and the beginning of 2003 is increasing.

Accompanying the new recent development have been demographic changes in the existing population. Many upwards of 60% of Dover's residents are elderly and living on fixed incomes. Changes now being sensed in the population indicate that more young couples residents are purchasing dwellings property in the city because the cost of due to area housing costs, the rural character of Dover and is lower than in Sandpoint and other municipalities which provide available public utilities. New and re-developed housing that is being developed is primarily in the upper-middle to high upper income brackets. Future sites exist both within the city and immediately adjacent to accommodate additional development. Population growth is not a goal, however, it is merely recognized as a reality which the city will confront as general growth continues throughout Bonner County.

### **III. SCHOOL FACILITIES AND TRANSPORTATION**

*Goal* - The City of Dover will keep the Lake Pend Oreille School District officials informed of growth and development trends including providing notice of development or zone change proposals as required by Idaho law. The City of Dover will consider the Lake Pend Oreille School District School District Transportation Plan in future development.

*Rationale* - The city has no public schools within its jurisdiction and is not responsible for school system operation, but Continued communication between school officials and city officials should prove beneficial to both as information about plans for private development of land in the city and information about transportation and school facilities is exchanged and school capacities can be planned by the school district. City officials will should meet with school district officials whenever joint sessions would prove beneficial to either party.

### III-IV. ECONOMIC DEVELOPMENT

*Goal* - To support and encourage the growth of compatible professional office, commercial, recreational and light industrial development within appropriate areas in the community, while maintaining the integrity of residential neighborhoods which exists at the present time.

#### *Policies*

1. To consider location of future industrial commercial growth in industrial commercial park settings on lands with ready access to Highway 2 and where industrial development can be established without compromising the peaceful enjoyment of residential parts of the community.
2. Consider future commercial development along Highway 2 and in along other primary transportation corridors in limited circumstances where changes caused by commercial development do not destroy the rural character of the community's appearance and do not create traffic or other hazards associated with Highway 2.
3. To permit certain types of neighborhood businesses and home occupations in existing residential areas where such home occupations or businesses will produce minimal traffic, provide adequate parking not impact neighborhood aesthetics, and provide very little on-site employment.
4. Require that new development of any sort mitigate adverse impacts upon the natural resources which provide the desirability of Dover's rural life style.

*Rationale* - The economic base of Dover is extremely limited at this time. Commercial development consists of several small businesses including a day care, automotive repair, produce sales and several sole proprietorships. Light industry is limited to Thorne Research, a dietary supplement manufacturer. Certain parts of the community may be appropriate for commercial, professional office or light industrial development. Designating those locations at this point in the community's history would be a most difficult task as plans are afoot to change the route of Highway 2 as it passes through Dover. Because commercial and light industrial development can have an adverse impact upon adjoining residential properties, it is the city's policy that proposed developments of that type must present detailed development plans to identify the design methods undertaken to avoid conflict with adjoining uses and to protect the aesthetic and functional values associated with the Highway 2 corridor through the city. Corridor development will shall require coordinated access planning, emphasize building-mounted signage, and site-specific buffering from adjoining residential neighborhoods, existing or projected. Development proposals which do not adequately address the concerns raised by the Comprehensive Plan should be disapproved.

Licensed design professionals will be obligated to provide analysis to the city regarding natural features which would be affected by any proposed development. Design methods must be undertaken which would mitigate the effects of new

development on the natural resources which make Dover a desirable place to live. For lands not already within the city, annexation agreements should be developed to address specific issues prior to annexation in order that the community's environment might be maintained.

#### IV-V. LAND USE

*Goal* - The City of Dover's goal is to provide guidance and cooperate where possible with the restoration and preservation of natural land types, existing land covers, and current land uses within the community.

##### *Policies*

1. For new development to maintain current similar densities, as surrounding development. New development should provide for not more than three (3) dwelling units per acre as typical residential zone density unless extraordinary mitigation measures are proposed. Agricultural zoning should not exceed one (1) dwelling unit per six (6) acres; rural zoning should not exceed one (1) dwelling unit per three (3) acres; and suburban zoning should not exceed one (1) dwelling unit per acre.
2. Maintain maximum natural ground cover and treescape within the city in order to protect against erosion and to maintain the aesthetics and rural flavor of the existing community. This policy includes providing for effective development considerations to be given to weed control, fire safety and forest management.
3. Establish public areas for recreational purposes and implement such requirements by such as requiring designation of a percentage of lands in new developments for public purposes or by requiring payment of fees in lieu of such dedication requirements in order to build a public land base which will serve the recreational needs of future generations.
4. Implement regulations to minimize the impact of housing residential, commercial and industrial other development on the natural landscape by protecting development sites from wholesale modification, protecting wetlands from unnecessary fill, and assuring stability of existing or proposed slopes by maintenance of valuable ground cover.
5. Implement and maintain regulations to address stormwater management.
6. Provide that multifamily housing be developed by special use permit only and that development in excess of 30 feet in height not be allowed without special consideration to the effects thereof.
7. For the purpose of this plan, the map indicating suitable projected land uses shall be titled the "Zoning Projected Land Use Map of the City of Dover" and the text of the City of Dover Ordinance. Such adopted projected land use mapping, by ordinance or resolution, is hereby a part

of this plan.

*Rationale* - Among the most important aspects of dealing with development in the Dover area should be the maintenance of existing ground cover and forest resources to prevent stripping the land and damaging the community's environment. Accordingly, any development proposal will be reviewed with these preservation goals in mind. Ordinances will should provide authority to deny development approval unless proper precautions are taken.

Because the city is a new entity, it does not have a vast reservoir of land resources upon which there are developed public parks or other public facilities. Because new development will prompt the increased need for such facilities, and because access to public resources such as the Pend Oreille River are critical to the community's future vitality, new development will should be expected to contribute toward establishment and maintenance of public recreation facilities. Ordinance provisions which establish such requirements are recommended by this plan.

As sites which are undeveloped are proposed for development, because the city does not have the funds to conduct extensive environmental inventories, the city should may require that detailed engineering and design studies be conducted to see that landscape modification does not cause either environmental or aesthetic harm to the community. All development efforts should be directed toward maintaining the rural lifestyle enjoyed by current residents with an eye to protecting water quality and maintaining natural and protective vegetation.

## **VII. NATURAL RESOURCES**

*Goal* - To maintain existing resources in condition which will produce the greatest long term benefit for present and future residents of the community.

### *Policies*

1. Regulate the location and density of new development such that it will maintain or enhance the existing natural resources in the community and will not impede flood plains or the carrying capacity that they have for flood waters along the Pend Oreille River and other streams.
2. To consider the preservation of wetlands open spaces, farmland and the protection of aquifer recharge area in the location of future development with respect to density and availability of public-services with an eye to preserving the qualities of the existing natural environment.
3. To control the adverse impacts of development of lands adjacent to harbors, beaches, and shorelines such that public access is maintained or strengthened while enhanced and environmental quality is not compromised. Developments will should provide access to public waters for all residents of the community whenever possible.

*Rationale* - Because much of Dover's attractiveness is due to its location on the

shores of the Pend Oreille River and its undeveloped lands, protection of the river open spaces and its associated environs is a critical concern. Water resource protection and maintenance of ground cover to protect against soil erosion are vital to the community's long term health. Access to waterways and provision of beaches on public land are critical to the livability of the community now and in the future.

Because of the geologic location of the community, several gravel sources are located in or adjacent to the city. These sources should not be expanded in ways which impair the aesthetics of the community or endanger peaceful enjoyment of adjoining properties. Particular concern in this regard should be engendered when and if modification is made to U.S. Highway 2. All gravel sources, whether new or proposed for expansion should obtain special use permits to determine that the policies set forth in this plan are not violated. The same is true of excavation of any other mineral including silt or clay for such purposes as they might be used.

## **VI-VII. HAZARDOUS AREAS**

*Goal* - To guide growth and development such that potential hazardous sites are avoided and that all development is evaluated for conflict with undesirable site conditions.

*Policy* - Require engineering examination where appropriate to identify potential hazards related to development.

- Require hazardous areas and structures and undesirable conditions associated with existing and new development be minimized.

*Rationale* - It will be the responsibility of every developer who seeks city approval to provide thoroughly documented professional study of the proposed site to identify possible hazards to development and the public interest and, where possible, to mitigate those hazardous area. Development practices which compromise slope stability, which threaten to destroy wetlands, or which otherwise subject occupants of the development or the community at large to hazardous exposures that are undesirable will not be acceptable and will not receive city approval. To this end, the city will also cooperate with those responsible for adopt and enforcement of the Uniform Building, Fire and Development Codes and the Uniform Fire Code to see that hazards are not made worse by careless development practices or thoughtless design.

## **VII VIII. PUBLIC SERVICES, FACILITIES AND UTILITIES**

*Goal* - To support the availability of public services, facilities, and utilities for the residents of the City of Dover which are both affordable and reliable.

### *Policies*

1. Services will only be extended to new development when the effects on existing services are fully considered and a determination can be made that the new development will not compromise the quality of service for

existing development.

2. The provision of service to new developments and expansion of service to existing service areas must be accompanied by provision of the capital costs of such expansion of service by the parties benefitted. Existing residents should not pay additional costs of providing expanded service for new residents.
3. Of vital importance to the community's future is ~~the maintenance of~~ a post office which provides full postal services to the community. Any change in this respect should be to improve services offered.
4. Expansion of natural gas service into the community is significant to the future long-term health of the community's interest. Activity which facilitates this service without otherwise imposing upon the community's values should be supported.

*Rationale* - The Dover water system provides service to approximately one-third of the city. Approximately one-third of the city is served by the Syringa Heights Water District. The balance is by individual water systems. Sewer service is provided by the City to areas south of Highway 2 and the Syringa/Ontario vicinity. ~~Rocky Point Sewer District and septic.~~ The current city water and sewer systems ~~has~~ additional capacity for in-fill development in the existing community. Any substantial increase in demand would require additional filtration capacity and distribution system improvements. The costs of any such growth should be borne by those who benefit, not by existing rate payers. Cooperation between the city and other water service providers within the city should be undertaken to provide the most cost-effective means of providing water service available.

Solid waste collection is provided by direct contract between a private solid waste hauler and city residents. The city has little interest at present time in entering the solid waste field and will rely upon Bonner County to provide this service as it does with all other county residents. A cable television franchise exists with Northland Cable, and the cable franchisee will be responsible to meet any obligations associated with new development. ~~Changes are continuing with the treatment methods undertaken by the Rocky Point Sewer District and cooperation by the city with officials of that District will be undertaken as regulatory requirements dictate.~~

## **VIII IX. TRANSPORTATION**

*Goal* - To provide an efficient transportation system that centers around access to U.S. Highway 2 in a manner that is both safe and uncongested with minimal maintenance costs.

### *Policies*

1. Regulate potential safety hazards and congestion in the location and design of both Highway 2 reconstruction and future development adjacent to Highway 2. Reconstruction of Highway 2 should include maintaining multiple accesses, developing a western access and planning for

## **hazardous materials incidents involving the highway and railroad**

2. Require roads within new developments to be built to safe and durable standards at the expense of the developer.
3. Prohibit billboards and ~~limit other~~ roadside advertising signs to maintain the attractive character of the community.
4. Require intense land development to provide paved access roads to minimize dust and maintenance requirements, and to provide safe and adequate bike/pedestrian travelways.
5. ~~Require a minimum of five (5) foot Request~~ shoulders and separated bike path/pedestrian pathway, within the highway corridor, for any construction, reconstruction, and/or realignment of Highway 2. North Idaho Pathways plan for Bonner County shall be used for design. ~~This shall be within the city limits and the Area of City Impact.~~

*Rationale* - The City of Dover provides part of the corridor through which U.S. Highway 2 is located. Plans are underway to reroute this highway and the effects upon the City of Dover could be significant. The city should work with Idaho Transportation Department officials to see that the routing of U.S. Highway 2 ~~and provides proper~~ access control ~~does not create hazards in the center of~~ to the community. Likewise, development of new land uses adjoining Highway 2 should be regulated to minimize the conflict with through traffic on the highway while producing a safe local street pattern. A bike path to Sandpoint is a most important aspect of transportation development for the community and accommodation should be made for the heavy bicycle traffic which follows the Highway 2 corridor. Bus service with links to Sandpoint would be an important addition to the transportation capabilities of the city.

Major streets in the city which receive primary traveled use should be paved with an all weather surface which minimizes dust and other impacts upon land uses adjacent to the road corridor. Minor local streets should have all weather surfacing, but the ultimate surface choice should depend upon the maintenance costs to the city over the long term. Those who develop local streets in the community may be required to submit engineering analysis of the long term costs of their proposals and to make the necessary improvements. Provision of safe pedestrian travelways shall be considered.

## **IX X. RECREATION**

*Goal* - To provide development of a system of recreational areas focusing upon the riverfront and public access to the river along with bicycle paths and travel ways throughout the community.

## *Policies*

1. To pursue and adopt regulations which require that a certain percentage of the land in new developments, or fees in lieu of dedication, be dedicated to provide public recreation space for use by residents of those developments.
2. Require that development of the riverfront provide for usable public access as part of the greenbelt and pathway requirements of the community established by ordinance or project design review.

*Rationale* - The future needs of the community will require the establishment of recreation areas for public activities. Because Dover is a relatively new city, the first initial steps in such actions is to obtain land and financial resources upon which public facilities can be built. The most important aspect of this type of public facility and access question involves public access to the riverfront. Riverfront development must be designed so that public access is provided and private enjoyment is maintained. Approval should not be granted to riverfront development which does not accommodate adequately address public access to the Pend Oreille River. Future funding sources must be explored for development of recreation sites throughout the community, such that the community's lifestyle can be maintained in the face of increased development.

## **X XI. SPECIAL AREAS OR SITES**

*Goal* - To preserve existing natural and special areas, sites, and structures within the City of Dover for enjoyment by future generations.

## *Policies*

1. To protect special architectural and historical sites and areas from demolition or degradation by accommodating their re-use.
2. Minimize the impact of new development on ecological and wildlife sites which form a core of the community's special areas.

*Rationale* - Although the city is relatively new in terms of incorporation, several of its buildings are part of the community's heritage and should be preserved to provide the City of Dover with continued identity. Special consideration should be made to accommodate such preservation in terms of leniency with respect to parking or other requirements which accompany new development. The development of certain lands in the city could threaten the maintenance of these facilities. Impacts from any such developments should be strenuously resisted or mitigated.

## **XI XII. HOUSING**

*Goal* - To provide safe, sanitary, and adequate housing as appropriate for the community.

### *Policies*

1. The city will ~~may~~ retain the services of a licensed building inspector ~~or enter into cooperative agreement with Bonner County~~ to provide inspection services for new construction.
2. Consider provisions for the siting of manufactured homes on individual lots ~~in single-family, residential areas~~ or in mobile home parks.

*Rationale* - The city does not have resources available to allow it to participate actively in the housing market place nor does it have the desire to become involved in these activities. The Idaho Housing Agency provides services in this regard and the city will limit its involvement to building inspection services which are to be paid for by fees charged to those who construct buildings.

## **XII XIII. COMMUNITY DESIGN**

*Goal* - To maintain the variety of lifestyles and rural character which provide the focus for community life today.

### *Policies*

1. New development should not be radically different from current development in the same area in terms of land use, density and functional design. Development outside of a residential zone should maintain aspects of the community's open and rural character.
2. The adverse impacts on adjacent areas should be minimized while recognizing the importance of the river to the community's identity and the presence of Highway 2 as a major U.S. highway corridor.
3. To consider land use provisions which provide for adequate separation of uses and limit impacts to surrounding properties.

*Rationale* - The City of Dover will be facing possible changes during the next decade as a result of ~~proposed potential~~ development along the Pend Oreille River and relocation of U.S. Highway 2. Both of these activities can either improve the community by focusing on the strengths which the community draws from them or could harm the community if implementation is carried out in ways which change the city's character. The city should implement regulations to the extent that it can which will improve public access to the Pend Oreille River and which prevent changes to the Highway 2 corridor from having adverse effects upon ~~traffic safety, emergency response~~ and the city's landscape. Development ~~activates~~ associated with these primary features of community development should recognize the community's need for stability and long term vitality.

The City should maintain its unique rural character and recognize residents' desires to maintain the current character and rural densities. New development should be similar to area land use densities.

#### **XIII XIV. IMPLEMENTATION**

*Goal* - To provide for implementation of the city's Comprehensive Plan by enactment of regulations consistent with the Comprehensive Plan and the city's financial ability to support the Comprehensive Planning and development review process.

##### *Policies*

1. Zoning and subdivision ordinances should be developed to regulate development and prevent significant change to the community's character.
2. ~~Work should begin~~ Communicate with Idaho Transportation Department for regarding proper routing and maintaining of Highway 2 to preserve the community's landscape.
3. All community development activity should recognize the limited ability of Dover residents to pay high costs for government and should accommodate those needs by placing costs where they can best be borne - upon the parties benefited by new development.

*Rationale* - The first priority for the city should be to ~~establish~~ maintain a new zoning ordinances which will regulate land use and development. Additionally, a subdivision provisions ordinance should provide improvement standards for any new development. At the same time these new regulatory measures are being implemented, communication should be maintained with the Idaho Transportation Department to review the effects of Highway 2 relocation upon the community's present and future development potential. In all such dealings, efforts must be maintained to limit costs and to provide the most effective service system at the lowest practical cost for residents of the community. Implementation strategies should be periodically reviewed to assure that identified goals are being achieved.

**(End of Section 1, Ordinance 67)**

**SECTION 2 - Constitutionality, Saving Clause**

If any clause, sentence, paragraph, section or portion of this ordinance for any reason shall be adjudged invalid by a court of competent jurisdiction, such judgement shall not affect, impair or invalidate the remainder of this ordinance, but shall be confined in its operation to the clause, sentence, paragraph, section or portion of this ordinance directly involved in the controversy in which the judgement is rendered.

**SECTION 3 - Effective Date**

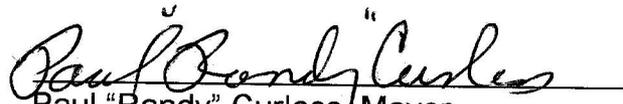
This ordinance shall be in full force and effect from and after its passage, approval and summary publication according to law.

Upon a motion and second to approve the foregoing the following roll call vote was recorded:

Margaret Becker  
Neal Hewitt  
Jim Janish  
Genevieve Thurlow

*Aye*  
*Aye*  
*Aye*  
*Aye*

Upon the above council vote, the text of the foregoing was duly enacted as a Ordinance of the City of Dover, Idaho on this 14<sup>th</sup> day of August, 2003.

  
Paul "Randy" Curless Mayor

Attest/Seal:

  
Ruth Guthrie, Clerk