

Tribal Land Use: Cross-Collaboration in Master Planning

October 13, 2023

APA WA Planning Conference





Presentation Speakers

Left to Right:

- Rachelle Bradley, SCJ Alliance Consulting
- Aaron Qualls, AICP, SCJ Alliance Consulting
- Madi Campbell, Kalispel Tribe of Indians
- Andrew Oliver, Leland Consulting Group

An aerial photograph of a tribal community. In the foreground, there is a large, multi-story building with a dark roof and a white section. To its right is a white church with a steeple. A parking lot with several vehicles is visible. The background is dominated by a dense forest of evergreen trees, with a mountain peak visible in the distance under a cloudy sky. A semi-transparent grey box is overlaid on the center of the image, containing the title text.

Kalispel Tribe Master Land Use Plan

Project Overview

- Baseline Assessment and Community Profile
- Market and Industry Cluster Analysis
- Best Practices Report and Recommendations
- Engagement and Collaboration
- Master Land Use Plan
 - Existing Land Use & Constraints
 - Land Use Alternatives
 - Future Land Uses
 - Recommendations
 - Implementation



Outreach Overview



Orientation
Interviews



Project
Webpage



Interactive
Survey



Community
Pop-Ups



TBC
Presentations



Interview Agencies

Kalispel Tribal
Administration

KTI Regional
Business
Group

Camas Path

ELC/Headstart

Camas Center
Clinic

KTI DNR

KTI Culture

KTI Public
Works &
Planning

Tribal
Education

Port of Pend
Oreille

Economic
Development
Committee

Pend Oreille
County

Town of
Cusick

Pend Oreille
PUD

Vaagen
Brothers
Lumber

Eagle's Landing
RV Resort

Tribal Public
Safety

KalTran/ Tribal
Transportation



Key Takeaways Challenges

Limited water source
and infrastructure

Unbuildable lands due
to floodplains and
steep slopes

On-reservation
development risks
minimizing natural
resource lands

Inconsistent County
Zoning

Limited workforce to
pull from and limited
housing for the
workforce

Very difficult to
transfer fee land to
trust status

Housing is a huge
problem throughout
Pend Oreille County
and rent has doubled
in the last 2-5 years

Resistance to change
with small-town
mindset

Complicated history
with the County

Key Takeaways Opportunities



Commercial

Hotel
Hardware Store/ Outdoors Store (North-40)
Car Wash
Equipment Rental
Mini-golf and active outdoor recreation
Guide-led outdoor experiences such as hunting, fishing, etc.



Industrial

Ammo manufacturing
Assembly type light manufacturing
Recycling cardboard
Technological advancement
Butcher shop



Residential

Low income
Transitional
Single-family
Opportunity to own
Fourplexes
Duplexes
More rental options
Housing for professionals



Other

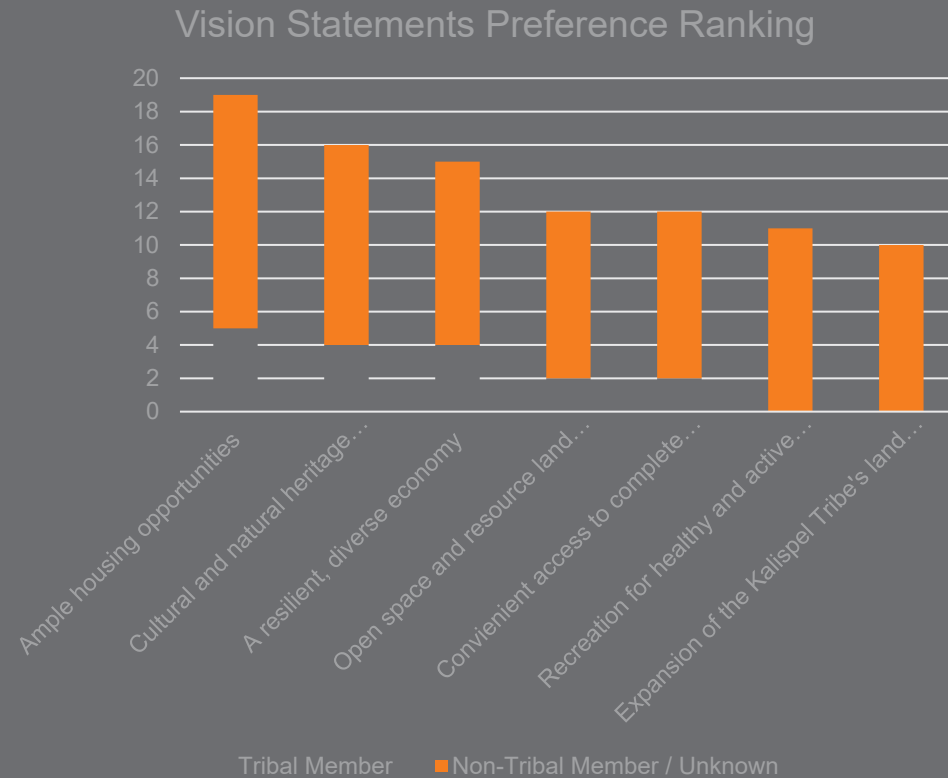
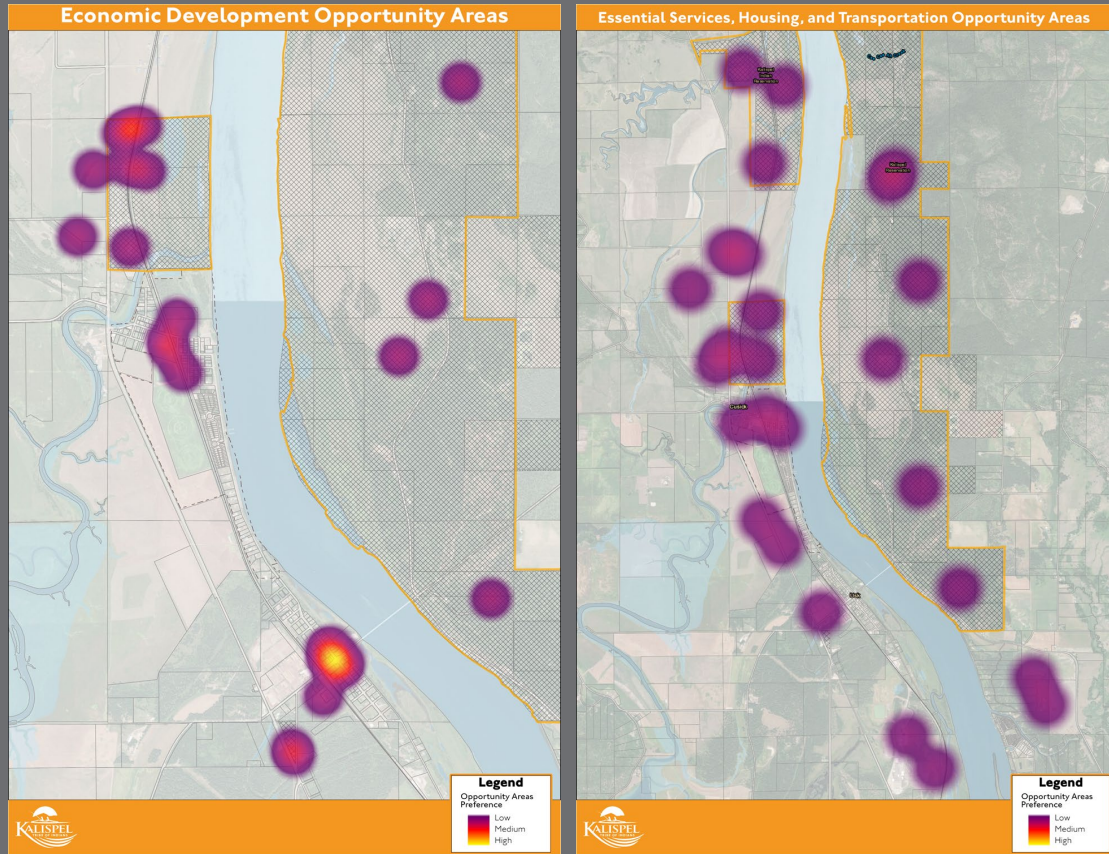
Fiber connectivity
Skilled-trade apprenticeship private-public partnership
Renewable energy
ORV park
Indoor basketball courts
Kiln drying

Poker ATV Ride & County Fair Pop-Ups

- First pop-up hosted at the 2nd Annual ATV/UTV Poker Ride
 - Hosted by the Tribe
 - Poker chips were provided to participants to bet on the future of the land use planning area.
 - Participants were given eight poker chips to vote on the seven vision statements provided and one “other” jar
- The second pop-up was at the Pend Oreille County Fair on August 20, 2022. The event was in collaboration with the Tribe’s Department of Natural Resources and the Pend Oreille Salmonid Recovery Team.
 - Informative flyers with the link to take the online survey and one-on-one conversations with participants.

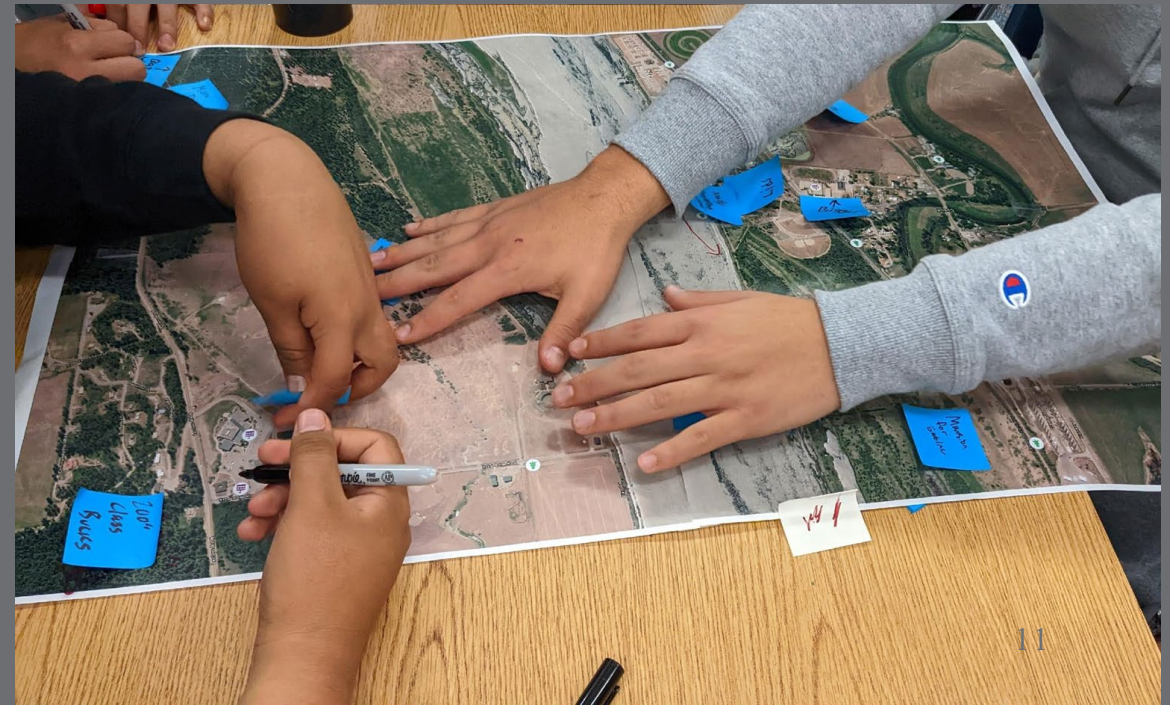


Online Survey Results - Maptionnaire



Tribal Youth Workshop

- Originally planned a pop-up that transitioned into a youth workshop
- Coordinated with the Cusick School District, after-school tribal youth program, and tribal planning staff
- Scenario workshop for 1 hour during lunch hour with all native middle and high school students
- Let them dream big, share with each other, and explain their whys
- Sticky notes on maps were a hit!



Market & Industry Cluster Analysis

Community members told us they want to see:

- Family wage jobs that keep youth in the area
- Preservation of natural beauty and connection to place and way of life while helping people thrive
- Improved educational opportunities
- Encourage responsible development and proactive business partnerships
- Capture tourists visiting and moving through



Housing Development

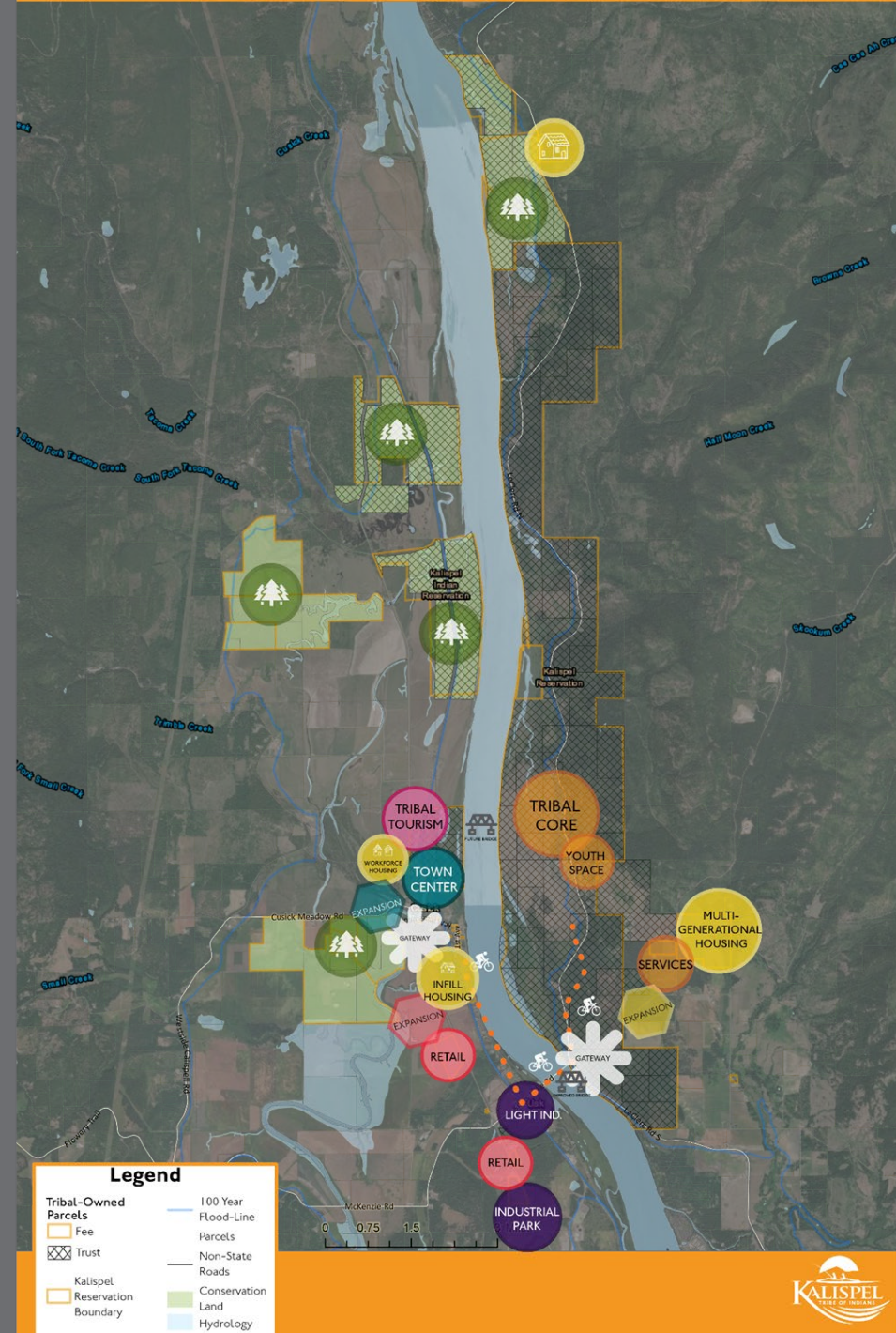
- Develop a variety of housing products:
 - At-cost housing for tribal members
 - Market-rate, workforce, and subsidized housing for members and the community
 - Market-rate higher end ownership housing
- KCTC and metal workshop as internal supply chain sources
- National Association of Realtors estimates each \$1 million spent on multifamily construction = 19.6 new jobs
- Achieves multiple aims: housing, employment, job training, and a base for future growth and economic development



Mescalero Apache Tribe: I-Sah'-Din'-Dii. Source: HUD

Preferred Land Use Alternative

- Consulted existing planning documents in the region
- Developed a preferred land use alternative that combined essential services, development, and housing
- Gateways proposed at the entrance of the River Road Town Center and upon entering the reservation
- Open space and cultural preservation consistent with Conservation Lands
- Outdoor recreation signage proposed at Cusick Meadows
- Future expansion areas identified to prioritize acquiring land
- Adopts previous draft of the Usk UGA future land use



Recommendations

There are twenty actions proposed for KTI to implement that address providing family wage **jobs**, preserving a **connection to place** and **way of life**, improving educational opportunities, encouraging **development** and proactive business partnerships, encouraging **pedestrian activity**, and capturing **tourism** activity.



FLU: Housing

- Create a housing development enterprise to develop a variety of housing products to meet demand in Pend Oreille County: Tribal housing, workforce and affordable housing for non-Tribal members, and higher-end market rate housing.
- Leverage the career training center and existing industrial enterprises to create an “in-house” supply chain for housing development.
- Pursue innovative building and construction types and materials such as tiny homes, modular housing, and cross-laminated timber or other innovative wood products.
- Partner with another organization interested in administering a Tribal real estate enterprise.





Koala Village, Hawaii




The Village at Sunriver, Oregon



Woodinville Tourist District

FLU: River Road Town Center

- Create a new pedestrian-oriented “main street” near the Casino to take advantage of regional tourism and provide an attractive small-scale town center.
- Integrate best practices from other areas which have created new, architecturally distinctive “town centers” and from mixed-use developments in similar tribal projects elsewhere.
- Leverage existing Tribal industrial buildings or new buildings for use as a maker space or small business incubator to encourage entrepreneurialism and small business creation for Tribal members and the larger community.

An aerial photograph of a mountainous landscape. The foreground and middle ground are dominated by dense evergreen forests. In the distance, a range of mountains is visible, with some peaks covered in snow. The sky is filled with scattered, light-colored clouds. A semi-transparent dark grey rectangular box is centered over the image, containing the title text in a white serif font.

Kootenai County Tribal Areawide Rezoning

Project Overview

Issue: Numerous applications to Kootenai County for dividing land within the boundaries of the CDA Reservation

- Risk of increased intensities and densities that alter the rural character of the area
- Conflicts with the Comprehensive Plan policy to foster rural and community character
- Conflicts with tribal land preservation goals set by the CDA Tribe

Recommendation: Initiate areawide rezone of lands within the CDA reservation boundaries to Agricultural where appropriate

- Agricultural Zone prohibits subdivisions
- Preserves rural character, resource lands, and historic tribal uses in southwest Kootenai County



Project Initiation: Cross-Collaboration

- Coeur d'Alene Tribe approached Kootenai County to initiate areawide zoning designation within reservation boundaries
- Existing collaborative relationship between jurisdictions
- Joint-led proposal
- Intent of both entities to establish clear expectations upfront for developers
- CDA Tribe opted-in all tribal lands into the zoning change



Outreach Overview



Staff Cross-
Collaboration



Project
Webpage



Open Houses

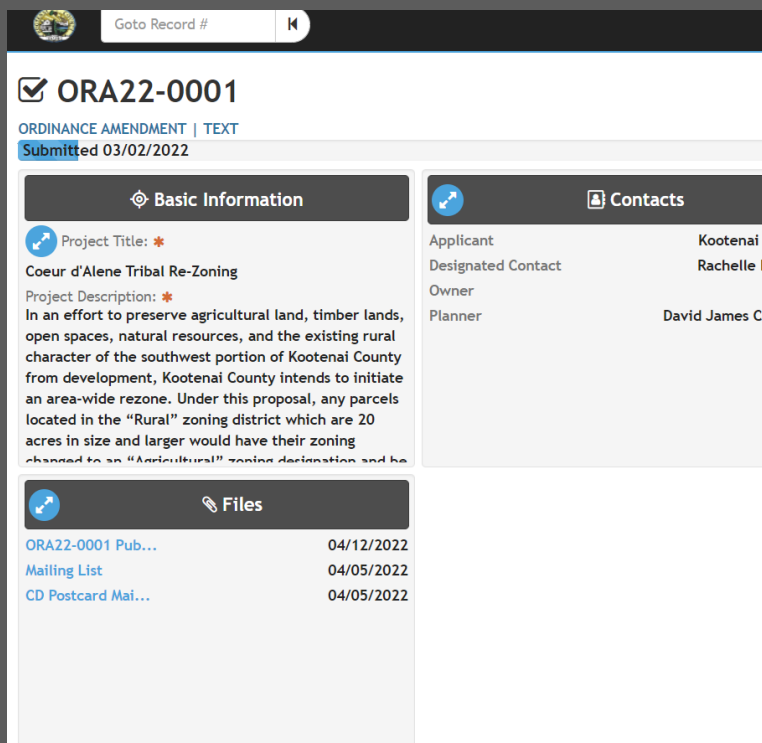


Planning &
Zoning
Commission
Workshops

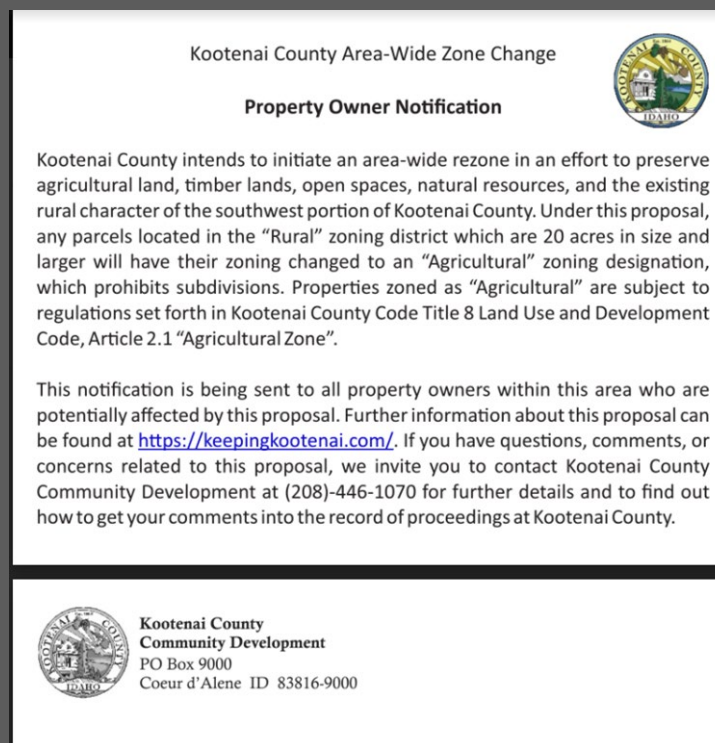


Public Outreach Documentation

- Project set up in iMS with public comments recorded there
- Project Webpage on Keeping Kootenai
- Property owners received postcards twice



The screenshot shows the iMS record page for ORA22-0001. The record is titled "ORDINANCE AMENDMENT | TEXT" and was submitted on 03/02/2022. The "Basic Information" section includes the project title "Coeur d'Alene Tribal Re-Zoning" and a description: "In an effort to preserve agricultural land, timber lands, open spaces, natural resources, and the existing rural character of the southwest portion of Kootenai County from development, Kootenai County intends to initiate an area-wide rezone. Under this proposal, any parcels located in the 'Rural' zoning district which are 20 acres in size and larger would have their zoning changed to an 'Agricultural' zoning designation and be...". The "Files" section lists three documents: "ORA22-0001 Pub..." (04/12/2022), "Mailing List" (04/05/2022), and "CD Postcard Mai..." (04/05/2022). The "Contacts" section lists the applicant as Kootenai County, the designated contact as Rachelle B..., the owner as David James C..., and the planner as David James C...



The screenshot shows a "Property Owner Notification" letter from Kootenai County. The letter is titled "Kootenai County Area-Wide Zone Change" and "Property Owner Notification". It states: "Kootenai County intends to initiate an area-wide rezone in an effort to preserve agricultural land, timber lands, open spaces, natural resources, and the existing rural character of the southwest portion of Kootenai County. Under this proposal, any parcels located in the 'Rural' zoning district which are 20 acres in size and larger will have their zoning changed to an 'Agricultural' zoning designation, which prohibits subdivisions. Properties zoned as 'Agricultural' are subject to regulations set forth in Kootenai County Code Title 8 Land Use and Development Code, Article 2.1 'Agricultural Zone'." The letter also provides contact information for Kootenai County Community Development at (208)-446-1070 and a website link: <https://keepingkootenai.com/>. The letter is signed by Kootenai County Community Development, PO Box 9000, Coeur d'Alene ID 83816-9000.



The screenshot shows the "KEEPING KOOTENAI" website. The page is titled "KOOTENAI COUNTY AREA-WIDE ZONE CHANGE" and is part of a "PROJECT OVERVIEW". The text states: "The intent of this area area-wide zone change also known as 'rezone' is to rezone tribally owned, privately owned, or leased properties within the Coeur d'Alene Reservation boundaries to agriculture where the existing land use is compatible with the [Agricultural Zoning District](#). The purpose of this rezone is to preserve agricultural land, timber lands, open spaces, natural resources, and the existing rural character of the southwest portion of Kootenai County. This rezone is supported by both Kootenai County and Coeur d'Alene Tribal policies. Under this proposal, parcels that qualify for a rezone must meet the following thresholds:"

- Currently zoned as "Rural Zone"
- 20-acres in size or larger
- Within the boundaries of the Coeur d'Alene Reservation
- Assessor's office recorded an agricultural or timber tax exemption in the past two tax years.

The text continues: "These thresholds were determined to create a list of properties that have existing land uses that are compatible with the proposed agricultural rezone. If your property meets the criteria thresholds above, your property has been identified to be rezoned in this effort." It also states: "There are 209 parcels proposed for the rezone from rural to agricultural. Potential property owners affected by the rezone received postcards the week of April 11. A map indicating which parcels are being affected will be provided by April 22 on this webpage."

Outreach: What We Heard

Support

- Too much land development in the area
- Little to no infrastructure improvement
- Environmental impact concerns
- Habitat diversity threat
- Wildlife disturbance
- Risk of change to character of area

Oppose

- Concern Tribe is overreaching authority
- County is not looking out for the interest of citizens
- Reduction of property value
- Reduction of property rights concern
- Inability to sell land

Zone Change Determination: Three Options (Approaches)

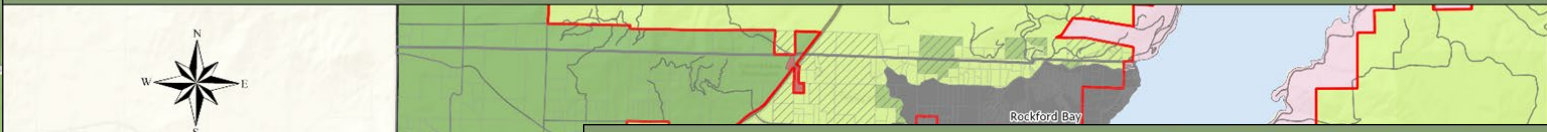
- Option 1 – Consistent with Coeur d'Alene Tribe's initial proposal for an areawide zone change for all large lots (over 20 acres) in the boundary
- Option 2 – Limits areawide zone change to parcels that took tax exemptions in 2022 and 2021
- Option 3 – Limits even further by excluding opposed property owners



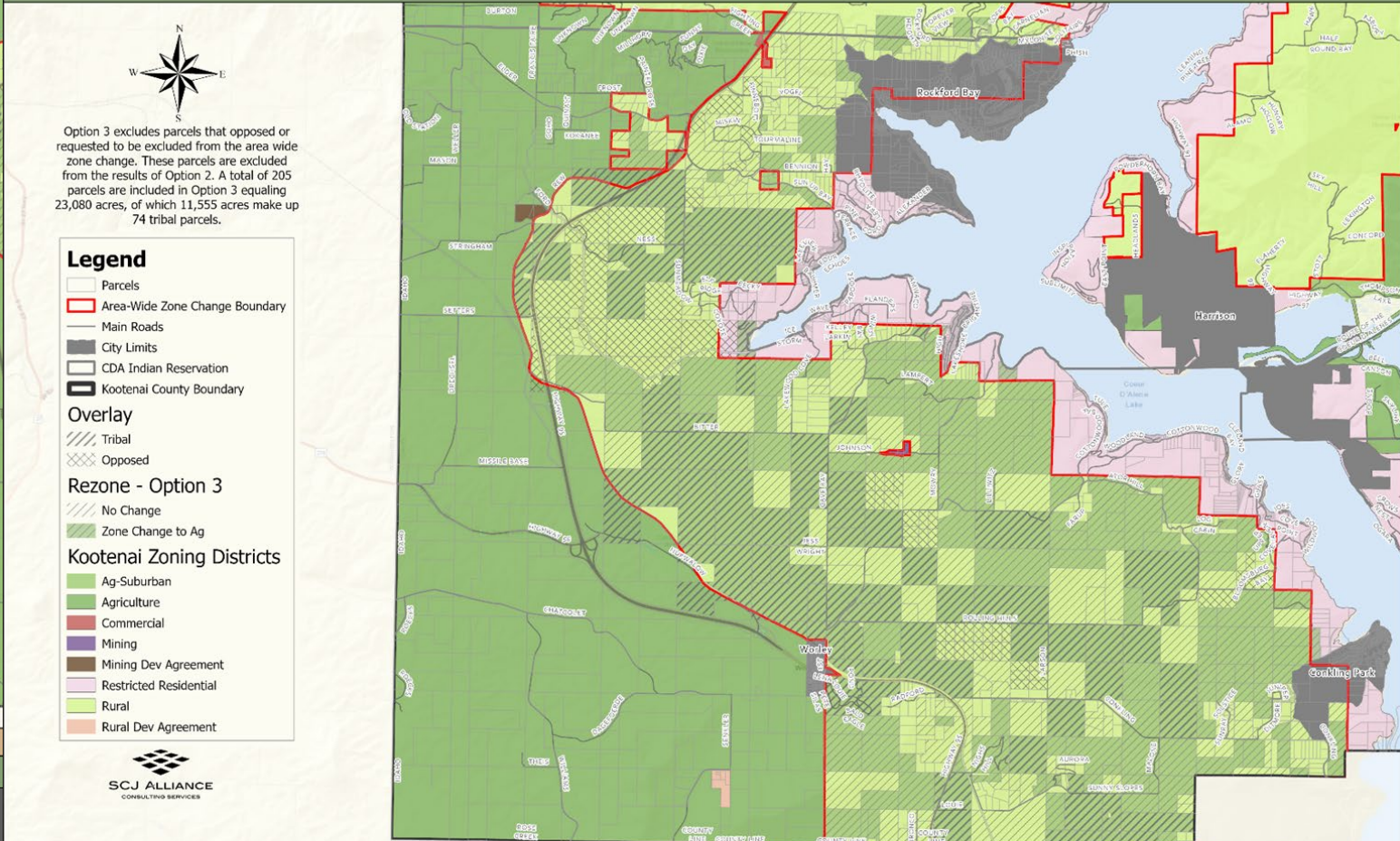
Area Wide Tribal Zone Change - Option 1



Area Wide Tribal Zone Change - Option 2



Area Wide Tribal Zone Change - Option 3



Legend

- Parcels
- Main Roads
- City Limits
- Area-Wide Zone Change Boundary
- CDA Indian Reservation
- Kootenai County Boundary
- Tribal

Rezone - Option 1

- No Change
- Zone Change to Ag

Kootenai Zoning Districts

- Ag-Suburban
- Agriculture
- Commercial
- Mining
- Mining Dev Agreement
- Restricted Residential
- Rural
- Rural Dev Agreement

Option 2 excludes parcels that did not take an agricultural or timber tax exemption in the past two years. Parcels remaining are larger than 20-acres, tribal, or took a tax exemption both in 2021 and 2022. A total of 220 parcels totaling 25,282 acres are proposed for zone change in Option 2, of which 11,555 acres make up 74 tribal parcels.

Legend

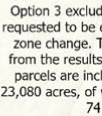
- Parcels
- Area-Wide Zone Change Boundary
- Main Roads
- City Limits
- CDA Indian Reservation
- Kootenai County Boundary
- Tribal

Rezone - Option 2

- No Change
- Zone Change to Ag

Kootenai Zoning Districts

- Ag-Suburban
- Agriculture
- Commercial
- Mining
- Mining Dev Agreement
- Restricted Residential
- Rural
- Rural Dev Agreement



Legend

- Parcels
- Area-Wide Zone Change Boundary
- Main Roads
- City Limits
- CDA Indian Reservation
- Kootenai County Boundary

Overlay

- Tribal
- Opposed

Rezone - Option 3

- No Change
- Zone Change to Ag

Kootenai Zoning Districts

- Ag-Suburban
- Agriculture
- Commercial
- Mining
- Mining Dev Agreement
- Restricted Residential
- Rural
- Rural Dev Agreement



Recommendations & Decision

- Planning & Zoning Commission recommended Option 1 after four workshops
- Land Use Law vs Tribal Law/ Sovereignty considered
- BOCC: Deliberations sent back to Planning Commission for further analysis
- Major subdivisions are still not being approved
- Future of the zoning change is to be determined



An aerial photograph of a large body of water, likely a reservoir, with a dam structure visible on the left side. The water is a deep blue-grey color. In the foreground, there are some wooden pilings and a small dock. The middle ground shows a town with several buildings, including a large white building and a smaller brown building. The background features rolling hills and mountains under a cloudy sky. The text "Q&A Discussion" is overlaid in the center in a white, serif font.

Q&A Discussion



Thank you

