

Resort Envelope Legal Authority

In the September 21, 2006 letter, “LURC Information Requests to Plum Creek, and Status Thereof” you requested “Resort envelope legal authority” as follows:

“Provide in writing Jeff Selser’s oral explanation of why Plum Creek’s petition and proposed Chapter 10 land use standards require that a substantial number of hotel-bed type resort accommodations must be proposed within the two resort envelopes as a necessary part of any request by Plum Creek or a subsequent developer for LURC approval to develop “resort accommodations.”

Below, please find narrative language responding to your request.

The Concept Plan for Plum Creek’s Lands in the Moosehead Lake Region, as currently written, does not allow non-resort-related residential subdivisions in the areas depicted on the Plan maps as Resort Envelopes (apart from the 150 backland subdivision lots allowed as part of the overall 975 lot cap). The following provisions of the Concept Plan ensure that any residential development achieved through the site plan process outlined in Section 10.25,T of the Concept Plan’s land use standards is associated with a well-planned resort facility:

- A. Section 10.23,A,3 lists all uses allowed in the Plan Area, with and without a permit.
- B. Section 10.23,A,3,c,(19) provides that residential subdivisions are allowed only within shoreland envelopes and backland envelopes (or within the Moose Mountain resort envelope, but only as part of the 975 cap).
- C. Section 10.23,A,3,d provides that resorts and resort accommodations are allowed within resort envelopes, but only in accordance with the site plan review process outlined in Section 10.25,T.
- D. Section 10.02,132.a defines “resort accommodations” as being necessarily “associated with resort development” (i.e. not stand-alone subdivisions).
- E. Section 10.25, T, b(1) requires that all resort development be in accordance with “the objectives and policies of the Concept Plan, and the resort design guidelines set forth in Parts V and VII of the Concept Plan.”
- F. The general and specific development guidelines outlined in Sections V and VII are attached hereto, and impose design standards that, when read as a whole, prohibit non-resort-related residential development.