

**BONNER COUNTY PLANNING DEPARTMENT  
PLANNING COMMISSION  
STAFF REPORT FOR MAY 5, 2022**

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**Project Name:** Idaho Land LLC RV Park

**File:** CUP0030-21 Conditional Use Permit  
RV Park

**Request:** The applicant is requesting to install 20-unit RV Park

**Legal Description:** 24-54N-5W SENE Lying S & E of R/W

**Location:** Clagstone Road and Al's Welding Road, Blanchard

**Parcel Number:** RP54N05W242300A

**Parcel Size:** 4.17 acres

**Applicant:** Idaho Land LLC  
PO Box 591  
Hayden, ID 83835

**Project Representative:** Stephen Doty  
Idaho Land LLC  
18599 N Elk Run Lane  
Rathdrum, ID 83858

**Property owner:** Idaho Land LLC  
18599 N Elk Run Lane  
Rathdrum, ID 83858

**Application filed:** February 2, 2022

**Notice provided:** Mail: April 5, 2022  
Site Posting: April 22, 2022  
Published in newspaper: April 5, 2022



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## **Project summary:**

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The applicant is requesting a conditional use permit for a 20-unit RV park. The site is located on the corner of Al's Welding Road and Clagstone Road in Blanchard. The site is 4.17 acres that is currently vacant, and mostly flat with timber on the east and south side of the property. The parcel is currently zoned Rural-5.

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## **Applicable laws:**

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The following sections of BCRC, Title 12, apply to this project:

- BCRC 12-333 Commercial Use Table
- BCRC 12-220, et seq, conditional use permit, application and standards
- BCRC 12-4.2, Performance standards for all uses
- BCRC 12-4.3, Parking standards
- BCRC 12-4.4, Sign standards
- BCRC 12-4.5, Design standards
- BCRC 12-4.6, Landscaping and screening standards
- BCRC 12-4.97: RV Parks/ Campgrounds
- BCRC 12-7.2, Grading, stormwater management and erosion control





- Entire parcel is within SFHA Zone X, per FIRM Panel 16017C1100E, Effective Date 11/18/2009

#### **D. Services:**

- Water: Individual well
- Sewage: Individual septic system
- Fire: Spirit Lake Fire District
- Power: Inland Power
- School District: Bonner County School #84

#### **E. Comprehensive Plan, Zoning and Current Land Use**

<b>Compass</b>	<b>Comp Plan</b>	<b>Zoning</b>	<b>Current Land Use &amp; Density</b>
Site	Rural Residential	Rural-5	Vacant
North	Rural Residential	Rural-5	Vacant/ 41 acres
East	Rural Residential	Rural-5	Single Family Dwelling/ 5.88 acres
South	Rural Residential	Rural-5	Single Family Dwelling/ 5 acres
West	Rural Residential	Rural-5	Vacant/ 6.82 acres

#### **F. Standards review**

BCRC 12-223 specifies that the Commission shall review the particular facts and circumstances of each proposal. To grant a conditional use permit, the Commission must find there is adequate evidence showing the proposal is in accord with the general and specific objectives of the comprehensive plan and Title 12 and the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property

- BCRC 12-220, et seq, conditional use permit, application and standards  
The application was considered complete and routed to agencies on November 30, 2021
- BCRC 12-333 Commercial Use Table, Recreational vehicle parks/ Campgrounds (8),(21)

(8) Adequate water supplies for drinking and fire suppression, as well as approval of sewage disposal sites and methods by the Panhandle Health District and/or the state of Idaho, must be demonstrated as appropriate.

**Staff:** Water will be supplied by an individual well. The applicant indicates that the well has a 30 gallon per minute capacity. There is a proposed individual septic system. Fire protection is provided by the Spirit Lake Fire District.

(21) Refer to Section 12-497 of this Title for RV Parks/Campground standards. Site requirements for RV parks include at least 25 percent tree canopy coverage and a maximum of 25 percent impervious surface.

**Staff:** The proposed site plan shows that the property tree coverage is approximately 38 percent. This will meet the requirement of 25 percent coverage.

- BCRC 12-4.2, Performance standards for all uses

**Staff:** The application was reviewed against these standards and no special requests were made.

- BCRC 12-4.3, Parking standards: Table 4.3 minimum off street parking requirements: 1.25 spaces/unit.

**Staff:** To meet this requirement of the ordinance, the applicant is required to have off street parking spaces. The proposed site plan indicates each RV pad will have adequate space to allow for 1.25 parking spaces per RV pad. **See Conditions of Approval**

- BCRC 12-4.4, Sign standards

**Staff:** The application indicates a sign 5ft. by 10ft. will be located on the northwest side on Clagstone Road. This meets the requirements of this section. Building Location Permit required and must comply with BCRC 12-441(E).

- BCRC 12-4.5, et seq, Design standards
- BCRC 12-452: Site and building plans.

**Staff:** A building location permit will be required for the development of the RV Park.

- BCRC 12-453: Standards (reviewing only those applicable standards)

**Staff:** Walking paths will be developed within the park to connect the RV pads to common areas and other amenities. **See Conditions of Approval**

- BCRC 12-4.6, Landscaping and screening standards

**Staff:** A landscaping plan showing compliance with this section will be required with Building Location Permit. **See Conditions of Approval**

- BCRC 12-497: RV Parks/ Campgrounds

A. Density: Required 5 units per acre, dimensions of spaces and spacing

**Staff:** The application is for 20 units on 4.17 acres. Each RV pad should be 1800 sq. ft. with a minimum of 24 ft. width. **See Conditions of Approval**

B. Yards and Spacing: Required 25 feet from property lines and 10 feet from other RV's with 5 feet for accessory buildings

**Staff:** Based on the site plan, it appears these standards are met.

C. Access: County, State or Appendix A private roads

**Staff:** Access is off Clagstone Road and Al's Welding Road, both Bonner County owned and maintained gravel travel surfaces.

D. Parking: Meet requirements of BCRC 12-4.3

**Staff:** See above analysis.

E. Park Site Design:

**Staff:** The site plan and application indicate these requirements have been followed.

F. Landscaping: Meet requirements of BCRC 12-4.6

**Staff:** See above analysis. **See Conditions of Approval**

G. Water and Sewer:

**Staff:** Water and Sewer are provided as indicated in the site plan, application and included septic permit.

H. Refuse Collection:

**Staff:** Site plan indicates one trash dumpster located at the northeast part of the property.

I. Signs:

**Staff:** Sign will be 5ft. by 10ft. at the entrance, building location permit required

J. Permits Required:

**Staff:** A building location permit will be required for construction of the site.

K. Site Plan:

**Staff:** Site plan as provided.

- BCRC 12-7.2, Grading, stormwater management and erosion control

**Staff:** A stormwater management plan and erosion control will be provided at time of building location permit. **See Conditions of Approval**

## **G. Comprehensive Plan Land Use Designation:**

The comprehensive plan designation is Rural Residential. Rural Residential area provides for residential development in areas where urban services are not available and slopes may vary up to 30%. These areas include hazard areas and critical wildlife habitats, where lower densities reduce potential impacts to resources and exposures to loss of property or lives. Small-scale agricultural uses and residential development are permitted.

## **Comprehensive Plan Analysis:**

### **Section 2.1 – Property Rights**

**Goal:** The issue of property rights is a “two-way street” and the property rights of the applicant, adjoining landowners and future generations shall be considered, as well as the short-term consequences of decisions.

**Objective:** Private property shall not be taken for public uses without just compensation or due process of law.

Impacts to other properties shall be taken into account when considering land use proposals, policies and codes.

**Staff:** The application was routed to neighbors 300’ from the property line, informing neighbors of the proposed conditional use permit. Bonner County received several letters on how this use could impact their property rights.

### **Section 2.2 – Population**

**Goal:** Multi-generational, multi-economic diversity shall be encouraged within Bonner County.

**Objective:** Bonner County shall keep current with the county census data, population estimates and projections and shall use the data to analyze community needs and project impacts.

**Staff:** Bonner County is awaiting results for 2020 census data, including population estimates. However, there is upward pressure on housing needs in Bonner County, both in the unincorporated portion of the County, and in the incorporated cities.

### **Section 2.3 – School Facilities & Transportation**

**Goal:** Full consideration shall be given to the county’s ability to provide quality education to the current and future students of Bonner County.

**Objective:** Proposed developments and county land use decisions shall not adversely impact the local school districts and their ability to provide adequate school facilities and transportation systems.

**Staff:** The West Bonner School District #83 and Bonner County School Transportation that serves the property was notified of the proposed conditional use permit and did not comment as to how an increase in density and development would or would not adversely impact the district’s ability to provide adequate school services (and facilities) for new and existing students.

### **Section 2.4 – Economic Development**

**Goal:** Bonner County shall encourage economic diversity for the financial health of the community and maintenance of its rural atmosphere.

**Objective:** Bonner County shall provide areas for the growth of businesses, professional and technical services without adversely impacting the integrity of residential neighborhoods.

Future commercial and industrial developments shall provide adequate public/private services and access to suitable transportation systems.

Commercial and industrial areas shall be located in defined areas which encourage clustered development and discourage sprawl and strip development.

Bonner County’s highway systems shall be viewed primarily as transportation corridors for the efficient flow of traffic and shall not be viewed merely as frontage roads for commercial development.

Bonner County shall consider the impact of commercial and industrial development on natural resources.

**Staff:** The proposed conditional use permit is in accord with the comprehensive plan goal and objectives of economic development as the property is accessed by suitable transportation systems.

### **Section 2.5 – Land Use**

**Goal:** Bonner County intends to balance and integrate its land use policies and proposed land use map with the components of the comprehensive plan to encourage the community to grow while retaining its rural character and protecting its unique natural resources.

**Objective:** Bonner County will develop and maintain a future land use map and land use codes that acknowledge the values of its agricultural and timber land, protects the water and wildlife resources, identifies and avoids hazard areas, provides areas for economic growth, encourages affordable housing and centers growth in areas where adequate public and private services can be provided.

**Staff:** The proposed conditional use permit is compatible with surrounding land uses. Additionally, the property may not adversely impact natural resources as there are no mapped wetlands, streams or other riparian environments on the property.

## **Section 2.6 – Natural Resources**

**Goal:** Bonner County places a high value on its natural resources and amenities and desires to protect these features that make the county unique place to live, work and play. The county recognizes that natural resources, such as pure water, clean air and diverse wildlife, are important to preserve and once lost, they may not be recovered. Bonner County will strive to manage its natural resources to attain the greatest long term public benefit.

**Objective:** Bonner County's system of lakes and waterways is one of its greatest assets, and Bonner County will strive to preserve both the quality and quantity of its water resources.

Bonner County values its productive agricultural lands and forests, its fisheries, wildlife and wetlands, and will provide measures to protect and maintain these natural features.

Bonner County will protect its water resources by requiring adequate sewer treatment systems based on soil, density, and intensity of use to reduce impacts to water resources.

Bonner County intends to consider wetlands and aquifer recharge areas in the location and density of future development.

Bonner County intends to maintain or enhance its fish and wildlife resource

**Staff:** The impacts to wildlife and other natural resources in this area of Bonner County may be minimal, as no agency provided comment on this file on the impact to wildlife.

## **Section 2.7 – Hazardous Areas**

**Goal:** Bonner County desires to protect its community from the loss of lives and property and to reduce public and private financial losses due to flood, fire, mass wasting, avalanches and excessive slopes by setting standards for development within hazard areas and discouraging development in high hazard areas.



**Objective:** Bonner County intends to regulate the location and density of new development in floodplain to reduce the potential for the loss of lives and property within flood hazard areas.

Future development shall be designed to reduce exposure to wildland fire and to provide for emergency and escape routes for residents.

Development within areas of excessive slopes, unstable areas and avalanche zones shall be discouraged.

**Staff:** The subject property is not located in a mapped floodplain. In addition, the subject property is generally flat. Potential damage to property or people due to soil erosion or avalanches are minimal. Furthermore, the property is afforded fire protection by the Spirit Lake Fire District.

## **Section 2.8 – Public Services, Facilities & Utilities**

**Goal:** Future development shall provide adequate services and should not adversely impact the services or utilities of present-day users.

**Objective:** Bonner County intends for new development to offset the capital costs of expanding services to its area by requiring the developer to provide infrastructure, utilities or financial support for services generated by the proposed development.

New development shall not unduly overburden the current system.

New development should be adequately served by fire protection, roads, sewer, schools, law enforcement, ambulance and emergency services, water and other public/private services.

Full urban services and provisions for continued operation and maintenance of the systems shall be provided for urban and suburban densities.

**Staff:** The property is not situated within a water or sewer district. For that reason, the effects of new development on the property are not known. If the applicant wishes to develop the property in the future, they will need to secure a water right through the Idaho Department of Water Resources and obtain an approved septic permit through the Panhandle Health District.

## **Section 2.9 – Transportation**

**Goal:** Bonner County intends to provide a transportation system that is safe, uncongested, and well maintained.

**Objective:** Future development shall not adversely impact the existing transportation system by reducing the quality or level of service or creating hazards or congestion.

Roads within new development shall be built to county standards and at the expense of the developer.

Roads within new development shall provide adequate access for fire and emergency vehicles and routes of escape.

Future access roads shall be developed to integrate with the state and county system of roads without overburdening the transportation system.

To reduce transportation costs, road building and environmental impacts, cluster development shall be encouraged.

Bonner County intends for certain intense land use developments to provide paved roads.

Bike ways and pedestrian paths shall be included in development plans to provide an integrated community transportation system wherever possible.

**Staff:** The applicant's property is accessed by Bonner County owned and maintained roads. Due to the general density in the area, road & bridge did not indicate that the proposed use for the property will cause congestion on the current road system.

### **Section 2.10 - Recreation**

**Goal:** Public and private recreational opportunities are recognized as a major county asset to be protected and encouraged

**Objective:** Public recreational accesses and amenities shall not be obstructed or adversely impacted by future development.

**Staff:** This conditional use permit will not affect current public use recreational opportunities already available in Bonner County.

### **Section 2.11 – Special Areas or Sites**

**Goal:** Bonner County will attempt to protect special archeological and historical sites and unique visual and ecological features of the region.

**Objective:** Future developments shall not adversely affect or destroy culturally or ecologically sensitive sites.

**Staff:** This goal appears unaffected by this application

### **Section 2.12 – Housing**

**Goal/ Objective:** Bonner County recognizes diverse housing needs are to be addressed to provide adequate shelter for all, regardless of age, income or physical abilities.

**Staff:** The application is consistent with the housing component of the comprehensive plan as this proposal will provide housing option for Bonner County.

### **Section 2.13 - Community Design**

**Goal:** Bonner County's goal is to maintain a variety of lifestyles and a rural character in the future development of Bonner County.

**Objective:** Bonner County intends for new development to locate in areas with similar densities and compatible uses.

Bonner County intends for new development to minimize the adverse impacts on adjacent areas.

Bonner County intends to consider the protection of natural resources and the rural features and surrounding uses of the community in the design and location of new development.

**Staff:** This proposal will be creating housing options for Bonner County in proximity to areas that are currently comprehensive planned Transition and Neighborhood Commercial.

**H. Stormwater plan:** A Stormwater management plan and erosion control will be provided at time of building location permit per BCRC 12-720.2(F).

## **I. Agency Review**

The application was routed to agencies for comment on March 24, 2022

Panhandle Health District	Bonner County Road & Bridge Department
Bonner County Sheriff	Idaho Department of Environmental Quality
Idaho Department of Lands: Sandpoint	Idaho Department of Water Resources
Spirit Lake Fire District	Idaho Department of Fish and Game
Inland Power Utility Company	U.S. Fish and Wildlife Service

### **The following agencies commented:**

Idaho Department of Water Resources- see attached letter for recommendations

Bonner County Road & Bridge Department- see attached letter for requirements

### **The following agencies replied "No Comment":**

Inland Power & Lights "No comment"

Idaho Department of Fish & Game "No Comment"

**All other agencies did not reply.**

## **J. Public Notice & Comments**

The following public comments were received:

Several written comments were received opposing this conditional use permit from the public. The comments expressed concerns about impact to roads, wells, sewage disposal, noise, general safety, fire and garbage. See attached letters for a complete comment.

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## **Staff analysis:**

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Staff concluded this project **is** consistent with Bonner County Revised Code based upon the information found in the 'Background' portion of this staff report. This conclusion is demonstrated in the findings of fact and conclusions of law. Conditions of approval have been added to facilitate the project's conformance to Bonner County Revised Code.

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**Staff: The proposal is consistent with Bonner County Revised Code**

**See Staff Analysis below.**

**Planner's Initials: DB                      Date April 27, 2022    Note: This is only a recommendation. The final decision rests with the governing body after the completion of the public hearing and consideration of all relevant oral and written testimony and evidence.**

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**Motion by the governing body:**

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**PLANNING COMMISSION**

**MOTION TO APPROVE:** I move to approve this project FILE CUP0030-21 for a 20-unit RV Park, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following conclusions of law, and based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the findings of fact and conclusions of law as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft written findings and conclusions to reflect this motion, have the Chairman sign, and transmit to all interested parties. The action that could be taken to obtain the conditional use permit is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property.

**MOTION TO DENY:** I move to deny this project FILE CUP0030-21 for a 20-unit RV Park, based upon the following conclusions: [REFER TO FOREGOING CONCLUSIONS OF LAW AND SPECIFY WHICH CONCLUSIONS THE PROJECT MEETS AND FAILS TO MEET]. The decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the findings of fact and conclusions of law as set forth in the Staff Report as amended during this hearing and direct planning staff to draft written findings and conclusions to reflect this motion, have the Chairman sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the conditional use permit is to:

- 1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
- 2) Appeal the Planning and Zoning Commission's decision to the County Commissioners.

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**Findings of Fact**

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1. The property is zoned Rural-5. Where RV parks are conditionally allowed in this zone upon having meant the required standards per BCRC 12-497.
2. The property is accessed off Clagstone Road and Al's Welding Road. Both roads are Bonner County owner and maintained gravel travel surfaces.
3. The property has been reviewed against the required standards of BCRC 12-497 with conditions added to ensure full compliance with Bonner County Revised Code.
4. Fire protection is provided Spirit Lake Fire District.
5. Electricity is provided by Inland Power.
6. The site has an individual well.
7. A speculative site evaluation has been done for the proposed septic system.
8. The proposal is for 20-unit RV park.
9. The site is 4.17 acres.

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## Conclusions of Law:

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**Based upon the findings of fact, the following conclusions of law are adopted:**

### Conclusion 1

The proposed conditional use permit **is** in accord with the Bonner County comprehensive plan.

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|-----------------------|-------------------------|------------------------------------|
| ▪Property Rights      | ▪Population             | ▪School Facilities, Transportation |
| ▪Economic Development | ▪Land Use               | ▪Natural Resources                 |
| ▪Hazardous Areas      | ▪Public Services        | ▪Transportation                    |
| ▪Recreation           | ▪Special Areas or Sites | ▪Housing                           |
| ▪Community Design     | ▪Implementation         |                                    |

### Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth at BCRC Chapter 4, Title 12, Subchapter 2.2, environmental standards of Chapter 7, Title 12, and storm water management criteria and standards set forth in Chapter 7, Title 12, Bonner County Revised Code.

### Conclusion 3

The proposed use **will not** create a hazard or will not be dangerous to persons on or adjacent to the property.

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## Conditions of approval:

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### Standard continuing permit conditions. To be met for the life of the use:

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- A-1** The use shall be developed and shall be operated in accordance with the approved site plan.
- A-2** The Conditional Use Permit shall not supersede deed restrictions.
- A-3** All county setbacks shall be met.

- A-4** The Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit, the applicant may make a written request to the Planning Director for an extension of the Conditional Use Permit for a period up to two (2) years. The Planning and Zoning Commission may consider such request for extension at any public hearing. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit.
- A-5** The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and stormwater management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved.
- A-6** Prior to issuance of a building location permit, the owner of the proposed multi-family structure shall obtain an address for the dwelling from Bonner County that meets the provisions of Bonner County Revised Code, Title 13. (For multi-family CUPs)
- A-7** A landscaping plan showing compliance with this section will be required with the Building Location Permit.
- A-8** The project will be designed to the standards in BCRC 12-497 A. 1800 square feet per space.

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The complete file is available for review in the Planning Department, 1500 Highway 2, Suite #208, Sandpoint, ID. Staff reports are available online prior to the scheduled hearing at [www.bonnercountyd.gov](http://www.bonnercountyd.gov). Bonner County Revised Code (BCRC) is available at the Planning Department or online.