



Bonner County Planning Department

"Protecting property rights and enhancing property values...."

Milton Ollerton
Planning Director

February 17, 2017

Bonnie Powell and Diane Dodd
5001 East Main Street, Lot 808
Mesa, Arizona 85205

Subject: Conditional Use Permit – RV Storage – File C997-16

Dear Ms. Powell & Ms. Dodd:

The Bonner County Planning and Zoning Commission at the February 16, 2017 public hearing approved the referenced application with conditions. The ordinance and standards used in evaluating the application and the reasons for approving the application are as follows:

MOTION TO APPROVE: Commissioner Glassoe moved to approve this project FILE C997-16, RV Storage, 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. Commissioner Glassoe further moved to adopt the following findings of fact and conclusions of law with the amendment of Condition B-3 and the addition of Conditions B-4 and B-5 as discussed with staff. 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. Commissioner Bradish seconded the motion.

Conditional Use Permit Findings of Fact

1. Surrounding properties range in size from \pm 4 acres to \pm 20 acres.
2. The subject property is generally flat with no rock outcroppings.
3. The property has direct frontage on U.S. Highway 95 and access is provided off Porter House Road, a 20 foot wide paved County Road.
4. The neighboring property, across the State Highway to the west is currently zoned Rural Service Center.
5. There are additional parcels in the area that have commercial or industrial uses in the same designation either grandfathered in or were granted permits.

6. Surrounding uses include vacant land with several grandfathered and approved uses within a quarter mile of the property. These uses include Encoder Manufacturing, State of Idaho gravel pit, a recreational vehicle, boat and auto storage facility, an excavation company, and a small engine repair company.
7. The property does not contain prime agricultural soils, according to the comprehensive plan.
8. The property does not contain floodway or floodplain (DFIRM Panel 0950E, Zone X).
9. Water is provided by an individual well.
10. Sewage disposal is provided by individual septic tank.
11. The property is located within the Selkirk (Sagle) Fire District.
12. The land capability report shows the land can handle this type of development.

Conditional Use Permit Conclusions of Law:

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.

Conditions of approval:

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

- A-1** The use shall be developed and shall be operated in accordance with the approved site plan.
- A-2** All county setbacks shall be met.
- A-3** Storage areas shall be not used as a dwelling or for commercial or industrial uses. (BCRC 12-486 D)
- A-4** Hours of operation shall meet the minimum requirements per BCRC 12-486 I.
- A-5** 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-6** 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.

Conditions to be met prior to issuance of the permit:

- B-1** Landscaping plan shall be submitted to the Planning Department and approved (BCRC 12-486 B).
- B-2** Fencing shall be shown and added as required by BCRC 12-486 C.
- B-3** The Grading & Stormwater management plan shall meet the standards set forth by Bonner County Revised Code, Subchapter 7.2.
- B-4** Prior to issuance of the conditional use permit, the applicants shall obtain zone change approval from the Bonner County Board of County Commissioners for file ZC360-16.

B-5 Prior to issuance of the conditional use permit, the applicants shall submit to the Bonner County Planning Department the definitive site plan showing the final location of all features related to the conditional use permit.

Bonner County Revised Code, Section 12-262, provides an opportunity for affected persons to appeal Planning and Zoning Commission decisions with the Planning Director within 28 days after the final written decision of the Planning and Zoning Commission has been issued. Any such appeal must be submitted in accordance with the referenced code section no later than **5:00 p.m., Friday, March 17, 2017.**

NOTE: Following any final decision concerning a site-specific land use request, the applicant has a right to request a regulatory taking analysis pursuant to Section 67-8003, Idaho Code (*Idaho Code §67-6535(3)*).

Please contact this department if you have any questions.

Sincerely,



Milton Ollerton, Planning Director

c: Bryan Quayle, Project Representative
Quayle Land Use Consulting
606 South Olive Avenue
Sandpoint, Idaho 83864