



Bonner County

Board of Commissioners

Luke Omodt

Steve Bradshaw

Asia Williams

November 6, 2023

Keep Bonner County Rural
P.O. Box 1984
Sandpoint, ID 83864

Subj: **File CUP0030-21 – Conditional Use Permit – Idaho Land LLC – RV Park – Remand**

Encl (1): Approved Site Plan

To whom it may concern,

The Bonner County Commissioners at the October 30, 2023, public hearing approved of the referenced application.

Commissioner Bradshaw moved to approve this project, FILE CUP0030-21, requesting a conditional use permit for an 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:

Conclusion 1: The proposed conditional use permit **is** in accordance with the general and specific objectives of the Bonner County comprehensive plan.

Conclusion 2: This proposal **was** reviewed for compliance with the criteria and standards set forth at Chapter 4, Subchapter 4.9 and Chapter 3, Subchapter 3.3 of the Bonner County Revised Code, Title 12.

Conclusion 3: The proposed use **will not** create a hazard or will not be dangerous to persons on or adjacent to the property.

The decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Commissioner Bradshaw further moved to adopt the findings of fact and conclusions of law as set forth in the Staff Report and direct planning staff to draft written findings and conclusions to reflect this motion, have Chairman sign, and transmit to all interested parties. This action does not result in a taking of private property.

Commissioner Omodt seconded the motion.

Commissioner Omodt made a motion to amend the Conditions of Approval adding Condition A-13: The applicant is required to have a backup power source for the pumphouse.

Commissioner Bradshaw seconded the motion.

Roll Call Vote:

Commissioner Omodt	AYE
Commissioner Bradshaw	AYE

Findings of Fact:

1. The Rural Zoning District allows for conditional use permits for RV Parks. The property is within the Rural District and is currently zoned Rural-5.
2. The site is approximately 4.17 acres in area.
3. The project proposes to install 20 RV units on the parcel.
4. The applicant has applied for a Conditional Use Permit for an RV Park per BCRC 12-333 and BCRC 12-497 as a commercial use.

Per BCRC 12-331, in the case of a question as to the inclusion or exclusion of a particular proposed use in a particular use category, the Planning Director shall have the authority to make the final determination based on the characteristics of the operation of the proposed use. Per the proposed use, the Planning Director determined that the requested use befits in the category of an RV Park as described in BCRC 12-333, Commercial Use Table. BCRC 12-333 and BCRC 12-497 place no limitation on the duration of stay in RV Parks.

The Board recognizes and affirms the planning director's determination that the use requested in the application is for an RV park and was correctly reviewed against the standards of BCRC 12-333 and 12-497. BCRC 12-332 and 12-496 apply to a residential use and thus these standards are not applicable to this proposal.

The Board's legislative intent of adopting BCRC 12-497 in the year 2019 was to incorporate the use of RV Parks/ Campgrounds as a commercial use in Bonner County. The use of RV Parks was not intended to be considered a residential use and limited to two (2) Recreational Vehicle Dwelling Units on the property per BCRC 12-332(9).

5. The proposal meets the required standards of BCRC 12-333, notes (8). The proposal is within the Spirit Lake Fire District. The International Fire Code and State Fire Code do not have statutes that address fires in RV Parks. The Insurance Service Office and National Fire Protection Association only contain recommendations for RV Parks fires.

Adequate fire protection is the availability of resources at the time of a fire. The ability to call other fire districts for back up fire suppression. The fire district maintains water tenders which are capable of delivering water to sites to achieve the recommended 250 gpm. All residents in the area of service of the fire district are provided fire protection equally.

In addition, the applicant's Building Location Permit for the RV Park, BLP2022-1243, was reviewed and approved for fire protection by the fire district on 12/16/2022 with a comment of *"no cisterns or fire suppression systems are required for this construction project"*.

Generally, rural fire districts do not use on site water cisterns which have been dedicated for fire suppression because the cisterns are not well maintained. The cisterns may contain debris such as rocks and frogs which may damage firefighting equipment and therefore may not be used for fire suppression by the fire districts in case of a fire on-site.

The property has multiple ingress and egress onto multiple roads for multiple fire agencies to provide adequate fire trucks to provide supplies. Spirit Lake Fire districts has mutual aid agreements with the neighboring fire districts which may respond in case of fires on the subject property.

Fire protection is adequate based on the absence of state statutes for RV Parks, the capabilities of the local fire districts, and the limitations imposed by non-maintained on site water storage.

6. The proposal meets the required standards of BCRC 12-333 note (21) and BCRC 12-497.
7. The property is accessed off Clagstone Road and Al's Welding Road. Both roads are Bonner County owned and maintained gravel right of ways.
8. Electricity is provided by Inland Power.
9. The site has an individual well.
10. A speculative site evaluation has been done for the proposed septic system.

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** 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.
- A-9** Proper signage indicating directional traffic in and out of the park.
- A-10** Water rights to be approved and permitted by the Idaho Department of Water Resources.
- A-11** Approval of septic system from Panhandle Health District.
- A-12** Site plan submitted & adopted on June 2, 2022 and signed by the Chair.
- A-13** The applicant shall install a backup power source for the water pump house.

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

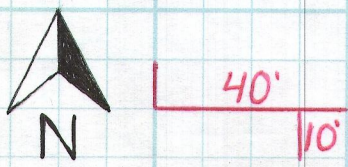
Please contact the Bonner County Planning Department if you have any questions.

Sincerely,



Luke Omodt, Chair
Board of County Commission

c: Stephen Doty, Idaho Land LLC



1 inch on map equals 40 feet.

Property is 4.17 acres
Space Dimensions: 30 ft. x 90 ft. = 2700 sq. ft.
Distance Between RV's: 20 ft.

Water
Electric
Septic
Trees
Gravel

Graveled surface
is 23.11% of the
property.

Roads: 21600 sq.ft
Parking: + 20000 sq.ft
Totaling 41600 sq.ft
property 180,000 sq.ft

Each spot will have
a gravel pad that is
approximately 20'x50'.
Equaling 1000 square
feet of parking area
for R.V. and vehicles.

We calculate that
38% of the property
is treed.
 $68,400 \text{ ft}^2 \div 180,000 \text{ ft}^2 = 38\%$

