

I am a Blaine County resident, submitting this comment in regards to the Conditional Use Permit ("CUP") application of Camp Rainbow Gold ("the Camp").

I do not address here the issues raised by the Camp's application regarding road access and other public "services" but limit my comment to the threshold question of whether the Camp's proposed use is conditionally permitted under the Blaine County Zoning Ordinance - an area where I feel I may provide useful input as a former professor of law at Georgetown University Law Center who has written and published on the subject of statutory construction.

The Camp is applying for a CUP as a retreat, defined in relevant part as: "Facilities, including living accommodations, which provide for group withdrawal for prayer, meditation, study and instruction under a director." Retreats can mean many things, including family and other group retreat facilities that may have multiple cabins, swimming pools, etc. – but this is a very specific and narrowly defined kind of retreat. The Camp is not a place for "group withdrawal for study and instruction." Under this definition, a retreat need not be religious or quasi-religious in nature but it must be a place of contemplative (and thus compatible with RR-40 District residential use, quiet) study and instruction. As very worthy is the Camp's mission it is not that, indeed it is the opposite of that, its website describing a "week of discovery and outdoor fun. Swimming. Sharing. Singing. Hiking. Playing. Fishing. Horseback riding. Dancing. Storytelling. Laughing. Painting. Biking. Memory making. Creating. Dreaming. Living." Nor is it a small group setting with "study or instruction under a director"; the Camp's website indicates that the camp sessions range from 80-150 kids involved with myriad activities under the supervision presumably of a large number of paid and volunteer camp staff.

The Camp in its application attempts to recast its 25-year history and current mission statement to fit the CUP retreat requirement by now calling their outdoor camp a "youth medical retreat"; adding to its camp facilities a "reflection/meditation center"; and describing its outdoor amphitheater as a "spiritual gathering amphitheater." It is not necessary to question the veracity or sincerity of these changes because the Camp in its application acknowledges as it must that its "proposed program includes **but is not limited to**, facilities and



activities that include individual reflection and instruction regarding the challenges that children face when living with an illness.” (emphasis supplied). Under the explicit terms of the Ordinance’s definition of retreat, however, those must be the exclusive activities of the retreat; program instruction on archery, etc. as listed in the application do not satisfy the limiting “withdrawal” requirement and are your normal summer camp activities.

The Camp is, in other words, under the Ordinance CUP provisions a “Public outdoor recreational facility” – as, notably, its Director described it in the Camp’s initial public meetings – but under the explicit terms of the Blaine County Ordinance the only outdoor recreational facilities permitted in (and consistent with) the RR-40 District are those “for which buildings are incidental and accessory” which would not permit 28 buildings including residential cabins, a large dining hall and a medical facility.

Finally, and fundamentally, it is clear that this is the only correct interpretation of “retreat” because the RR-40 District by its express terms permits only “limited development” and “very low density” – which, again, 28 buildings is not.

Thank you for your consideration.

