

BLAINE COUNTY PLANNING AND ZONING COMMISSION  
Public Hearing Date: April 25, 2019

<p><b>REGARDING THE APPLICATION OF:</b> PCP Meadows Land LLC for a conditional use permit for 12 Broadway Run to bring an existing RV park use into conformity with Blaine Co. Code and to allow for an additional 21 RV hookups and spaces.</p>	<p><b>Findings of Fact, Conclusions of Law and Decision</b></p>
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**Requested Action:** Public hearing and consideration of a conditional use permit for PCP Meadows Land LLC, property owner of 12 Broadway Run, to bring the existing RV Park use, known as The Meadows RV Park, into conformity with Blaine Co. Code and to allow for an additional 21 RV hookups and spaces. The 6.34 acre property is zoned Medium Density Residential District (R-4), is within a Wellhead Protection area and the Scenic Highway Overlay District (though the project area is not).

**Applicable Regulations:** Blaine County Zoning Ordinance Chapters 1, 2, 3, 11, 25, Blaine County Comprehensive Plan.

**Representative(s):** Benchmark Associates

**Proposal update- April 15, 2019:** In conversation with the applicant’s representative on April 15, 2019, two things have changed. One, the proposed office on the plan was put there in error. No new or second office is proposed. Second, the main objective is to permit the existing RV Park. If the P&Z cannot find compliance with the expansion, but can with the existing, the applicant would prefer to have the existing park approved.

► See Decision and conditions on page 5.

**Related Issue:** The existing berm on this property is not in compliance with a previous approval. A condition has been added to bring the berm into compliance. See Conditions.

**I. Application, Notice, Exhibits & General Facts**

1. **Disclosures:** P&Z Commission Chairman Rachel Martin has recused herself from the County review of this application as she works for the applicant’s representative. This was not disclosed on the record, but to staff previously. Commissioner Martin was in attendance, but did not participate in this conditional use permit review for the Meadows RV Park.
2. **Application:**  
A conditional use permit application was received by the Administrator on January 29, 2019.
3. **Notice:** Public notice for this April 25, 2019 Public Hearing was as follows:
  - a. Legal notice was published in the Idaho Mountain Express on April 10, 2019,
  - a. Notice was mailed on April 10, 2019 to surrounding landowners within 300’ of the exterior boundary of the property and

- b. on April 10, 2019 to all Blaine County political subdivisions.
- c. An on-site notice was posted on **April 18, 2019**, at least 7 days prior to hearing as evidenced by the affidavit in file;
- d. The application materials were posted on the Blaine County website on April 10, 2019.

► **FINDING:** Upon motion by Commissioner Hamlin, second by Commissioner Ranill, and by a vote of 5-0, the Commission finds notice to be adequate for the April 25, 2019 hearing and in compliance with I.C. § 67-6512 and § 9-21 of the Blaine Co. Code.

4. **Exhibits:** The following Exhibits are attached hereto and were received at Blaine County Land Use and Building Services on January 29, 2019 unless otherwise noted:

**A Exhibits- Applicant Submittals**

- A-1: CUP Application & Standards of Evaluation
- A-2: Vicinity Map
- A-3: 300' Adjoiners map and notification list
- A-4: Rules and Regulations
- A-5: Existing site map
- A-6: Proposed site map
- A-7: Site rendering for new sites
- A-8: Proposed landscaping
- A-9: Site boundary map; 11x 17 and full size
- A-10: Power Point presentation

**B Exhibits- Agency and Professional Comments**

- B-1: Jeff Loomis; County Engineer; dated April 7, 2019
- B-2: Will-serve letter from Mid-Valley Sewer Company, LLC; rec'd February 11, 2019
- B-3: Idaho Department of Environment Quality; rec'd 4-8-2019  
**(full review pending for expansion only)**
- B-4: Ketchum Rural Fire District; rec'd April 9, 2019
- B-5: Jeff Giese, Blaine County Building Official; rec'd revised April 22, 2019;

**C Exhibits- Blaine County Supplements (none)**

**D Exhibits- Public Comment (no written comment received)**

**II. 9-25-3: CONDITIONAL USE PERMIT STANDARDS FOR EVALUATION:**

*Italics indicate code citations.*

▶ **FINDINGS** are bolded

Required conditions of approval are on page 5

A. *Review: The commission or the board shall review the particular facts and circumstances of each proposed conditional use in the terms of the following standards and shall find adequate evidence showing that such use at the proposed location:*

1. *Will, in fact, constitute a conditional use as established for the zoning district involved;*
  - ▶ **FINDING: Compliance.** In 2017 *Recreational vehicle parks on parcels of two (2) acres or more in size* was added as a conditional use to the R-.4 zoning district through the Text Amendment process.
2. *Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and/or this title;*
  - ▶ **FINDING: Compliance.** This CUP application is directly supported by the Blaine County Comprehensive Plan. Chart 5 in Chapter 3 - Recreation of the plan demonstrates that twenty-one percent (21%) of the 975 respondents of a survey rated the need for "RV Camping Site/Paid Camping" as "highest need" or "high need." Bullet point number four lists "additional camping opportunities" as a recreational challenge on page 17 of Chapter 3. Finally, desired outcome C-6 in the Recreation chapter reads, "Support additional visitor camping facilities, including showers and restrooms, near valley population centers." This desired outcome falls under the "Recreational Asset Needs" heading.
3. *Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;*
  - ▶ **FINDING: Compliance.** The existing RV Park is a legally, nonconforming existing use. Legal because it existed prior to the zoning code and nonconforming because it has not received a conditional use permit. In fact, until 2017, RV Parks were not even a conditional use in the R-.4 zoning district. Then in 2017 *Recreational vehicle parks on parcels of two (2) acres or more in size* was added through the Text Amendment process to the R-.4 zoning district. Expansion of the park is not approved with this application.
4. *Will not be hazardous or disturbing to existing or future neighboring uses;*
  - ▶ **FINDING: COMPLIANCE.** No hazards are anticipated.

Idaho Department of Environmental Quality has provided comment (see Exhibit B-3, received April 8, 2019). Additional review is required if the park is expanded in the future. Only the existing RV Park is approved with this CUP application.

The County Engineers Comments are Exhibit B-1. Tom Ancona of Ketchum Rural Fire District has provided comment in Exhibit B-4. See conditions of approval, condition #3.

5. *Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;*

▶ **FINDING: Conditional Compliance.** The County Engineer recommends a condition regarding storm water runoff. See condition of approval #4.

Fire protection is addressed above, under standard #4.

6. *Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;*

▶ **FINDING: Conditional Compliance.** No excessive additional requirements at public cost for public facilities and services are anticipated.

7. *Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, dust, odors, vibration, water pollution or safety hazards. Water pollution includes impact to surface and ground water and potable water sources. When the proposed use involves a potential contaminant source or potential contaminant as set forth in appendix A of this title, on file in the county, and is located within a wellhead protection area, the commission shall consider the impact of the project on potable water sources and determine whether there is sufficient information in the record to demonstrate that the project has been designed to mitigate adverse impact to potable water source(s);*

**FINDING Conditional Compliance.** Regarding traffic, the existing park only has been approved and traffic is not a concern, as the Co Engineer indicates that with a 21-space expansion, traffic is accommodated.

Regarding water pollution and safety hazards in a wellhead protection area, IDEQ's full review was indicated only if the park expands. The Will-serve letter from Mid-Valley Sewer Company, LLC, Exhibit B-2, is sufficient for the existing park.

8. *Will have vehicular approaches to the property which shall be designed as not to create an interference with traffic on surrounding public thoroughfares;*

▶ **FINDING Conditional Compliance.** See County Engineer comments and recommended conditions in Exhibit B-1. See condition #4.

9. *Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance; and*

▶ **FINDING: No loss or damage to natural or scenic features are anticipated.**

10. *If the applicant or landowner with respect to an application for a conditional use permit under this chapter is the state of Idaho, or any agency, board, department, institution, or district thereof. . .*

▶ **FINDING: Not applicable.** The applicant is not the state of Idaho, or any agency, board, department, institution, or district thereof.

**III. Decision and Conditions**

► **DECISION:** Having considered the evidence in the record, upon motion by Commissioner Hamlin, second by Commissioner Ranill, and by vote of 3 to 2 (one commission seat open and Commissioner Martin has been recused from this application), the Commission hereby **approves with conditions** this conditional use permit for the **existing Meadows RV Park** as discussed at this public hearing subject to the following conditions.

The majority voted to approve the existing RV Park due to a lack of details in the application to fully support the 21-space expansion. The dissenting voters favored an approval for the existing RV Park and the proposed 21-space expansion with a condition that the P&Z approve a more detailed expansion plan prior to construction.

**Required Conditions:**

1. The applicants shall comply with all applicable local, state and federal regulations.
2. Storm water runoff from site development shall be contained onsite and not adversely impact adjacent properties and public rights-of-way.
3. Fire District Conditions: The project shall meet all 2012 International Fire and Building Codes and guidelines set forth in NFPA 1149 in addition to the applicable conditions listed in Exhibit B-4, Ketchum Rural Fire District letter dated April 10, 2019.
4. Existing approaches shall obtain appropriate encroachment/approach permitting from the Blaine County Road & Bridge Department.
5. Pursuant to Idaho Code 39-4201(2) and 2015 International Building Code, section 108.1, recreational vehicles shall be allowed on a temporary (180 days) basis only. After 180 days, the recreational vehicle shall be removed from the recreational vehicle park.
6. The property owner shall bring the existing berm into compliance with §9-21A, Scenic Highway Overlay District.

Applicant or any aggrieved person has the right to appeal this decision to the Blaine County Board of Commissioners pursuant to Blaine County Code 9-32-4 by filing a notice of appeal in accordance with that section within twenty (20) days of the date of this order and decision.

IT IS SO ORDERED.

DATED this 23 day of MAY, 2019

BLAINE COUNTY PLANNING AND ZONING COMMISSION

By:   
Mark Pynn, Vice-Chairman

**CERTIFICATE OF MAILING**

The undersigned person hereby certifies that on the 29<sup>th</sup> day of May, 2019, she served a true and correct copy of the foregoing document by depositing the same in the U.S. Mail addressed as follows or by service otherwise as noted:

Benchmark Associates  
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PCP Meadows Land LLC  
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Land Use Services Staff