

**BLAINE COUNTY PLANNING AND ZONING COMMISSION**  
**Public Hearing Date: September 9, 2021**

<b>REGARDING THE APPLICATION OF:</b> PCP Meadows Park LLC for a conditional use permit for an expansion of the existing RV park, located at 12 Broadway Run.	Staff Report Kathy Grotto Date: September 2, 2021
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**Requested Action:** Public hearing and consideration of an application by PCP Meadows Park LLC for a modified conditional use permit, allowing for a 15-space expansion of the Meadows RV Park, located at 12 Broadway Run. Also requested is the deletion of an existing condition related to the removal of RVs after 180 days. The 6.34 acre property is zoned Medium Density Residential District (R-.4), is within the Community Housing Overlay District (CHO) and Wellhead Protection area. A portion of the property is within the Scenic Highway Overlay District (though the project area is not).

**Applicable Regulations:** Blaine County Zoning Ordinance Chapters 1, 2, 3, 11, 25, 35  
Blaine County Comprehensive Plan.

**Representative(s):** Benchmark Associates

**Summary/Background**

In 2019, the Commission approved a CUP for the existing Meadows RV Park, containing 45 RV spaces and an office/amenity building (bathroom, shower/laundry). Proposed at that time, but not approved due to lack of detail in the plans, was the addition of 21 new spaces. The current proposal requests 15 new spaces instead of 21, with each space “appropriately sized for modern recreational vehicles.” See Exhibit A-5, Site Plan.

In the 2019 approval, the following condition was placed on the CUP (although with two dissenting votes out of five voting Commissioners):

- 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.**

The applicant requests that this condition be deleted from their CUP.

The applicant’s Statement of Compliance with Current Conditions is found in Exhibit A-8.

Additionally, the applicants have noted the desire to place some “micro-units, cabins, tiny homes, park models, etc.” on some of the existing RV spaces. See Exhibit A-3, “Additional Narrative” and staff comments under Standard A-1 below (page 3).

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

1. **Notice:** Public notice for this September 9, 2021, Public Hearing was as follows:
  - a) Legal notice was published in the Idaho Mountain Express on August 25, 2021,
  - b) Notice was mailed on August 24, 2021 to surrounding landowners within 300' of the exterior boundary of the property.
  - c) Mailed on August 23, 2021 to all Blaine County political subdivisions.
  - d) Mailed on September 2, 2021 to public water system owners.
  - e) An on-site notice was posted by September 2, 2021, at least 7 days prior to hearing as evidenced by the affidavit in file.
  - f) The application materials were posted on the Blaine County website on August 19, 2021.
- ▶ **Motion:** Upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by a vote of \_\_\_\_ to \_\_\_\_\_, the Commission finds notice to be adequate and in compliance with I.C. § 67-6512 and § 9-21 of the Blaine Co. Code.
2. **Disclosures:** (i.e. conflicts of interest, site visits or *ex parte* communications)?  
*Ex parte* contacts involve a decision-maker's receipt of any information pertaining to an open application on a quasi-judicial matter. (ie: emails, phone calls, conversations) The undisclosed receipt and consideration of *ex parte* information denies interested persons their right to review and respond to this off the record information, resulting in a due process violation and more generally, an unfair process.
3. **Exhibits:** The following Exhibits are attached hereto and were received at Blaine County Land Use and Building Services on July 29, 2021 unless otherwise noted:

### A Exhibits- Applicant Submittals

- A-1. Completed CUP Application Form
- A-2. Applicant Response to Standards of Evaluation
- A-3. Additional Narrative
- A-4. Vicinity Map
- A-5. Parking Stall Layout/site plan - revised - received 8-9-21
- A-6. Proposed landscaping plan
- A-7. Park policies and pet rules
- A-8. Memo - Compliance with current conditions - receive 8-4-21

### B Exhibits- Agency

- B-1: Will-serve letter from Mid-Valley Sewer Company and Mid-Valley Water Company - received 7-29-21
- B-2: North County Fire District (Sun Valley Fire Department) - received 8-10-21
- B-3: Mountain Rides - received 8-12-21

### C Exhibits- Blaine County Supplements

- C-1: Findings of Fact and Decision from 2019 RV Park approval
- C-2: County Building Official comments

## D Exhibits- Public Comment

None received as of the date of this report.

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

*Italics indicate code citations.*

Applicant responses are found in full in Exhibit A-1.

► **Staff comments are bolded**

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;*

► **Staff comment:** 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.

This is the County’s definition:

**RECREATIONAL VEHICLE PARK:** Any tract of land - and appurtenant roadways, buildings, structures or enclosures used or intended for use as part of the park facilities - having as their primary purpose the renting of space and related facilities for a charge or fee for parking two (2) or more self-contained recreational vehicles and park trailers as defined by Idaho Code section 39-4201.

Additional RV spaces would clearly fall under the definition for the RV Park. “Park models,” as noted in the applicant’s “Additional Narrative” Exhibit A-3, are defined as recreational vehicles under IC 39-4201. Thus any Park Models placed in an RV space would also fall under the definition.

Other types of structures, e.g. cabins or modular “micro-units”, which are not built as RVs or to meet RV standards would be required to obtain a building permit. The Commission may wish to consider placing a cap on the number of these non-RV units that may be allowed in the RV park as “appurtenant” structures, so that the “primary purpose” remains “the renting of space...for recreational vehicles...” (See possible new condition #7.)

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;*

► **Staff comment:** The Commission’s finding for the original CUP was:

**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.

The park does provide showers and restrooms, as well as a laundry facility shared with the adjacent Mobile Home Park.

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;*
- **Staff comment:** The existing RV Park has 45 spaces. The proposal for 15 additional spaces would increase the park by 33%. The additional spaces would be in one additional row, to the west of the existing westernmost access drive. The spaces are situated farther apart than the existing spaces and at an angle. Otherwise the addition will be very similar to the existing park. A row of landscaping (trees and shrubs, at existing grade) is proposed along the western edge of the proposed spaces as some of the existing landscaping will be removed. As such the appearance will be similar to its current appearance from the highway and Broadway Run. See landscape plan, Exhibit A-6.

With regard to operations, this is the condition the applicant wishes to remove from their CUP:

“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.”

Below is Idaho Code 39-4201:

**DEFINITIONS. As used in this chapter:**

**(1) "Park model recreational vehicle" means a vehicle as defined in section 49-117, Idaho Code.**

**(2) "Recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The entities are: travel trailer, camping trailer, truck camper, fifth-wheel trailer, park model recreational vehicle and motor home."**

Any of the units described in Idaho Code 39-401 are recreational vehicles and are not structures that would fall under the purview of the Building Department, and are not subject to the International Building Code.

See also the Building Official's memo, Exhibit C-2. He concurs that the Building Code does not govern recreational vehicles. His related recommendations are listed as bullets. One has to do

with limited rental time; however, the applicant has stated their desire to remove any time limits from their conditions of approval, citing the need for “flexibility necessary to meet both the changing RV market and to provide short and medium term solutions to our on-going worker housing crisis.” (Additional Narrative, Exhibit A-3.)

4. *Will not be hazardous or disturbing to existing or future neighboring uses;*

- ▶ **Staff Comment:** Significant increase in hazards are not foreseen with the expansion of use. Some increase in potential disturbances to neighbors to the south (Cold Springs Subdivision) may occur with the increase in number of RVs. Proposed space #60 is 14 feet away from the southern property line, as compared to approximately 40 feet for existing spaces 24 and 25.

The County has no records of any complaints regarding the existing RV Park. It has existed in this location since at least the 1970's.

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;*

- ▶ **Staff Comment:** In 2019, the County Engineer noted that the proposed 21 additional spaces would add up to 105 daily vehicular trips, and that “Traffic counts conducted by the Blaine County Road & Bridge Department on Broadway Run indicate Broadway Run has available capacity for these additional trips.” For 15 spaces currently proposed, this would equate to 75 trips instead of 105.

In 2019, the Fire District made comments. These are attached as part of the applicant's review of compliance with current conditions, Exhibit A-8. New Fire District comments are Exhibit B-2.

Water and sewer service is to be provided by Mid-Valley Sewer Company (Meadows treatment plant) and Mid-Valley Water Company. See Exhibit B-1 for will-serve letter.

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;*

- ▶ **Staff Comment:** No excessive additional requirements at public cost for public facilities and services are anticipated. As a needed recreational facility, the proposal is anticipated to be beneficial to the economy.

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);*

- ▶ **Staff comment:** With regard to traffic, in 2019, the County Engineer noted that the proposed 21 additional spaces would add up to 105 daily vehicular trips, and that “Traffic counts conducted by the Blaine County Road & Bridge Department on Broadway Run indicate Broadway Run has available capacity for these additional trips.” For 15 spaces currently proposed, this would equate to 75 trips.

**The property is located within the wellhead protection area of several public water systems. With hookups to the Meadows treatment plant, no water pollution hazards are foreseen.**

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

- ▶ **Staff comment:** No additional approaches are proposed. (Copy of the approved County Approach & Encroachment Permit is included in Exhibit A-8)

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

- ▶ **Staff comment:** 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. . .*

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

### III. Decision Options and Possible Conditions

▶ **Motion:** I move to approve (or) deny this application by PCP Meadows Park LLC for an expanded and modified conditional use permit for the Meadows RV Park as discussed at this public hearing, finding the application complies (or) does not comply with the applicable criteria of Title 9, Chapter 25, subject to the following conditions.

Required Conditions from 2019 - to be carried over except where noted:

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 continue to meet all ~~2012 International Fire and Building Codes and guidelines set forth in NFPA 1149~~ in addition to the applicable conditions listed in Ketchum Rural Fire District letter dated April 10, 2019 and North County Fire District comment of August 10, 2021.
4. ~~Existing approaches shall obtain appropriate encroachment/approach permitting from the Blaine County Road & Bridge Department.~~ This condition has been met.
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. (The applicant requests that this condition be deleted. The Commission may delete or modify this condition based on Commission deliberation. If retained in any form, the condition should not reference the International Building Code as the code does not regulate RV's - including Park Models. As such, staff does not recommend the requirement to remove after 180 days. Limiting the occupancy of any RV to a certain time period is an option; however, the applicant requests no occupancy time-limit.)
6. ~~The property owner shall bring the existing berm into compliance with S9-21A, Scenic Highway Overlay District.~~ This condition has been met.

Recommended new condition:

7. Not more than \_\_\_ non-RV units shall be allowed in the RV park as “appurtenant” structures. These structures shall be subject to the Building Code.