

**SANDPOINT PLANNING COMMISSION MEETING  
5:30 P.M. CITY HALL COUNCIL CHAMBERS  
MINUTES OF AUGUST 7, 2012**

**COMMISSION MEMBERS PRESENT:** Tom Russell, Cate Huisman, Scott Wohlschlager, Kathleen Hyde-Bordenave, Deb Fragoso, Collin Beggs

**COMMISSION MEMBERS ABSENT:** Yuri Simon

**STAFF MEMBERS PRESENT:** Acting City Attorney Will Herrington, Senior Planner Joan Bramblee, Planning Assistant Melissa Bethel

Chairman Huisman called the meeting to order at 5:30 p.m.

**Matters from the Public:** None

**Approval of Minutes:**

Commissioner Hyde-Bordenave moved and Commissioner Russell second to approve the minutes of June 19, 2012. **Motion passes unanimously.**

**Approval of Decision:**

Commissioner Hyde-Bordenave moved and Chairman Huisman second to approve the written decision for the Sandpoint Swap Meet CUP12-002. **Motion passes 4-0 with Russell and Fragoso abstaining.**

**PUBLIC HEARING:**

**CUP79-01** – A request by **Bruce Lines** to amend an existing Conditional Use Permit for property currently zoned Residential Multi-Family (RM). As approved, the Permit allows the operation of a 6-space mobile home park. The amendment would also allow use of the spaces by either RV trailers or motor homes. The approximate 0.514-acre site is located at the southeast corner of Church Street and Division Avenue and is described as Lots 12 -17, Block 48, West End Addition.

**Staff Report:**

Bramblee gave a brief history of the property and advised the original Conditional Use Permit for the trailer park dates back to 1979. Bramblee stated the applicant is requesting the existing spaces be allowed for travel trailers and RV's. She stated staff recommended conditions include screening of the site and widening parking spaces by one foot to bring the existing spaces up to code. Bramblee stated the Public Works Department is requiring sidewalks and curb ramp along Church Street.

Commissioner Beggs inquired how the Planning Commission reviews this application in relationship to the Comprehensive Plan. Bramblee stated some of the relevant goals and policy to consider listed in the staff report.

Bramblee stated the site is currently zoned Residential Multi-family (RM) and under that zoning the site could be allowed up to eleven units with a CUP.

Chairman Huisman clarified the CUP goes with the property. Bramblee stated previous CUP's have had conditions which stipulate review dates.

Commissioner Wohlschlager inquired how water and sewer would work for motorhomes and RVs. Bramblee stated the spaces have individual connections however, some adaptation might be needed for the motor homes and RV.

Chairman Huisman inquired why the staff report addresses signage and is signage an issue to address. Bramblee clarified signage is addressed in all staff reports and gave a brief overview of sign requirements.

Commissioner Russell inquired if trailer parks are allowed in the Multi Family zone. Bramblee stated the zone does not specifically address trailer parks, however there is language in the code which discusses single wide trailers only being allowed in the two currently recognized parks, which this is one. Commissioner Russell clarified if someone wanted to develop a trailer park in the multi family zone, the zone does not specifically allow for them. Bramblee stated there is no mechanism for creating a park at this time.

Commissioner Fragoso sought clarification on why the staff report includes information on bathrooms, and several outbuilding locations for this site. Bramblee stated the original zoning for trailer parks inferred showers, bathrooms and out buildings be included; however the application was for 6 fully contained trailers. The applicant was not required to develop those structures.

**Applicant Presentation:**

Mr. Bruce Lines, applicant read his application narrative for the Commission and the public in the audience.

Lines stated his application was prompted by a call from a person who lived in Montana and wanted to park an RV in the park to sleep in 2 to 3 nights a week while she trained for swimming. Lines stated times have changed since he put in the park and more people are making RVs their permanent homes.

Commissioner Beggs inquired how this application falls into the Comprehensive Plan. Mr. Lines stated he does not know but staff and the City officials are more familiar with the Plan than he.

Commissioner Hyde-Bordenave clarified the applicant is requesting all six spaces be allowed to have motor homes and RVs. Mr. Lines stated people use motor homes and RVs as their permanent residence for many reasons such as traveling to different job sites.

Commissioner Wohlschlager inquired how the space rental would be managed. Lines stated his space rental lease and setup would be exactly the same as it is for the singlewides. Lines explained he ensures the landscaping and plowing are maintained. Lines stated he is not interested in renting space for one week only. He stated his goal is to provide housing with stability.

Commissioner Fragoso clarified this application is for the full park. Lines stated the application would apply to the whole park which is only six spaces. He added he does not have signage.

Chairman Huisman inquired if the applicant is amendable to the staff recommended conditions. Lines expressed concern that if the cost of putting in the sidewalk is higher than just selling the park, or purchasing a trailer to rent, then the CUP application is no longer viable.

Commissioner Hyde-Bordenave sought clarity on the existing parking spaces. Lines stated he has a 20 foot paved access with 8 foot wide area on both sides for parallel parking. He added most tenants only have one vehicle. Bramblee stated the Commission can determine the widening is unnecessary.

Commissioner Fragoso inquired what the maximum lease time would be for a space. Lines stated he would lease the spaces for a minimum of four month and the maximum potential of a yearly lease. Lines stated he has a comprehensive lease which covers numerous issues including skirting.

Herrington stated the Commission should remember the CUP goes with the land and another owner may inherit the CUP. Herrington questioned what would prevent an older Winnebago from being leased a space and living in it for years. Lines stated he supplied pictures with the application of what types of RVs and motor homes would be permitted. Herrington advised the types of RVs and motor homes supplied with the application would need to be added as a condition to keep the worst case scenario from happening.

The Commission clarified and discussed a review of the application could be conditioned.

### **Chairman Huisman opened the public hearing**

#### **Public Comment:**

Abby Chavez, 1334 Church Street. Mrs. Chavez read a prepared statement in opposition of the applicant. Ms. Chavez concerns related to: The lowering of property values, allowing a more transient lifestyle, proximity to three schools, increased noise and fuel fume levels and the potential increase in trash.

Mrs. Chavez stated if the application is approved, she would like a condition be placed where the application is reviewed in two years and neighbors notified so they have a chance to comment.

Commissioner Hyde-Bordenave questioned Mrs. Chavez's fear other properties in the neighborhood could become trailer parks, and the potential of increased trash. Mrs. Chavez stated these are her personal opinions based on 16 years of observations. Mrs. Chavez stated there has been occasion where problematic tenants were allowed to rent space.

**Rebuttal:**

Commissioner Fragoso inquired how problematic situations with tenants will be handled. Lines stated the situation Ms. Chavez addressed was due to a squatter, and they were subsequently evicted.

Herrington stated evictions procedures and times are different for mobile homes than apartments.

**Chairman Huisman closed the public hearing**

**Discussion:**

Chairman Huisman stated she would like a straw poll to see where the Commission was leaning in order to address whether there is even a need to discuss potential conditions.

Straw Poll to approve or deny the application:

Commissioner Russell: Deny

Commissioner Wohlschlager: undecided

Commissioner Hyde-Bordenave: Approve with conditions

Chairman Huisman: Approve with conditions

Commissioner Fragoso: undecided

Commissioner Beggs Deny

Commissioner Beggs stated the application is not consistent with the Sandpoint Comprehensive Plan. He cited Chapter 3-Community Design, Goal CD-1 “Retain Sandpoint’s position in image of a historic town community design. Goal CD-3 “Make higher density areas dynamic, attractive and desirable places to live and operate businesses.” Commissioner Huisman questioned if Commissioner Beggs feels this application would not be desirable, dynamic and attractive. Commissioner Beggs stated he does not feel the application is desirable for economic growth. Commissioner Beggs cited Goal H-2, Existing Neighborhoods, “protect and enhance the charm and comfort of Sandpoint’s existing neighborhoods” and stated he feels the application does not meet this goal.

Commissioner Beggs stated he also does not see the transient nature of the tenants fitting in with the Plan. He added he does not see a basis for economic argument based on the fact the applicant is not a Sandpoint citizen. Commissioner Beggs stated the applicant does not reside in Sandpoint, is not impacted by the request he is making and it is a very different situation when you live next door verses out of state or across the Bridge. Commissioner Beggs stated he feels the Comprehensive Plan is very clear about its goals and setting precedent for the next 20 years.

Commissioner Russell stated he agrees with Commissioner Beggs interpretation of the Comprehensive Plan. He added an RV is crossing a line between a more permanent housing type to a transient type of housing and does not think it is an appropriate use for a residential neighborhood, and there are RV parks where they can reside for a temporary basis.

Commissioner Hyde-Bordenave stated her understanding is the Comprehensive Plan is a guideline and not carved in stone. She stated there has been discussion about retaining image of neighborhood and the neighborhood [trailer park] in question has been there 33

years. Commissioner Hyde-Bordenave stated the pieces from the Comprehensive Plan which have been quoted seem more applicable to new development. She stated the economic growth is either what has been existing for 33 years, or an apartment building. Commissioner Hyde-Bordenave stated the existing neighborhood is established and this application is not coming in as new development. She stated in 2004 when the ITD right of way was to be paved it was for RV parking. Commissioner Hyde-Bordenave stated the baby boomers are in its prime and it is important Sandpoint has a place for people to live, shop, eat and play. She questioned the word transient and whether it would even apply to this situation. She stated the word should be seasonal. She stated she would hate to label college students and interns as transient. Commissioner Hyde-Bordenave stated the existing property is very well maintained and is in favor of granting the CUP with a review in two years. She stated the fact the owner lives in Sagle is unfounded because it is still Bonner County.

Chairman Huisman stated her arguments are similar to Commission Hyde-Bordenave and sees this is an established neighborhood and would maintain the nature which provides housing for people with modest incomes which she supports. Chairman Huisman stated there are a lot of people which live in Sandpoint for 4 to 12 months. She stated if standards are applied to the type of RV and Motor home and if a review is required then there is a real benefit to the citizens.

Commissioner Wohlschlager stated he is still concerned about the lack of an economic argument. Commissioner Wohlschlager stated he would have like to see a copy of the lease agreement with the application. He questioned if the applicant is not willing to make the sidewalk improvements then how would he maintain and enforce the types of skirting and RV's that may rent space. Chairman Huisman clarified Commissioner Wohlschlager is arguing the application does not open up housing opportunities for lower income people, because the types of RV's/Motor homes would be higher end. In addition, if the owner can not generate enough income to facilitate the infrastructure improvements required in the conditions, then the application may not be economically viable.

Commissioner Russell stated this CUP is a non conforming use in this zone and with the approval of the amendment; the use would become even more non conforming. Bramblee stated when the permit was first approved there was a list of uses considered a CUP for all zones. She stated this is not longer the case. Chairman Huisman clarified trailers parks are no longer an allowed use in the Multi-family zone. Bramblee stated this park is specifically been recognized as a trailer park. She added the Commission has not looked at the trailer park zone yet to set out a mechanism for creation of a new park.

Commissioner Fragoso stated she is probably leaning towards denying the request. She stated she appreciates the applicant and his compassion for the elderly individuals and other people in his park, and would hope the viability of the park will continue. However, if all the single wide trailers went away and the park became strictly a RV park, the Comprehensive Plan does not support the use in this zone.

Bramblee stated the Comprehensive Plan does encourage diversity of housing types, and discusses blending mixed densities. She cited, Housing Variety, Policy A from the

Comprehensive Plan. She added the properties to the west are zoned Commercial, Professional Office not residential.

Herrington cautioned the Commission against making any part of the decision based on the applicant's place of residence.

Commissioner Beggs stated the broader vision is the City looking at Division Street and the vision for the CA-3B zone.

The Commission discussed the logistics of the RV lifestyle issues with weather, and conformity to a residential neighborhood.

**Motion:**

Commissioner Russell moved and Commissioner Beggs second the Sandpoint Planning Commission, after consideration of the criteria and relevant standards of *Idaho Code* and *Sandpoint City Code*, **DENY** the request by **Bruce Lines** to amend an existing Conditional Use Permit for a 6-space mobile home park in the Residential Multi-Family (RM) zone to also allow use of the spaces by either RV trailers or motor homes. The approximate 0.514-acre site is located at the southeast corner of Church Street and Division Avenue and is described as Lots 12 -17, Block 48, West End Addition.

Based on evidence, records, and testimony, the reasons for denying this request are:

1. Staff has followed the notice procedures applicable to Conditional Use Permits contained in *Idaho Code* 67-6512 and *Sandpoint City Code* Title 9, Chapter 9.
2. Based on information presented at the hearing and the placement of limitations through conditions, the application is not in compliance with the nine criteria for Conditional Use Permits as outlined in *Sandpoint City Code* §9-9-6 A(3H).
3. The requested application is not consistent with the overall planning goals and objectives outlined in the Sandpoint Comprehensive Plan.

Roll Call Vote:

Commissioner Russell: Yes

Commissioner Wohlschlager: Yes

Commissioner Hyde-Bordenave: No

Commissioner Beggs: Yes

Commissioner Fragoso: Yes

Chairman Huisman: No

**Motion passes 4-2 to Deny the Conditional Use Permit.**

**D. MATTERS FROM THE COMMISSION/STAFF:**

**ADJOURNMENT:**

The meeting adjourned at 7:18 p.m.

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/s/  
Chairman Huisman