



BEFORE THE BOARD OF ADA COUNTY COMMISSIONERS

In re:

Application of Idaho Power Company

Project No. 201400202 ZC-DA-CU-MSP-FP-HD

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

If any of these Findings of Fact are deemed Conclusions of Law, they are incorporated into the Conclusions of Law section.

A. The Board finds that the record is comprised of:

1. Exhibit 1 to the Staff Report.
2. Exhibit A to the Findings of Fact, Conclusions of Law and Order.
3. All other information contained in Ada County Development Services File for Project No. 201400202 ZC-DA-CU-MSP-FP-HD.

B. As to procedural items, the Board finds the following:

1. In accordance with Section(s) 8-6-3A/8-7-3A2/8-7-4A1 of the Ada County Code, the applicant completed a pre-application conference with the director prior to the submittal of the application on November 7, 2013.
2. In accordance with Section 8-7A-3 of the Ada County Code, the applicant held a neighborhood meeting on January 22, 2014.
3. On February 7, 2014, Development Services accepted Project #201400202 ZC-DA-CU-MSP-FP-HD, and scheduled it for public hearing before the Ada County Planning and Zoning Commission on April 10, 2014.
4. On February 18, 2014, staff notified other agencies of this application and solicited their comments. Any comments received were incorporated into the staff report and are attached as Exhibit 1.
5. On February 20, 2014, property owners within 1,000 feet of the site were notified of the hearing by mail. Legal notice of the Commission's hearing was published in The Idaho Statesman on March 25, 2014.
6. On February 13, 2014, the Commission voted to recommend approval of this application to the Board of Ada County Commissioners.

7. On March 28, 2014, staff notified other agencies of this application and solicited their comments. Any comments received were incorporated into the staff report and are attached as exhibits.
 8. On April 9, 2014, property owners within 300 feet of the site were notified of the hearing by mail. Legal notice of the Board's hearing was published in The Idaho Statesman on April 22, 2014. Notices of the public hearing were posted on the property on April 16, 2014 and a certification sign posting was submitted to the director on April 21, 2014.
- C. As to the project description, the Board finds based on the application materials found in the file for Project No. 201400202 ZC-DA-CU-MSP-FP-HD, the following:
1. PROPOSED USES: Recreational facilities such as a boat ramp, camping and improvements to the existing park.
 2. PROPOSED STRUCTURES: Picnic shelter and vault toilets.
 3. PROPOSED SITE IMPROVEMENTS: Enhancing two existing boat ramps, twenty camping areas with fire rings, expand the existing parking lot and identify parking stalls and bus parking along with ADA parking stalls, ADA pathways, vault toilets, and picnic shelter. Boulders and fencing will be installed to delineate the parking area. Two culverts will be cleaned out and the pilot channel will be excavated to reestablish flow through the culverts. Delineate preferred access roads and reclaim the non-preferred roads as part of the Wildlife Habitat Protection and Enhancement Plan. Pathways will be established in the existing park.
- D. Based on the materials found in the file for Project No. 201400202 ZC-DA-CU-MSP-FP-HD, the Board finds the following concerning the project description:
1. PARCEL NUMBER AND LOCATION: Parcel Numbers S3107320000, S3118130000, S3118311000, and S3212130000. The property is located at the terminus of S. Swan Falls Road.
 2. OWNERSHIP: The property is owned by Idaho Power Company.
 3. SITE CHARACTERISTICS
Property size: 640.06 acres.
Existing structures: There is a historical house, restrooms, buildings for the hydroelectric facility and five residences for the employees of the hydroelectric facility (approved under project #91-22-CU).
Existing vegetation: Grassland, Shrubland and Desertic Shrubland are the main vegetation on the property.
Slope: Slopes range from less than 8% to greater than 25%.
Irrigation: There is an irrigation well on site.
Drainage: Will be retained on site.
Views: Open views.
Other Opportunities and/or Constraints: The property is within the Hillside Overlay, Floodplain Overlay and the WUFI Overlay and the Snake River Birds of Prey National Conservation Area.
- E. Based on the officially adopted Ada County land use maps, the Board finds the following concerning the current land use and zoning:

The property is currently zoned Rural Preservation (RP) District. There is a hydroelectric facility with a park and five residences for the employees.

- F. Based on the officially adopted Ada County land use maps, the Board finds the following concerning the surrounding land use and zoning:

North: The property to the north is within the Rural Preservation (RP) District and is vacant land.

South: The Snake River is to the south of the property. There is one property that is within the Rural Preservation (RP) District and is vacant land.

East: The property to the north is within the Rural Preservation (RP) District and is vacant land.

West: The property to the north is within the Rural Preservation (RP) District and is vacant land.

- G. Based on the officially adopted Ada County land use maps and materials found in the file for Project No. 201400202 ZC-DA-CU-MSP-FP-HD, the Board finds the following concerning services:

Access Street and Designation: The property has access from S. Swan Falls Road which is designated as a Collector Road by ACHD to the top of the hill. ACHD maintains the road to the turnaround at the top of Swan Falls Road. Idaho Power maintains the grade and BLM maintains the dirt road downstream of the dam.

Fire Protection: The property is not within a Fire District.

Sewage Disposal: Individual Septic.

Water Service: Individual Well.

Irrigation District: Not within the jurisdiction boundaries of an Irrigation District. There is an Irrigation Well on site.

Drainage District: Not within the jurisdiction boundaries of a Drainage District.

- H. As to the applicable law, the Board finds the following:

This section details the comp plan goals, objectives and policies; the zoning ordinance regulations; and other applicable standards regarding development of the subject property.

1. The Board finds that the applicable **comprehensive plan** is the Ada County Comprehensive Plan as the subject property is located outside of an Area of City Impact. The Board finds the application complies with the Ada County Comprehensive Plan because of the following

Goal 9.2: Support public recreation opportunities by acquiring and developing new parks and recreation areas, land or facilities consistent with identified community goals and priorities.

Policy 9.2-4: Coordinate park and recreation planning with Boise, Canyon and Elmore Counties, cities in Ada County, state and federal agencies such as the BLM, US Forest Service and the Idaho Department of Parks and Recreation (IDPR) and other nongovernmental organizations.

Goal 9.5: To increase access to, safety on and enjoyment of County Waterways through education about safety, rules and laws, and by providing additional facilities and services.

Policy 9.51: Continue to maintain and improve boating facilities throughout Ada County, such as parking, launch ramps, and restrooms.

Policy 9.5-2: Provide accessible recreation opportunities for the disabled, handicapped, and other segments of the community with special needs in accordance with the Americans with Disabilities Act.

Policy 9.5-5: Encourage federal, state, and private water managers to recognize and support recreational boating and fishing on Lucky Peak, Swan Falls and the Snake and Boise rivers.

Policy 9.5-6: Create and/or expand facilities for overnight camping and day-use boater facilities associated with waterway recreation.

Goal 12.1: Support a strong, viable community identity for specific areas in Ada County.

Policy 12.1-2: Support efforts to acquire scenic public access points along the Boise River, Snake River Canyon and within the foothills.

2. The Board finds **Title 8, Chapter 2** of the Ada County Code is applicable as the proposed development is located in the unincorporated territory of Ada County, Idaho, which is divided into zoning base districts as established on the official zoning maps of the unincorporated territory of Ada County. Article 8-2A of the Ada County Code sets forth the purpose, general requirements, allowed uses, and dimensional standards for development in the rural base districts, including the RP District.

Section 8-2A-1: PURPOSE:

A. Common Purpose Statements of the Rural Preservation (RP) District and the Rural Residential (RR) District:

1. Promote the public health, safety, and welfare of the people of Ada County by encouraging the protection of prime agricultural lands; to ensure the important environmental features of the state and Ada County are protected and enhanced; and to protect fish, wildlife, and recreation resources, consistent with the purposes of the "local land use planning act", Idaho Code section 67-6501 et seq., as amended;

2. Implement the Ada County comprehensive plan goal to protect prime agricultural land and to maximize opportunities for agricultural activities and an agricultural lifestyle in areas designated as rural areas on the comprehensive plan future land use map;

3. Allow the development of agricultural industries and agriculture service establishments when such uses do not take prime agricultural land out of crop production;

4. Protect agricultural and rangeland uses and wildlife management areas from undue adverse impacts from adjacent development;

5. Permit the development of schools, churches, and other public and quasi-public uses in rural areas consistent with the applicable comprehensive plan; and

6. Direct urban density development to occur within urban base districts and the planned community base district.

B. Additional Purpose Statements:

1. Rural Preservation District: Permit the continued use of agricultural lands, rangelands, and wildlife management areas within the Boise front foothills (in areas designated as the foothills planning area in the Boise City comprehensive plan and the Ada County comprehensive plan). Limit development of hazardous areas including, but not limited to, fault lines, landslides, subsidence, shallow soils, steep slopes, unstable slopes, flooding, and seeps. Allow a limited number of uses with excessive space requirements or buffering needs on nonprime agricultural lands.

The Board finds that the application complies with ACC 8-2A because Idaho Power is protecting and enhancing fish, wildlife and recreation along the Snake River. The property is also located in the Birds of Prey conservation Area. Previously the rangeland and wildlife management areas were adversely impacted due to the unregulated camping in the area. Idaho Power is proposing to identify and manage the camping areas, place vault toilets in specific areas and update the boat ramps. They currently manage the park by the hydroelectric facility and are proposing to enhance the park with pathways and a picnic shelter. The Board finds that the application complies with the Ada County Comprehensive Plan as outlined in H1.

3. *The Board finds **Title 8, Chapter 3B** of the Ada County Code is applicable as the proposed development is located in the Wildland-Urban Fire Interface Overlay District. Article 8-3B of the Ada County Code sets forth the purpose, applicability, standards and prohibited uses for development in the Wildland-Urban Fire Interface Overlay District.*

The Board finds that the application complies with ACC 8-3B because the applicant is proposing to withdraw a portion of the property out of the Wildland-Urban Fire Interface Overlay District to allow for camping along the Snake River.

Camping is prohibited in the Wildland-Urban Fire Interface Overlay District. The proposed camping sites will be located adjacent to the Snake River. Currently the public is creating camping spaces, roads and adversely impacting the vegetation along the Snake River. Idaho Power is proposing to create regulated camping sites to allow for safer recreational opportunities and provide additional protections for wildlife habitat in the area. The campsites will be identified in specific areas with fire rings. Idaho Power will oversee the area with the employees who live on site and work with Idaho State Police and local or federal fire department for disturbances or fire. Habitat-enhancement measures will promote a more natural, stable environment that will provide improved wildlife habitat, water quality, and cultural resource protection.

Idaho Power Company's license from the Federal Energy Regulatory Commission mandates a series of recreational improvements and environmental mitigation be included in their application. Under the relicensing process, IPC proposed projects will not only provide value for local recreators who use the area, but will also promote a safer and more accessible recreation experience for residents throughout Ada County. It will also promote a more natural, stable environment that will improve wildlife habitat, water quality, and cultural resource protection. In order to achieve these recreational improvements, the portion of the property indicating campsites will need to be taken out of the Wildland-Urban Fire Interface Overlay District.

4. *The Board finds **Title 8, Chapter 3F** of the Ada County Code is applicable as the proposed development is located in the Floodplain Overlay District. Article 8-3F of the Ada County Code sets forth the purpose, applicability, standards and prohibited uses for development in the Floodplain Overlay District.*

8-3F-7: REQUIRED FINDING:

In order to approve the application, the board shall find that the proposed subdivision or development including new construction or substantial improvements, meets the standards as set forth in this article.

The Board finds that the application complies with ACC 8-3F because the applicant has submitted a No-Rise Certification. Some of the improvements extend into the floodplain and floodway. The improvements are minimal and consist of quasi open space type recreation facilities such as boat ramps and fire pit rings. The improvements are mostly upgrades to the existing facilities already located on the site.

5. *The Board finds **Title 8, Chapter 3, Article H** of the Ada County Code is applicable as this application includes improvements which will disturb the hillside in certain areas of the property. The required criteria for approval of a hillside application are set forth below in italics text, followed by the Board's findings:*

8-3H-5: REQUIRED FINDINGS:

A. The site is physically suitable for the design and siting of the proposed development. The proposed development shall result in minimum disturbance of hillside areas;

The Ada County Engineer finds that the site is physically suitable for the design and siting of the proposed development per a memo dated March 3, 2014.

B. The grading and excavation proposed in connection with the development shall not result in soil erosion, silting of lower slopes, slide damage, flooding, severe scarring, or any other geological instability or fire hazard that would adversely affect the public health, safety, and welfare;

The Ada County Engineer finds that the proposed Erosion and Sediment Control Plan adequately addresses temporary and permanent soil erosion issues associated with the proposed grading and excavation per a memo dated March 3, 2014.

C. Areas not suited for development because of soil, geology, vegetation, or hydrology limitations are designated as open space use;

The Ada County Engineer finds that no area of the subject property has been identified as not being suitable for development. Per the grading plan, all areas outside the project limits appear as if they will remain in their present state per a memo dated March 3, 2014. As conditioned all drainage shall be retained on site.

D. Disruption of existing native vegetation and wildlife habitat is minimized; and

The Ada County Engineer finds that per the grading plan and ESC plan, that disruption of existing native vegetation and wildlife habitat has been minimized per a memo dated March 3, 2014. As conditioned the applicant shall minimize soil disturbance between December 1 through April 15.

E. The proposal sets forth sufficient and adequate mitigation for the identified visual impacts beyond the normally expected impact of hillside development

The Ada County Engineer finds that after reviewing the Visual Impact report, the majority of the site improvements will occur in areas with existing ground disturbance. The improvements will replace/update dilapidated facilities and rehabilitate disturbed areas with seeding of native vegetation. The proposed improvements are consistent with the existing improvements in the area. The County Engineer concurs with the finding of the Visual Impact Report that the improvements fit the neighboring structures and will not significantly detract from the visual effects of the site per a memo dated March 3, 2014.

5. *The Board finds **Section 8-4E** is applicable because the applicant has a submitted a Master Site Plan for a campground, boat docks and expansion of the park. The Board finds that the application complies with Section 8-4E because:*

A. The master site plan complies with this title and the applicable comprehensive plan;

The Board finds that the master site plan complies with the Ada County Zoning Ordinance because it meets applicable required findings as outlined herein.

The Board finds that according to the official zoning maps adopted by Ada County, the subject property is located outside of an Area of City Impact; thus the Ada County Comprehensive plan is applicable when considering development of the site and the proposal complies with that Plan as discussed in Finding H.1;

B. The applicant has submitted a natural features analysis (subsection 8-4E-4D of this article) identifying constraints presented by such natural features, and the proposed development sufficiently addresses such features;

The Board finds that the natural features analysis that sufficiently addresses constraints for the project.

C. The proposed landscaping meets the requirements of article F of this chapter;

The Board finds that the proposed landscaping will be compatible to the existing landscape of the area and complies with ACC 8-4F, which allows for an alternate landscape plan.

D. The proposed parking and loading spaces meet the requirements of article G of this chapter;

In accord with article G of Chapter 4, of the Ada County Zoning Ordinance, the Board finds that a parking plan has been submitted. Based on the information provided in the application, there will be seventeen (17) delineated sites at the park, four (4) will be designated ADA. The large open asphalt area by the restroom will remain open and undesignated parking area. The upstream ramp will have sixteen (16) boat trailer parking spaces, one passenger vehicle parking space and a bus parking space. Two (2) ADA spaces will be provided. The downstream ramp will have eleven (11) parking spaces, two (2) will be ADA spaces. This will exceed the required number of parking spaces per Ada County Code. The applicant has proposed the use of crushed gravel as an alternative surface rather than asphalt. The County Engineer approved the alternate surface in a memo dated March 3, 2014 stating that due to the rural setting and uses proposed the surface is acceptable.

E. The proposed lighting plan meets the requirements of article H of this chapter;

The Board finds, as identified on the application checklist that no new lighting is proposed with the master site plan application, and that any new lighting will be required, by condition of approval, to comply with the requirements of Article H, of Chapter 4, of the Ada County Zoning Ordinance.

F. The proposed master site plan complies with the applicable design and dimensional standards of chapters 2 and 3 of this title;

The Board finds that the proposed master site plan complies with the applicable design and dimensional standards of Chapter 2 of the Ada County Zoning Ordinance due to the following:

The subject property is within the Rural Preservation District and includes approximately 640.06 acres;

The Board finds that the proposed master site plan complies with the applicable design and dimensional standards of Chapter 3 of the Ada County Zoning Ordinance because the applicant has submitted a Hillside and Floodplain application and a rezone to remove a portion of the property out of the WUFI Overlay District.

G. *The proposed master site plan is consistent with the APA ridge-to-rivers pathways plan; and*

The Board finds that the proposed master site plan is consistent with the Ada County Ridge-To-Rivers Pathway Plan because no pathways are identified near the location of the subject property.

H. *Adequate utilities and public services are available or provided for the proposed development, and the development would not be premature by reason of lack of utilities, transportation, schools, fire protection, or other essential services.*

The Board finds that there are adequate public services available to the site for the use because it is currently served by Idaho Power, restrooms are available and vault toilets will be added. Adequate parking is shown on the master site plan. The property is currently served by an individual well. Central District Health requires permits for any additional portable sanitation units, also the existing septic drainfield must be protected at all times.

6. *The Board finds Article 8-5B (Conditional Uses) of the Ada County Code, is applicable to this application as the proposed development is an allowed conditional use within the RP District with the rezone to remove the portion of the property that is proposing camping. Article 8-5B sets forth the purpose, applicability, process, conditional use standards, and required findings for development requiring a conditional use permit.*

The application satisfies the requirements of the Conditional Use Standards as noted in the analysis of compliance with required findings below. The applicant has submitted all of the required documentation.

Section 8-5B-5: CONDITIONAL USE REQUIRED FINDINGS:

A. *The proposed use is not detrimental to the public health, safety, or welfare;*

The Board finds that no evidence has been submitted that the proposed use will be detrimental to the public health safety or welfare. Ada County Building Official is requiring a building permit for each individual structure not exempt from a permit in section 105.2 of the 2012 edition of the International Building Code. The items that will require permits are toilet facilities, picnic shelters, retaining walls exceeding four feet in height or supporting a surcharge and sidewalks, driveways on an accessible route. No negative comments have been received from affected agencies or neighbors.

B. *The proposed use shall not create undue adverse impacts on surrounding properties;*

The Board finds no evidence of record that the proposed use has or will create undue adverse impacts on surrounding properties. The applicant is proposing to upgrade the area for camping. The area has been used by the public for unregulated camping adjacent to the Snake River.

C. *The proposed use is consistent with the applicable comprehensive plan;*

The Board finds that the proposed use is consistent with the Ada County Comprehensive Plan as outlined in H1.

D. *The proposed use complies with the purpose statement of the applicable base district and with the specific use standards as set forth in this chapter;*

The Board finds that the proposed use complies with the purpose statement of the Rural Preservation (RP) District because Idaho Power is protecting and enhancing fish, wildlife and recreation along the Snake River. The property is located in the Birds of Prey conservation Area. Previously the rangeland and wildlife management areas were

adversely impacted due to the unregulated camping in the area. Idaho Power is proposing to manage the camping areas, place vault toilets in specific areas, they also manage the park by the hydroelectric facility and are proposing to enhance the park with pathways and a picnic shelter. The Board finds that the application complies with the Ada County Comprehensive Plan as outlined in H1.

The Board finds that the proposed use complies with 8-5-3-9 for outdoor amusement facility because all structures and outdoor recreation area maintain a minimum setback to all residential districts. No outdoor speaker systems are associated with the application and the park is for day use only.

The Board finds that the proposed use complies with 8-5-3-22 for campgrounds because historically camping has been allowed on the property. Swan Falls Road is designated as a collector and section line road and terminates at the Snake River. The requirement for campgrounds to be located on an arterial road is a requirement for commercial campgrounds not primitive campgrounds. The campground proposed by Idaho Power Company is considered a primitive campground. The proposed use meets all of the minimum setbacks as required. The maximum stay at the campground is limited to fourteen (14) days.

E. The proposed use complies with all applicable county ordinances;

The Board finds that the proposed use will comply with all applicable County Ordinances. The County Engineer stated per memo dated March 3, 2014 that some of the improvements extend into the floodplain and floodway. The improvements are minimal and consist of quasi open space type recreational facilities such as boat ramps and fire pit rings. The improvements are mostly upgrades to the existing facilities already located on the site. A No-Rise Certification has been submitted. An alternative surface for the roads and parking of crushed gravel has been approved by the County Engineer in a memo dated March 3, 2014, stating that the proposed use of crushed gravel is acceptable due to the rural setting and the proposed uses.

F. The proposed use complies with all applicable state and federal regulations;

As conditioned, the proposed use will comply with all applicable State and Federal regulations.

G. The proposed use and facilities shall not impede the normal development of surrounding property; and

There is no evidence of record that the proposed use will impede the normal development of surrounding property.

H. Adequate public and private facilities such as utilities, landscaping, parking spaces, and traffic circulation measures are, or shall be, provided for the proposed use.

The Board finds that there is adequate parking including ADA Parking for the proposed use. The existing parking area is paved. The camping areas will remain gravel and the roadway improvements will include grading of existing subgrade soils and providing an aggregate finished road surface. The applicant has proposed the use of crushed gravel as an alternative surface rather than asphalt. The County Engineer approved the alternate surface in a memo dated March 3, 2014 stating that due to the rural setting and uses proposed the surface is acceptable. The applicant is proposing to revegetate the area with native shrubs and grasses.

7. *The Board finds **Title 8, Chapter 7** of the Ada County Code is applicable as this application includes a request for a zoning ordinance map amendment to remove a portion of the property from the Wildland-Urban Fire Interface Overlay District with a Development Agreement. Section 8-7-3 of the Ada County Code sets forth the process, standards, and required findings for a zoning ordinance map amendment. Article 8-7C of the Ada County Code sets forth the purpose, applicability, process, general regulations, and required finding for a development agreement. The findings for a zoning ordinance map amendment and development agreement are set forth below:*

Section 8-7-3C. Required Findings: Upon recommendation from the commission, the board shall make a full investigation and shall, at the public hearing, review the application. In order to grant a map or text amendment to the zoning ordinance, the board shall make the following findings:

- 1. The zoning ordinance amendment complies with the applicable comprehensive plan;*

The Board finds the proposed zoning ordinance amendment complies with the Ada County Comprehensive Plan as evidenced in Finding H1.

- 2. The zoning ordinance amendment complies with the regulations outlined for the proposed base district, specifically the purpose statement;*

The Board finds the proposed zoning ordinance amendment complies with the regulations outlined for the Rural Preservation (RP) District. The proposed amendment complies with the purpose statement for the RP District as the proposed development will protect and enhance fish, wildlife and recreation along the Snake River. The property is located in the Birds of Prey conservation Area. Previously the rangeland and wildlife management areas were adversely impacted due to the unregulated camping in the area. Idaho Power is proposing to manage the camping areas, place vault toilets in specific areas, upgrade boat ramps and also manage the existing park by the hydroelectric facility.

- 3. The zoning ordinance amendment shall not be materially detrimental to the public health, safety, and welfare; and*

As conditioned and as evidenced in the record, the Board finds the proposed zoning ordinance amendment will not be materially detrimental to the public health, safety, and welfare. As evidenced in the record and in the findings of fact, the area will be enhanced with clearly identified camping areas with fire rings, revegetation of impacted areas, ADA parking, picnic tables and pathways. This application was transmitted to other local, State, and Federal agencies on February 18, 2014. No evidence has been received from those agencies indicating this application is materially detrimental to the public health, safety, and welfare.

- 4. The zoning ordinance amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the planning jurisdiction including, but not limited to, school districts.*

The Board finds the proposed zoning ordinance amendment will not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the planning jurisdiction of the Ada County.

CONCLUSIONS OF LAW

If any of these Conclusions of Law are deemed to be Findings of Fact they are incorporated into the Findings of Fact section.

1. The Board concludes that Project No. 201400202 ZC-DA-CU-MSP-FP-HD complies with the Ada County Comprehensive Plan.
2. The Board concludes that Project No. 201400202 ZC-DA-CU-MSP-FP-HD complies with Section 8-2 of the Ada County Code.
3. The Board concludes that Project No. 201400202 ZC-DA-CU-MSP-FP-HD complies with Section 8-3B of the Ada County Code.
4. The Board concludes that Project No. 201400202 ZC-DA-CU-MSP-FP-HD complies with Section 8-3F of the Ada County Code.
5. The Board concludes that Project No. 201400202 ZC-DA-CU-MSP-FP-HD complies with Section 8-3H of the Ada County Code.
6. The Board concludes that Project No. 201400202 ZC-DA-CU-MSP-FP-HD complies with Section 8-4E of the Ada County Code.
7. The Board concludes that Project No. 201400202 ZC-DA-CU-MSP-FP-HD complies with Section 8-5B of the Ada County Code.
8. The Board concludes that Project No. 201400202 ZC-DA-CU-MSP-FP-HD complies with Section 8-7 of the Ada County Code.

ORDER

Based upon the Findings of Fact and Conclusions of Law contained herein, the Board approves Project #201400202 ZC-DA-CU-MSP-FP-HD, subject to the Conditions of Approval attached as Exhibit A.

DATED this _____ day of _____, 2014.

Board of Ada County Commissioners

By: _____
Commissioner

By: _____
Commissioner

By: _____
Commissioner

ATTEST:

Christopher D. Rich, Ada County Clerk

EXHIBIT A

CONDITIONS OF APPROVAL

REQUIRED ACTIONS. THE FOLLOWING LIST DETAILS THE TASKS THAT MUST BE COMPLETED BEFORE THE APPROVAL OF 201400202 ZC-DA-CU-MSP-HD-FP WILL BE CONSIDERED FINAL. THE APPLICANT AND/OR OWNER HAVE UNTIL APRIL 10, 2015 TO COMPLETE THE REQUIRED ACTIONS AND TO OBTAIN A ZONING CERTIFICATE UNLESS A TIME EXTENSION IS GRANTED. SEE SECTION 8-7-6 OF THE ADA COUNTY CODE FOR INFORMATION ON TIME EXTENSIONS. IF A BUILDING PERMIT IS REQUIRED, THE ZONING CERTIFICATE SHALL BE ISSUED WITH THE BUILDING PERMIT. THIS APPROVAL SHALL BECOME VOID IF A VALID ZONING CERTIFICATE HAS NOT BEEN ISSUED BY THAT DATE. SITE IMPROVEMENTS ARE NOT ALLOWED UNTIL THE ZONING CERTIFICATE HAS BEEN ISSUED.

1. The applicant and/or owner shall obtain written approval of the development (site plan and/or use) from the agencies noted below. All site improvements are prohibited prior to approval of these agencies.
 - a) Central District Health must approve the vault toilets.
2. If required by the Ada County Building Code as set forth in Title 7, Chapter 2, of the Ada County Code, the applicant and/or owner shall obtain a building permit prior to commencing any development. Please contact the County Building Official at 287-7900 for fee and application information. The design and construction of the development shall comply with the approved and stamped master site plan and the Ada County Code.
3. Once construction is complete, the applicant shall request a zoning compliance inspection from the Development Services Department. Staff will check for compliance with the approved master site plan. The Director must approve any modification and/or expansion to the master site plan. See Section 8-4E-3 of the Ada County Code.
4. The applicant shall schedule a final inspection with the County Engineering & Survey Division upon completion of the project.
5. At the conclusion of the approved work, the engineer or record shall submit a report to the director stating that the work has been executed in compliance with the approved plans per Section 8-3H.
6. A Certificate of Occupancy will be issued when all of the above conditions have been met. In the event conditions cannot be met by the desired date of occupancy, the owner and/or applicant may request a surety agreement in lieu of completing the improvements. See Title 8, Chapter 4, Article K of the Ada County Code for the terms and regulations of surety agreements.

TERMS OF APPROVAL. THE FOLLOWING TERMS MUST BE COMPLIED WITH AT ALL TIMES OR YOUR APPROVAL MAY BE REVOKED.

7. A zoning certificate and/or a building permit may not be issued until 15 days after the Commission issued the written decision on the proposed development. In the event the

EXHIBIT A

decision of the Commission is appealed, the building permit may not be issued until the appeal is resolved in favor of the proposed development. See Section 8-7-7 of the Ada County Code for more information on appeals.

8. All drainage shall be retained on site during construction.
9. The Director must approve any modification and/or expansion to the master site plan. See Section 8-4E-3 of the Ada County Code.
10. The use must comply with the specific use standards for outdoor amusement (8-5-3-9) and campground (8-5-3-22) of the Ada County Code.
11. The applicant must comply with Section 8-3-H concerning the requirement to minimize soil disturbance between December 1 and April 15 within the Hillside Overlay District.
12. The drainage must comply with Section 8-4A-11 of the Ada County Code.
13. The applicant must comply with Section 8-3F concerning the Floodplain Overlay District.
14. The property must be managed and maintained consistent with the standard regulations in Title 8, Chapter 4, Article A of the Ada County Code. Please note that this Article contains specific regulations regarding the accumulation of junk, atmospheric emissions, construction sites, hazardous material storage, outdoor public address systems, outdoor storage of chemicals and fertilizers, transmission line corridors, and utilities.
15. Any lighting on the site shall comply with the lighting regulations in Title 8, Chapter 4, Article H, of the Ada County Code.
16. The use must comply with the noise regulations in Ada County Code, Title 5, Chapter 13.