

**CHAPTER XX.44
RECREATION AND TOURISM FACILITIES**

| | |
|------------------|----------------------------------|
| xx.44.010 | Purpose. |
| xx.44.020 | Administration. |
| xx.44.030 | Development Standards. |
| xx.44.040 | Approval Criteria |
| xx.44.050 | Binding Site Plan. |
| xx.44.060 | Development Agreement(s). |
| xx.44.070 | Cost Recovery. |

xx.44.010 -Purpose. The purpose of this Chapter is to establish procedures to review proposed Recreation and Tourism Facilities on Natural Resource Lands in accordance with the Goals and Policies of the Pend Oreille County Comprehensive Plan.

xx.44.020 -Administration. Applications for Recreation and Tourism Facilities shall be processed as a Class 2 Permit, provided that:

- A. Permitted uses shall be consistent with the provisions of a Conditional Use Permit approved by the County and the Goals and Policies of the Comprehensive Plan. Proposed uses and developments may include, but is not limited to:
1. Bed and breakfast inns;
 2. Vacation Rentals;
 3. Guest houses;
 4. Bunk houses;
 5. Cottages;
 6. Hunting or fishing lodges;
 7. Event centers;
 8. Wineries;
 9. Breweries;
 10. Meaderies;
 11. Corrals, barns, and stables;
 12. Dude ranches; and
 13. Accessory uses and facilities such as parking lots, restrooms, and gift shops.
- C. In addition to the provisions of this Chapter, proposed Recreation and Tourism Facilities must comply with all applicable provisions of this Title, Pend Oreille County ~~Ordinances~~Development Regulations, and State and Federal Laws. This shall ~~include,~~ but include but is not limited to the Washington State Environmental Policy Act, the Washington State Growth Management Act, and the Washington State Shorelines Management Act. In addition, the County may require a binding site plan, subdivision approval, and/or a development agreement.
- D. All decisions of the Community Development Director regarding interpretations of this Chapter, including but not limited to: clarifications of the provisions for processing

Commented [GS1]: I don't think this is an appropriate method for these, the intent of a binding site plan is typically associated with condominium projects.

applications and related permits, permitted uses revisions, and/or applicable development standards, must be in writing and may be appealed in accordance with the provisions of Chapter xx.14 Processing Procedures.

- E. Project Sponsors may submit an application(s) to modify approved Recreation and Tourism Facilities. Modifications that do not substantially change the nature or level of use or that do not require a new environmental review, may be considered minor amendments and may be approved by the Community Development Director or his/her designee. Modifications that would result in a substantial change of use, substantially change the nature or level of activity, or that would require the need for additional environmental review, shall be considered a major modification and must be approved by the Planning Commission or Hearing Examiner as required by the provisions of this Title.

xx.44.030 -Development Standards. All proposed development activities must comply with the conditions of any required permits and approvals, and must comply with all applicable provisions of the Pend Oreille County Development Regulations and Ordinances unless alternative measures that meet or exceed the code requirements have been established in a Development Agreement approved by the Board of County Commissioners.

- A. Proposed Tourism and Recreation Facilities must also comply with the following standards and requirements:
 - 1. Business License. The project sponsor shall procure the appropriate business license.
 - 2. Traffic Impacts. A traffic study shall be prepared, subject to County review and approval, that identifies and mitigates, at no cost to the County, all traffic impacts associated with the proposed development. If the proposal seeks to use access via a State Highway, the traffic study shall meet the minimum requirements of the Washington State Department of Transportation.
 - 3. Sewer, Water, Electrical, and Public Services. The Project Sponsor shall provide sufficient documentation to verify, subject to County review and approval, that adequate provisions can be made to provide water, sewer and electrical power service to the site, including but not limited to sufficient water rights, and other public facilities and services including law enforcement, fire suppression, and emergency services without adversely affecting existing levels of service.
 - a. This shall include consultation with the Tri-County Health District, the local fire district, and/or the Pend Oreille County Sheriff as appropriate.
 - 4. Storm Water Management. All development activities must meet or exceed the design standards contained in the Department of Ecology Storm Water Design Manual for Eastern Washington as adopted by the County.
 - 5. Environmentally Sensitive Areas. The Project Sponsor shall, at no cost to the County, identify all environmentally sensitive areas on or near the site and shall make adequate

provisions to avoid or mitigate potential adverse impacts in accordance with the provisions of this Title, including but not limited to Chapter XX.30 Shoreline Regulations and Chapter XX.36 Environmentally Sensitive Areas.

6. Unless the proposed Tourism and Recreation Facility is located within an urban growth area, measures must be included, as necessary, to protect the rural character of the County and to preclude new urban or suburban land uses in the vicinity of the proposed Recreation and Tourism Facility.
7. Recreation and Tourism Facilities proposed for designated Natural Resource Lands must be designed, constructed, and operated in a manner that does not adversely affect the economic viability or the productivity of these lands;
8. Recreation and Tourism Facilities must be located, designed and operated so as to not interfere with, and to support the continuation of, the overall agricultural and forest management of the property and neighboring properties;
9. Recreation and Tourism Facilities shall not be located outside the area already developed for buildings and residential uses and shall not otherwise convert more than one acre of agricultural or timber land to nonagricultural or non-timber uses without completing the necessary Conversion Application to the satisfaction of the Washington Department of Natural Resources or any other effected agency.
10. Recreation and Tourism Facilities that include access to water must also submit a Water Access Management Plan in accordance with the provisions of Chapter XX.26.050.
11. Recreation and Tourism Facilities that involve overnight stays by visitors, guests, or customers must comply with the provisions of Chapter XX.70 Vacation Rentals, including but not limited to a Property Management Plan, certification of life and safety inspections, and the payment of all required fees and charges.
12. Setbacks and Buffers. All buildings and structures shall be setback from exterior property lines at least one hundred feet (100') to allow for a perimeter buffer, provided that:
 - a. The perimeter buffer shall be landscaped with natural or native vegetation and kept free of debris;
 - b. The perimeter buffer shall be designed and landscaped so that vehicles and structures are screened and/or obscured from neighboring residences, the County and State roads and/or rivers, lakes, and other water bodies;
 - c. Perimeter buffers may be reduced based on a finding that adequate provisions have been made to ensure that the site is screened and/or obscured from neighboring residences, the County and State roads and/or rivers, lakes, and other water bodies; and

- d. Buffer requirements may be increased based on a finding that the location of proposed sewer or septic systems may adversely affect neighboring properties.

xx.44.040 Approval Criteria. Applications may be approved in accordance with the provisions of Chapter XX.68 Conditional Uses, and:

A. Based on written findings that:

1. All requirements and standards have been met;
2. The proposed uses(s) and facilities have been designed, and will be constructed and operated to serve recreational and tourism users;
3. The proposed uses and facilities will not adversely affect the rural character of the County; and
4. The proposed uses and facilities will not adversely affect timber, agricultural, or mining activities designated for protection in accordance with the provisions of the County Comprehensive Plan and Development Regulations.

xx.44.050 -Binding Site Plan. Concurrent with or following the review of a proposal and the nature of the proposed activities, the County may require that a binding site plan be submitted for review and approval in accordance with the provisions of this Title.

xx.60.060 -Development Agreement(s). The County and the Project Sponsor may execute in accordance with the provisions of State law a Development Agreement(s) to implement the provisions of the approved recreation and Tourism Facility and related permits and approvals.

xx.44.070 Cost Recovery. The Project Sponsor shall be responsible for reimbursing the County for all costs associated with reviewing proposed projects under the provisions of this Chapter. This may include the execution of a written cost recovery agreement and the requirement to maintain a minimal level of funds on deposit with the County to cover costs incurred by the County.