# **Valley County Planning & Zoning Department**

219 N. Main PO Box 1350 Cascade, ID 83611 www.co.valley.id.us Phone 208-382-7115 Fax 208-382-7119



# Conditional Use Permit Application

TO BE COMPLETED BY THE PLANNING AND ZONING DEPARTMENT	☐ Check# or ☐ Cash
FILE# C.U.P. 21-2021	FEE \$ 100 (50 from STR)
ACCEPTED BY	DEPOSIT \$
CROSS REFERENCE FILE(S):	DEPOSIT \$
When an application has been submitted, it will be reviewed in order A hearing date will be scheduled only after an application has been accept	* * * * * * * * * * * * * * * * * * * *
Applicant's Signature:	Date:

### The following must be completed and submitted with the conditional use permit application:

- A <u>detailed project description</u> disclosing the purpose, strategy, and time frame of construction. Include a phasing plan if appropriate.
- A <u>plot plan</u>, drawn to scale, showing the boundaries, dimensions, area of lot, existing and proposed utilities, streets, easements, parking, setbacks, and buildings.
- A <u>landscaping plan</u>, drawn to scale, showing elements such as trees, shrubs, ground covers, and vines. Include a plant list indicating the size, quantity, location and name (both botanical and common) of all plant material to be used.
- ❖ A <u>site grading plan</u> clearly showing the existing site topography and detailing the best management practices for surface water management, siltation, sedimentation, and blowing of dirt and debris caused by grading, excavation, open cuts, side slopes, and other site preparation and development.
- **❖** A <u>lighting plan</u>.
- Names and addresses of property owners within 300 feet of the property lines. Information can be obtained through the Assessor's Office. Only one copy of this list is required.
- ❖ <u>Ten (10) copies</u> of the application, project description, plot plan, landscaping plan, grading plan, and impact report are required.

We recommend you review the Valley County Codes online at <a href="www.co.valley.id.us/planning-zoning">www.co.valley.id.us/planning-zoning</a> or at the Planning & Zoning Office at 219 North Main Street, Cascade, Idaho
Subject to Idaho Statute 55-22 Underground Facilities Damage Prevention.

APPI	LICANT : Jeff Abrams		PHONE
	Owner X Purchaser □ Lesse	ee 🗆 Renter 🗆	
APPI	LICANT'S MAILING ADDRESS 14186 Jeffer	son Rd, McCall	ZIP 83638
IWO	NER'S NAME : same		
OWI	NER'S MAILING ADDRESS: same		ZIP
AGE	NT/REPRESENTATIVE	FAX	PHONE
AGE	NT/REPRESENTATIVE ADDRESS		ZIP
CON	TACT PERSON (if different from above)		
	TACT'S ADDRESS		PHONE
ADD	RESS OF SUBJECT PROPERTY 400 Silver Fo	x Spur	
PRO	PERTY DESCRIPTION (either lot, block & subdivision	n name or attach a recorded deed <u>v</u>	vith a metes and bounds description.)
	S2 E2 S2 N2 NW4		
 ΤΔΧ	PARCEL NUMBER <u>RP17N04E082915</u>		
	rter Section		
1.	PROPOSED USE: Residential X Civ		
2.	SIZE OF PROPERTY 10	Acres X or Square I	eet □
3.	EXISTING LAND USES AND STRUCTURES	ON THE PROPERTY ARE AS	FOLLOWS:
	Timber production on 9 acres of parcel;	existing yurt with foundation or	1 ac of parcel
	<u> </u>	SA DE NOME EN ON AGENTAGE DE	
4.	ARE THERE ANY KNOWN HAZARDS ON C	OR NEAR THE PROPERTY (st	ich as canals, hazardous material spills, soil
	or water contamination)? If so, describe and giv	e location: NO	
5.	ADJACENT PROPERTIES HAVE THE FOLLO	OWING BUILDING TYPES A	ND/OR USES:
	North: timber production		South: timber production
	East: IDL	West: ag	building/timber production
6.	MAXIMUM PROPOSED STRUCTURE HEIG	GHT: <u>20'</u>	
7a.	NON-RESIDENTIAL STRUCTURES OR ADD		
	Number of <u>Proposed</u> Structures:	Number of <u>Exi</u>	sting Structures:
	<b>Proposed Gross Square Feet</b>	Existing (	Gross Square Feet
	1 <sup>st</sup> Floor	1 <sup>st</sup> Floor	
	2 <sup>nd</sup> Floor	2 <sup>nd</sup> Floor	
	Total	Total	

8a.	TYPE OF RESIDENTIAL USE (If applicable): Single family residence X Mobile home for single family residence	dence   Multiple residences on one parcel
8b.	SQUARE FOOTAGE OF PROPOSED RESIDENTIAL STRUCTUR	RES (If applicable):
	SQUARE FOOTAGE OF EXISTING RESIDENTIAL STRUCTURE	S: <u>200 sq ft</u>
8c.	DENSITY OF DWELLING UNITS PER ACRE: 1	
9.	SITE DESIGN:	
	Percentage of site devoted to building coverage: <1%	_
	Percentage of site devoted to landscaping: 0	_
	Percentage of site devoted to roads or driveways: <1%	_
	Percentage of site devoted to other uses: <u>98%</u> , descril <b>Total: 100%</b>	
10.	PARKING (If applicable):	Office Use Only
	a. Handicapped spaces proposed: <u>0</u>	Handicapped spaces required:
	b. Parking spaces proposed: 2	Parking spaces required:
	c. Number of compact spaces proposed: 0	Number of compact spaces allowed:
	d. Restricted parking spaces proposed: 0	
	e. Are you proposing off-site parking: NO	
11.	SETBACKS: <u>BUILDING</u> <u>Office Use Only</u>	PARKING Office Use Only
	Proposed Required	Proposed Required
	Front	
	Rear	<del></del>
	Side	<del></del>
12a.	Street Side  NUMBER OF EXISTING ROADS: 1 Width:	30 Private
120.	Are the existing road surfaces paved or graveled? gravel	
12b.		
IZU.		
	Will the <u>proposed</u> roads be publicly or privately maintained	1r
	Proposed road construction: Gravel ☐ Paved ☐	
13a.	EXISTING UTILITIES ON THE PROPERTY ARE AS FOLLOWS:  N/A	
13b.	PROPOSED UTILITIES: None	
	Proposed utility easement width	Location
14a.	SEWAGE WASTE DISPOSAL METHOD: Current constructe	d pit privy (approved by P/Z - 6/9/16)
14b.	POTABLE WATER SOURCE: Public ☐ Water As:	sociation  Individual X (cistern)
	If individual, has a test well been drilled? Depth	Flow Purity Verified?
	Nearest adjacent well	Depth Flow

15.	ARE THERE ANY EXISTING IRRIGATION SYSTEMS? NO  Are you proposing any alterations, improvements, extensions or new construction? NO
	If yes, Explain:
16.	DRAINAGE (Proposed method of on-site retention): N/A
	Any special drains?(Please attach map)
	Soil type (Information can be obtained from the Soil Conservation District):
17a.	IS ANY PORTION OF THE PROPERTY LOCATED IN A FLOODWAY OR 100-YR FLOODPLAIN?  (Information can be obtained from the Planning & Zoning Office) NO
17b.	DOES ANY PORTION OF THIS PARCEL HAVE SLOPES IN EXCESS OF 15%? Yes, 150 yd to west
17c.	ARE THERE WETLANDS LOCATED ON ANY PORTION OF THE PROPERTY? NO
18.	IS THERE ANY SITE GRADING OR PREPARATION PROPOSED? NO If yes, Explain:
19.	COMPLETE ATTACHED PLAN FOR IRRIGATION if you have water rights and are in an irrigation district. N
20.	COMPLETE ATTACHED WEED CONTROL AGREEMENT
21.	COMPETE ATTACHED IMPACT REPORT. It must address potential environmental, economic, and social impacts and how these impacts are to be minimized.



## VALLEY COUNTY

# WEED CONTROL AGREEMENT

The purpose of this agreement is to establish a cooperative relationship between Valley County and the undersigned Cooperator to protect the natural and economic values in the Upper Payette River watershed from damages related to the invasion and expansion of infestations of noxious weeds and invasive plants. This is a cooperative effort to prevent, eradicate, contain and control noxious weeds and invasive plants on public and private lands in this area. Factors related to the spread of weeds are not related to ownership nor controllable at agency boundaries. This agreement formalizes the cooperative strategy for management of these weeds addressed in Valley County's Integrated Weed Management Plan.

In this continuing effort to control Noxious Weeds, Valley County Weed Control will consult with the undersigned Cooperator and outline weed identification techniques, present optional control methods and recommend proper land management practices.

The undersigned Cooperator acknowledges that he/she is aware of any potential or real noxious weed problems on his/her private property and agrees to control said weeds in a timely manner using proper land management principles.

COOPERATOR		
<del> </del>	_	
	_	
Ву:	Ву:	Valley County Weed Control
Date:	Date:	- 1

# **Irrigation Plan Map Requirements**

The irrigation plan <u>must be on a scalable map</u> and show all o structures and easements. Please include the following infor	
☐ All canals, ditches, and laterals with their respective	names.
☐ Head gate location and/or point of delivery of water	to the property by the irrigation entity.
☐ Pipe location and sizes, if any	
☐ Rise locations and types, if any.	
☐ Easements of all private ditches that supply adjacent	properties (i.e. supply ditches and drainage ways).
☐ Slope of the property in various locations.	
☐ Direction of water flow (use short arrows on your ma	ap to indicate water flow direction -> ).
☐ Direction of wastewater flow (use long arrows on yo	/
☐ Location of drainage ponds or swales, if any where w	vastewater will be retained on property
Other information:	
Also, provide the following documentation:  Legal description of the property.	
☐ Proof of ownership.	
☐ A written response from the irrigation entity and/or	proof of agency notification.
Copy of any water users' association agreement curr maintenance responsibilities.	ently in effect which shows water schedules and
☐ Copy of all new easements ready for recording (irrig	ation supply and drainage).
If you are in a city area of impact, please include a cocommission and city council of your irrigation plan.	
=============Applicant Acknowledgement==	
I, the undersigned, agree that prior to the Planning and Zoni to have all the required information and site plans.	ng Department accepting this application, I am responsible
I further acknowledge that the irrigation system, as approve the Board of County Commissioners, must be bonded and/opermit.	
Signed:	
Applicant / Property Owner	(Application Submitted)

### **IMPACT REPORT** (from Valley County Code 9-5-3-D)

You may add information to the blanks below or attach additional sheets.

- ❖ An impact report shall be required for all proposed Conditional Uses.
- The impact report shall address potential environmental, economic, and social impacts and how these impacts are to be minimized as follows:
- Traffic volume, character, and patterns including adequacy of existing or proposed street width, surfacing, alignment, gradient, and traffic control features or devices, and maintenance. Contrast existing with the changes the proposal will bring during construction and after completion, buildout, or full occupancy of the proposed development. Include pedestrian, bicycle, auto, and truck traffic.

Summer operations generate appx one round-trip (into and out of yurt site) every two days using county road through Jughandle Estates and Silver Fox Spur (private road); Winter operations generate appx one round-trip (into and out of yurt site) every four days using county road through Jughandle Estates.

2. Provision for the mitigation of impacts on housing affordability.

Affordable STR set in backcountry; unique, specific nature separate from other STR units in Valley County; not suitable for year-round habitation, thus no impact on general housing pool.

3. Noise and vibration levels that exist and compare to those that will be added during construction, normal activities, and special activities. Include indoor and outdoor, day and night variations.

During summer operations, noise levels as a result of limited vehicle traffic are commensurate of most gravel roads at speeds of no more than 15 mph.

4. Heat and glare that exist and that might be introduced from all possible sources such as autos in parking areas, outdoor lights, water or glass surfaces, buildings or outdoor activities.

Parking will occur in designated gravel turnabout adjacent to existing yurt structure.

5. Particulate emissions to the air including smoke, dust, chemicals, gasses, or fumes, etc., both existing and what may be added by the proposed uses.

N/A

6. Water demand, discharge, supply source, and disposal method for potable uses, domestic uses, and fire protection. Identify existing surface water drainage, wet lands, flood prone areas and potential changes. Identify existing ground water and surface water quality and potential changes due to this proposal.

During summer operations, a 350-gallon cistern is filled periodically for guests to use for dishes; Guests bring drinking water. During winter operations, guests melt snow for drinking and dishwater. I've spoken with the assistant fire chief at Donnelly Rural Fire Dept and they've identified no issues that would preclude emergency service. Additionally, DRFD was consulted for safety recommendations during \$70,000 road improvement in 2010. Property is insured for liability and fire protection.

7. Fire, explosion, and other hazards existing and proposed. Identify how activities on neighboring property may affect the proposed use.

I've spoken with the assistant fire chief at Donnelly Rural Fire Dept (6/23/21) and they've identified no issues that would preclude emergency service. Additionally, DRFD was consulted for safety recommendations during \$70,000 road improvement in 2010. Property is insured for liability and fire protection.

Fire extinguishers are located inside yurt and described within guidebook provided to all guests (see attached). Other properties in area are used for similar recreational purposes, including a shipping container "residence", two other existing yurts and one other under construction. The nature of the proposed use will not change the character of the existing neighborhood; property has been used during the past five years for personal and STR purposes prior to new STR ordinance.

8. Removal of existing vegetation or effects thereon including disturbance of wet lands, general stability of soils, slopes, and embankments and the potential for sedimentation of disturbed soils.

No new construction or land disturbance required.

9. Include practices that will be used to stabilize soils and restore or replace vegetation.

N/A

10. Soil characteristics and potential problems in regard to slope stability, embankments, building foundation, utility and road construction. Include suitability for supporting proposed landscaping.

N/A

11. Site grading or improvements including cuts and fills, drainage courses and impoundments, sound and sight buffers, landscaping, fencing, utilities, and open areas.

N/A

12. Visibility from public roads, adjoining property, and buildings. Include what will be done to reduce visibility of all parts of the proposal but especially cuts and fills and buildings. Include the affect of shadows from new features on neighboring property. Yurt structure is not within sightlines of any public road or neighboring property Reasons for selecting the particular location including topographic, geographic and similar features, historic, adjoining land ownership or use, access to public lands, recreation, utilities, streets, etc., in order to illustrate compatibility with and opportunities presented by existing land uses or character. Rural, backcountry feel of property provides views and a getaway for travelers. Direct access to IDL lands and Jug Mountain ski and bike trails. 14. Approximation of increased revenue from change in property tax assessment, new jobs available to local residents, and increased local expenditures. Currently paying state sales tax as STR via AirBnB and VRBO automated portals. 15. Approximation of costs for additional public services, facilities, and other economic impacts. N/A 16. State how the proposed development will impact existing developments providing the same or similar products or services. There are no other existing operations anywhere in the area currently permitted under CUP provisions. 17. State what natural resources or materials are available at or near the site that will be used in a process to produce a product and the impacts resulting from the depletion of the resource. Describe the process in detail and describe the impacts of each part. N/A

18. What will be the impacts of a project abandoned at partial completion?

None. The yurt is also being used as a family recreational property.

19. Number of residential dwelling units, other buildings and building sites, and square footage or gross non-residential floor space to be available.

None. Planning and Zoning recently determined that yurts are not residences or dwelling units.

20. Stages of development in geographic terms and proposed construction time schedule.

Yurt and foundation platform were previously constructed according to Valley County codes (see building plans) by Le Bennett (designer) and Timeless Construction.

21. Anticipated range of sale, lease or rental prices for dwelling units, building or other site, or non-residential floor space in order to insure compatibility with adjacent land use and development.

\$100/night

New and expanding business <u>may</u> qualify for a property tax exemption for up to 5 years by meeting the qualifications In accordance with Idaho Code§ 63-602NN

### Protocols for qualifying property exemption in Valley County, Idaho

Application must be received prior to the start of construction (ex. Building Permits, excavation)
Term of exemption, not to exceed 5 years, will be up to the discretion of the Valley County Board of
Commissioners

- \* Retail sales business do not qualify
- Multi use may qualify excluding retail sale area
- Housing
  - Multi-family housing must have 5 units or more per structure.
    - ◆ For local housing only (workforce)
  - Multi-Family housing: units may qualify if more than one structure is built totaling 5 or more units.
    - ◆ Vacation/short term rentals not allowed
    - ◆ Units cannot be individually sold (Example: Condominiums)

Remodel and/or additions to existing Businesses

- Only the area of remodel/addition may qualify for exemption
- \* Retail sales additions/remodel will not qualify

Application must be filed with the Valley County Assessor's office before construction begins.

For further information regarding the 63-602NN application process and instructions please visit the Valley County Assessor's office. (208-382-7126)

### **Members and Staff of Valley County Planning and Zoning:**

The Silver Fox Yurt has operated consecutively for five years prior to the point that the short-term rental (STR) ordinance was adopted by Valley County P & Z (VCPZ). This C.U.P. application is intended to supplant an existing STR application (filed 6/2/21), as VCPZ recently determined that, going forward, such a use of private property will not be regarded as a "residence" or "dwelling" under the STR ordinance's provisions.

This package was assembled to show Silver Fox Yurt's outstanding track record as a destination experience, maintain compliance under this existing private property use and show a rural getaway location that is compatible with current existing area "occupied" structures (one shipping container, two yurts, one yurt under construction) in addition to traditional use as timber production land (area was logged by Mac Lefebvre with Idaho Forest Group in 2017).

### **Project Description**

- I've owned the property for over 20 years and am the manager/operator of the Silver Fox Yurt rental on the property. I visit and maintain the site after each guest reservation (not more than four per visiting group) uses and vacates the property. We've hosted hundreds of guests over this five year period, attaining "Superhost" status on the rental portals of AirBnB/VRBO and received endearing personal comments in our guest log, pieces of original artwork created at the site and countless referrals. We are one of very few options that seek to provide an authentic, alternative "Valley County" experience, compared to a hotel, motel or other in-town guest accommodation facilities.
- Large parcel tracts between 10 and 40 acres typify the rural, forested nature of the area and border state land under Jughandle Mountain. The area is not a subdivision, has no HOA or CCRs.
- The yurt and platform foundation were constructed in 2016; Engineered foundation by Le Bennett including a foundation plan, floorplans, deck framing plan and structural plan; the building permit was submitted by Aaron Cramblet @ Timeless Construction -ALL to code, including snow load requirements.
- Silver Fox Spur (PVT) was widened and graveled in 2010 to meet safety specs for Donnelly Rural and SITPA and to obtain fire insurance.
- The 16' yurt contains four bunks, a woodstove, a two-burner stove, a sink and an outdoor cistern.
- P & Z commissioners approved a pit privy for residential use (June 9, 2016 PZ hearing).
   All additional CDHD pit privy requirements have been met, according to a recent conversation with Tom White (6/17/21). Additional information for consideration, as a reference, and per precedent, shows that Idaho State Parks and Recreation Non-

Motorized Program Manager, Tom Helmer, operates pit privies at all yurts available to the public (all with much heavier use than Silver Fox Yurt) and located on similar types of timbered lands within their system in Idaho City; the privies are pumped on an asneeded basis, normally every 1-2 years.

- A nine-page guidebook (attached) is sent to all guests, providing instructions and guidance for a safe and enjoyable stay, including location of fire extinguishers.
- The Silver Fox Yurt bookkeeping protocol has been fully-compliant and up to date with all state sales and lodging tax obligations (attached), and I have also been operating a successful STR for six years in Boise.
- We frequently donate lodging to local nonprofits for auctions and other fundraising purposes.

<u>Lighting Plan</u>: none - no electricity at site; small solar lights are located in driveway and on yurt platform.

### Neighbors within 300 feet:

Mel Mohr POBox 4569 McCall, ID. 83638 208-870-5122

Abe Vore (appx 400 ft) 4841 N. Waterfront Way Boise, ID 83703

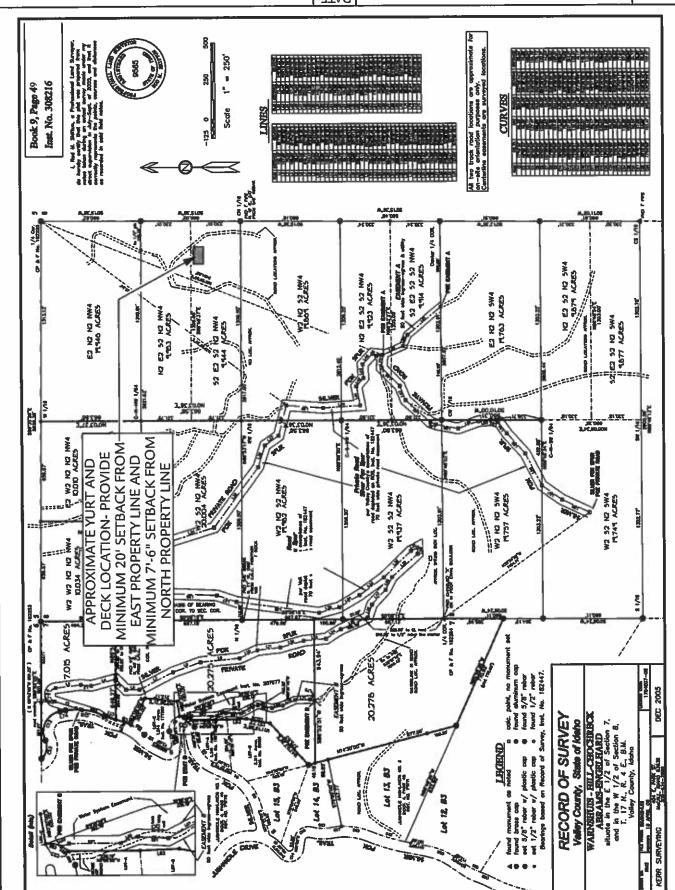
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SITE PLAN NOTTO SCALE

YURT DECK SILVER FOX SPUR S2 E2 S2 N2 NW4 VALLEY COUNTY, ID

DATE: 6-21-2016 6-23-2016

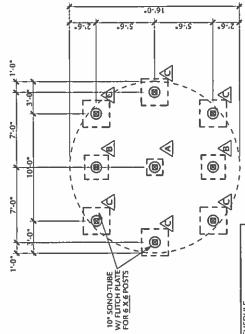
BENNETTARCHITECT INC. PROFILE ID 83638 (208) 315-3913





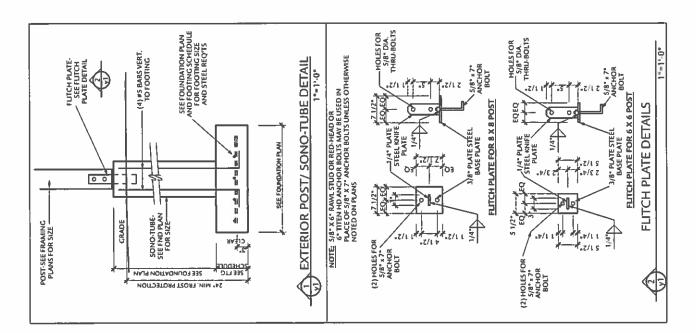
6-23-2016 6-23-2016 DATE:





		Ō.	DE DNILLO	FOOTING SCHEDULE	
г	LENCTH	MIDIM	DEPTH	BAR SIZE	BARS EA. WAY
2	16*	16"	-6	84	3
100	2,•3•	2:-3	-6	84	3
L.	5,-6,	26	6	P-4	4
둙	BEARING 1	500 psf, CO	ONCRETE WA	à	AND FOOTINGS Fc - 3000 psi.
ا₹	SLABS AND FLATWORK Fc+3500 ps. STEEL REI	WORK Fc*	3500 ps. 5	Ä	ORCING Fy-36,000 psi





VALLEY COUNTY, ID SILVER FOX SPUR S2 E2 S2 N2 NW4 *YURT DECK* 

9102-21-9



