

## Valley County Planning and Zoning

PO Box 1350 • 219 North Main Street  
Cascade, ID 83611-1350



Phone: 208-382-7115  
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Email: [cherrick@co.valley.id.us](mailto:cherrick@co.valley.id.us)

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**STAFF REPORT:** C.U.P. 22-16 Camp Modern  
**HEARING DATE:** January 12, 2023  
**TO:** Planning and Zoning Commission  
**STAFF:** Cynda Herrick, AICP, CFM  
Planning and Zoning Director  
**APPLICANT:** McKenzie Hansen and Trevor Russi  
11337 W Poppy ST, Boise, ID 83713  
**OWNER:** Christian and Karen Klein  
1402 W Lago Bello DR, Eagle ID 83616  
**LOCATION:** 12815 and 12817 Highway 55  
RP16N03E269260 and RP16N03E269290  
SESE Sec. 26, T.16N R.3E, Boise Meridian, Valley County, Idaho  
**SIZE:** 3-Acres  
**REQUEST:** Annual Review  
**EXISTING LAND USE:** Camping Facility

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The conditional use permit for C.U.P. 22-16 Camp Modern was effective June 22, 2022. Condition of Approval #23 required an annual review in January to assess impacts and compliance with the approved conditional use permit.

McKenzie Hansen and Trevor Russi received approval of a conditional use permit for a camping facility. Phase 1 includes six tent glamping sites with a shared bath house available for rent. Phase 2 would update the tents to A-frame structures. The A-frame structures would have a collective maximum of 6,288 square feet. A caretaker suite would also be constructed in Phase 3. A five-year phasing plan was approved.

Porta-potty facilities would be used until the restroom facility is constructed. An individual well and septic system would be used in Phase 2. The bath house would be wired for electric power. Solar lighting would be used for the guest units and along pathways. There is space for on-site activities such as a volleyball court, yoga/event platform, and horse-shoe games.

The projects includes six individual, contained, camp fire pits and approximately eight gravel parking spaces.

The application information states that a Fire Wise Mangement Plan was reviewed and approved by Donnelly Fire Department. A copy was not submitted with the application.

A revised site plan was received June 2, 2022.

## **FINDINGS:**

1. The effective date of Conditional Use Permit 22-16 was June 22, 2022, Instrument # 408560. An amended Conditional Use Permit 22-16, Instrument #454540, was recorded on December 7, 2022, to correct the property location.
  2. Legal notice was posted in the *Star News* on December 22, 2022, and December 29, 2022. The property owner and applicant were notified by letter on November 7, 2022, and December 13, 2022. Potentially affected agencies were notified on December 13, 2022. Property owners within 300 feet of the property line as well as all additional people who previously commented were notified by fact sheet sent December 13, 2022. The notice was posted online at [www.co.valley.id.us](http://www.co.valley.id.us) on December 13, 2022. The site was posted on January 1, 2023.
  3. Agency comment received: None
  4. Public comment received: None
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## **STAFF COMMENTS AND QUESTIONS:**

1. Staff is unaware of any complaints or neighbor concerns with this use during 2022.
2. Have Conditions of Approval been accomplished? The applicant should respond to the conditions of approval.
  - a) Has the applicant contacted the U.S. Army Corps of Engineers regarding wetland designation? COA # 5
  - b) Has the applicant complied with the requirements of the Donnelly Fire District? A letter of approval is required. COA # 6
  - c) Does all lighting meet Valley County Code? Have the string lights been removed? COA # 7 and #19
  - d) Have building permits been obtained for the decks and any solar panels greater than 8-sqft in accumulated area? COA # 8
  - e) Are bear-proof trash containers in use? COA # 11
  - f) Does the Idaho Department of Environmental Quality require a public water system? COA #13
  - g) Were noxious weeds controlled in 2022? Is there a plan for annual control? COA #14
  - h) The applicant did not apply for a sign permit in 2022. COA #15
  - i) Were property lines marked? COA #16
  - j) Did the applicant apply for and receive an access permit for a commercial use from the Idaho Transportation Department? COA #17
  - k) Were neighbors given a phone number to use if issues arise? COA #20
  - l) Were porta-potties relocated away from the north property line? COA #24
  - m) Is the driveway clearly marked or signed? COA #25

**ATTACHMENTS:**

- Amended Conditional Use Permit 22-16
- Vicinity Map
- Aerial View
- Assessor's Plat T.16N R.3E Section 26
- Pictures Taken January 1, 2023
- Revised Site Plan Received June 2, 2022
- Responses
- PZ Meeting Minutes – June 9, 2022

**END OF STAFF REPORT**

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**Instrument # 454540**  
VALLEY COUNTY, CASCADE, IDAHO  
12-7-2022 09:35:32 AM No. of Pages: 2  
Recorded for : VALLEY COUNTY  
DOUGLAS A. MILLER *Recording Sticker* Fee: 0.00  
Ex-Officio Recorder Deputy NA  
Index to: COUNTY MISC

## CONDITIONAL USE PERMIT N O. 22-16 Camp Modern

Amends Instrument # 451014

**Issued to:** Christian and Karen Klein (Owner)  
5089 Canary LN  
Nampa ID 83687

McKenzie Hansen and Trevor Russi (Applicant)  
3709 Cleveland BLVD  
Caldwell id 83605

**Property Location:** The site is three acres that is addressed at 12815 Highway 55 and 12817 Highway 55 and identified as parcels RP16N03E269260 and RP16N03E269290 in the SESE Sec. 26, T.16N R.3E, Boise Meridian, Valley County, Idaho.

There have been no appeals of the Valley County Planning and Zoning Commission's decision of June 9, 2022. The Commission's decision stands, and you are hereby issued Conditional Use Permit No. 22-16 with Conditions for establishing a glamping site as described in the application, staff report, and minutes.

The effective date of this permit is June 22, 2022.

### Conditions of Approval:

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The use shall be established according to the phasing plan, or a permit extension will be required.
4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.

5. Must contact U.S. Army Corps of Engineers regarding wetland designation.
6. Must comply with requirements of the Donnelly Fire District. A letter of approval is required.
7. All lights shall be fully shielded so that there is not upward or horizontal projection of lights. This includes the pathway lighting.
8. Shall obtain a building permit for the structures, including decks for the tents and any detached solar panels greater than 8-sqft in accumulated area.
9. The minimum building setbacks shall be one hundred feet (100') from Highway 55, fifty feet (50') rear property lines and thirty feet (30') from side property lines.
10. Quiet hours are 10:00 p.m. to 7:00 a.m.
11. Bear-proof trash containers should be required.
12. Food should be stored in a manner that does not attract wildlife.
13. Shall obtain approval of a public water system if required by Idaho Department of Environmental Quality.
14. All noxious weeds on the property must be controlled.
15. Shall obtain a sign permit prior to installation of a sign.
16. Shall mark property lines so guests do not enter other private lands.
17. Must obtain an access permit for a commercial use from the Idaho Transportation Department.
18. Guests must restrain animals.
19. Must remove string lights.
20. Shall give neighbors a phone number to contact someone 24 hours per day if there are issues.
21. Shall recognize "no burn" declarations.
22. No shooting of firearms on-site.
23. Annual review required in January to assess impacts.
24. Should relocate port-a-potties away from north property line.
25. Driveway should be clearly marked or signed.

END CONDITIONAL USE PERMIT

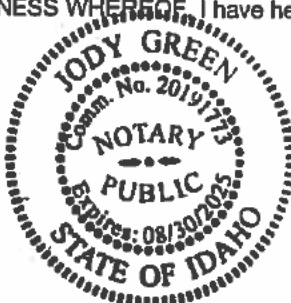
Date December 7, 2022

Approved by Cynda Herrick

On this 1 day of December, 2022, before me, a notary public in and for said State, Cynda Herrick personally appeared, and is known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

\*\*\*\*\*

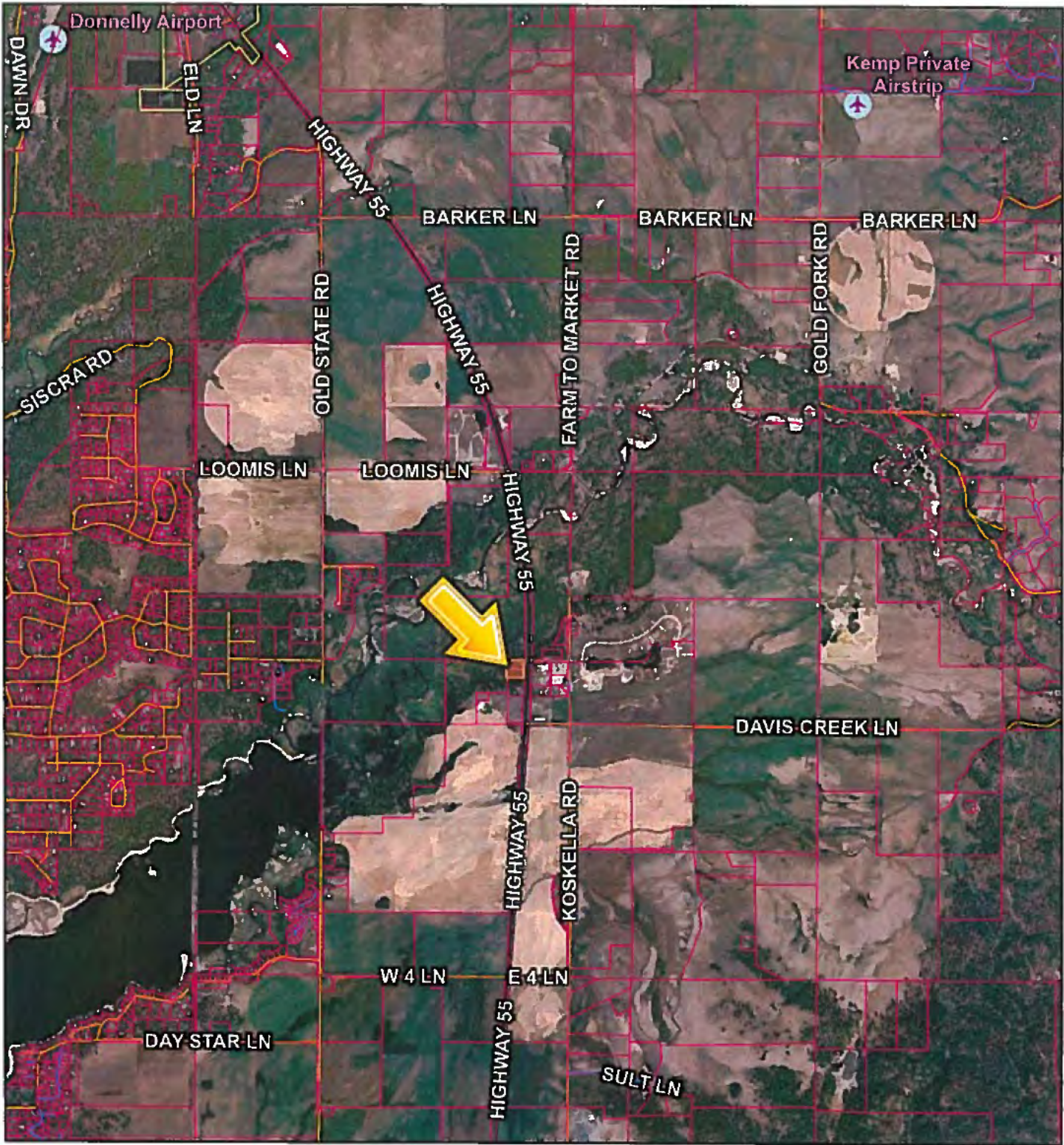
IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate above written.



Cynda Herrick  
Notary Public  
Residing at: Valley County  
Commission Expires: 8/30/25



# C.U.P. 22-16 Vicinity Map



December 2, 2022



Override 1



Municipalities



Parcel Boundaries



Airstrips



MAJOR



MINOR COLLECTOR

COLLECTOR

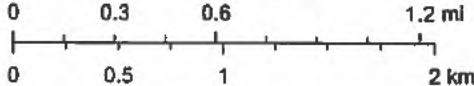
URBAN/RURAL

PRIVATE

County Boundaries

VALLEY COUNTY

1:50,206



Earthstar Geographics



# C.U.P. 22-16



4/28/2022, 8:34:21 AM

## Permits

◆ CUP

◆ GF

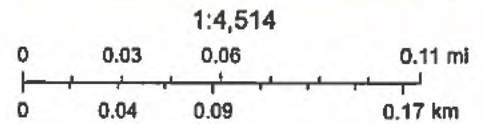
■ Addresses

□ Parcel Boundaries

— Roads

— MAJOR

— URBAN/RURAL



Source: Esri, Maxar, GeoEye, Earthstar, Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

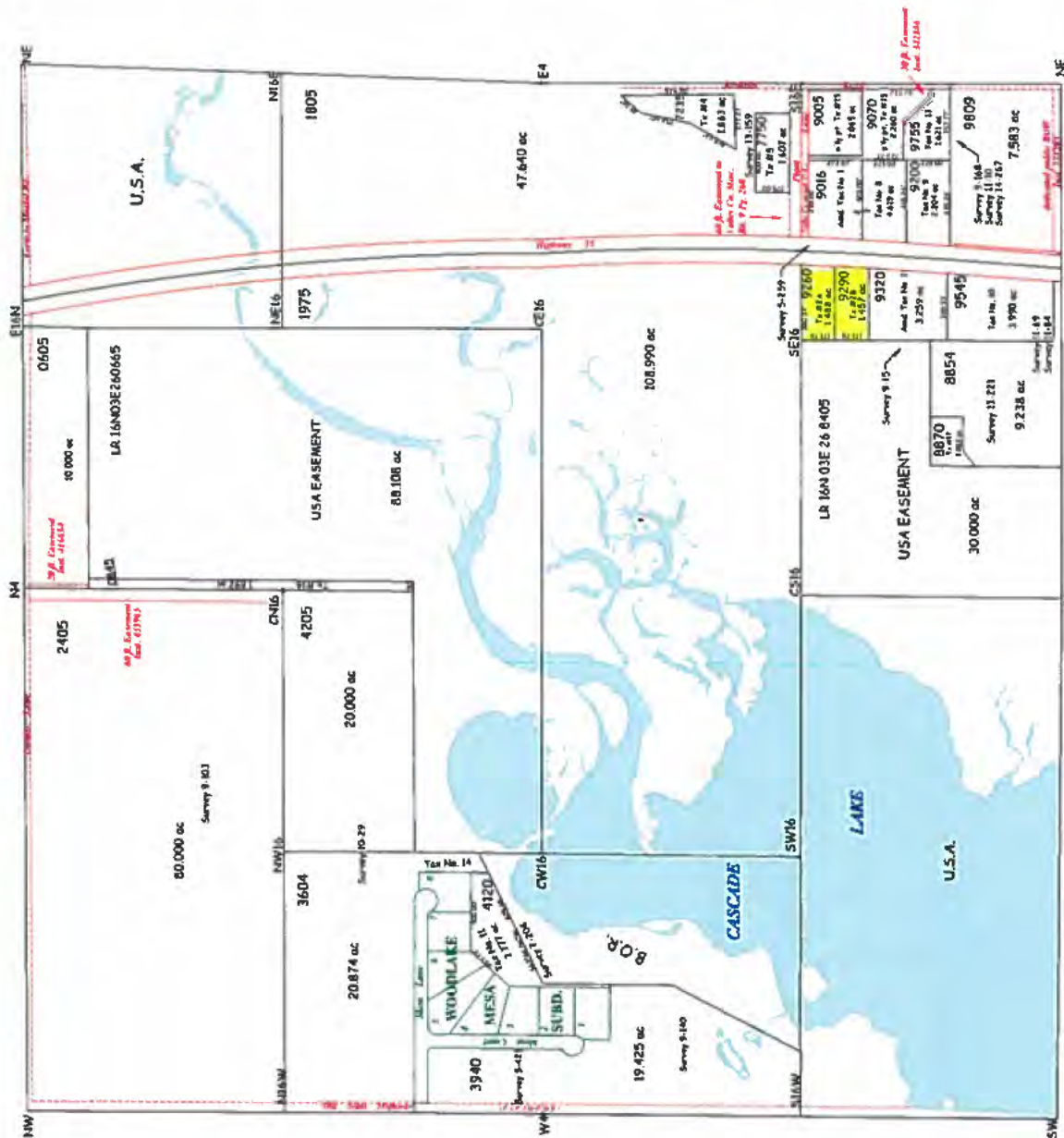


# PLAT TITLE

TWP. 16N R03E SEC. 26

VALLEY COUNTY  
Cartography Dept.  
Assessor's Office  
Cascadia, ID 83611

Filename:  
Valley County Base Map  
Scale: 1" = 400 feet  
Date: 9/2/2022  
Drawn by: L. Frederick



This drawing is to be used for reference purposes only. The County is not responsible for any interpretations or calculations.

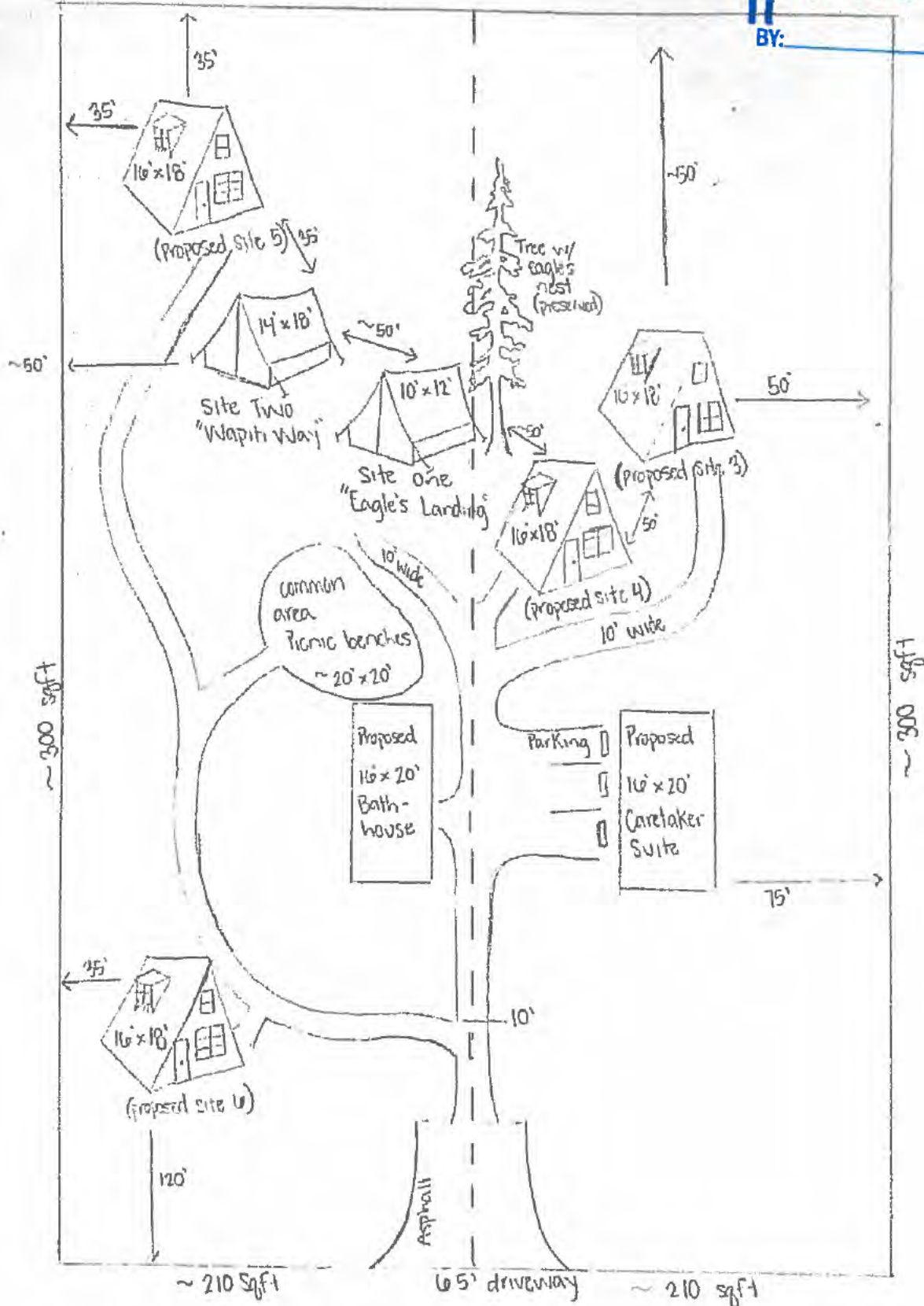






RECEIVED  
JUN 02 2022

BY: \_\_\_\_\_



12815 Highway 55 (1.457 acres) | 12817 Highway 55 (1.400 acres)

# Valley County Planning and Zoning Commission

PO Box 1350 • 219 North Main Street  
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Phone: 208-382-7115  
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Neal Thompson, Chairman  
Ken Roberts, Vice-Chair

Katlin Caldwell, Commissioner  
Sasha Childs, Commissioner  
Scott Freeman, Commissioner

## MINUTES

Valley County Planning and Zoning Commission

June 9, 2022

Valley County Court House - Cascade, Idaho

PUBLIC HEARING – 6:00 p.m.

You may view the hearing by going to [www.co.valley.id.us](http://www.co.valley.id.us) and click on "Watch Meetings Live".

**A. OPEN:** Meeting called to order at 6:00 p.m. by Acting Chairman Roberts. A quorum exists.

|                                     |         |
|-------------------------------------|---------|
| PZ Director – Cynda Herrick:        | Present |
| PZ Commissioner – Katlin Caldwell   | Present |
| PZ Commissioner – Sasha Childs:     | Present |
| PZ Commissioner – Scott Freeman:    | Excused |
| PZ Commissioner – Ken Roberts:      | Present |
| PZ Commissioner – Neal Thompson:    | Excused |
| PZ Assistant Planner – Lori Hunter: | Present |

**B. MINUTES:** Commissioner Caldwell moved to approve the minutes of May 5, 2022. Commissioner Childs seconded the motion. Motion carried unanimously. Commissioner Childs moved to approve the minutes of May 12, 2022. Commissioner Caldwell seconded the motion. Motion carried unanimously.

**C. NEW BUSINESS:**

- 1. C.U.P. 22-14 Hall's RV Site:** Bob Hall is requesting approval of a conditional use permit for a Recreational Vehicle Park to allow six RVs to be used as dwellings for more than 30 days in duration. The campsite will be for personal use and will not have any commercial use. There is an individual well, a septic system, and electrical power. The 5.3-acre site, addressed at 8 Atkin Lane, is parcel RP12N04E043470, located in the NWNW Sec. 4, T.12N R.4E, Boise Meridian, Valley County, Idaho. Action Item

Acting Chairman Roberts introduced the item and opened the public hearing. Acting Chairman Roberts asked if there was any *ex parte* contact or conflict of interest. There was none.

Acting Chairman Roberts asked for the Staff Report. Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Revised Site Plan (June 9, 2022)
- **Exhibit 2** – Steven Hull, Cascade Fire Department Chief, stated the driveway is being built to Fire Apparatus Access Roads Standards. (June 9, 2022)

Staff has discussed the ponds with the applicant. Rock was removed from site many years ago. Recently the property owner dug rock from same area, creating the ponds, and used the additional material to build driveway and RV Site areas.

Acting Chairman Roberts asked for the applicant's presentation.



panels were to be roll-mounted.

Acting Chairman Roberts asked for proponents. There were none.  
Acting Chairman Roberts asked for undecided. There were none.  
Acting Chairman Roberts asked for opponents. There were none.  
Acting Chairman Roberts closed the public hearing.

Commissioner Childs moved to approve C.U.P. 22-15 with the stated conditions. Commissioner Caldwell seconded the motion. Solar panels are a good option to be more efficient. This applicant has a good application and has considered the possible impacts to neighbors. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

6:30 p.m.

**3. C.U.P. 22-16 Camp Modern:** McKenzie Hansen and Trevor Russi are requesting approval of a conditional use permit for a camping facility. Phase 1 includes six tent glamping sites with shared bath house available for rent. Phase 2 would update the tents to A-frame structures. Porta-potty facilities would be used until the restroom facility is constructed. A caretaker suite would be constructed. An individual well and septic system would be used. The 3-acre site, addressed at 12815 Highway 55, parcels RP16N03E269260 and RP16N03E269290, and located in the SESE Sec. 26, T.16N R.3E, Boise Meridian, Valley County, Idaho. Action Item

Acting Chairman Caldwell introduced the item and opened the public hearing. Acting Chairman Roberts asked if there was any *ex parte* contact or conflict of interest. Commissioner Roberts is an adjacent landowner. However, he does not believe he has a conflict; he has no financial interest in this application.

Acting Chairman Caldwell asked for the Staff Report. Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Bob Gestrin opposes the project and recommends an annual review if approved. (June 9, 2022)

Director Herrick stated that string lights are not dark-sky compliant.

Acting Chairman Caldwell asked for the applicant's presentation.

McKenzie Hansen, Caldwell, is representing herself and Trevor Russia. She submitted photographs (**Exhibit 2**). The application is compatible with Valley County Code. They are nature enthusiasts who want to have a low impact on the land and environment. She spoke about the vision and operation of their glamping business. Many individuals want to experience the outdoors but do not have the camping equipment or experience to safely enjoy the outdoors. Up to six 288-sqft A-frame units on approximately three acres are proposed. The property has no CCRs. The use is low impact with clustered units, natural screening, and limited electric power. Open space is preserved. The business operated successfully during Fall 2021. There are proposed community connections with local non-profit organizations. Providing the glamping sites will minimize the use of short-term rentals on the local housing pool. The project will provide additional work for locals.

The six canvas tents in Phase 1 are not on permanent foundations but graveled areas or wooden decks; minor changes to tent location and tent types may occur over time. The tents include wood-burning stoves complete with spark arrestors that are designed for this type of use. Phase 2 would add year-round camping in A-frame buildings; six A-frames would be constructed within five years. One shared bathhouse is proposed approximately 250 feet from glamping sites. The glamping units

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are spaced about 50 to 75-ft apart. There is an activity area and individual contained campfire units. One housekeeping staging unit would be added in Phase 3. Eight gravel parking sites are proposed.

There would be signage for access and emergency response. Fire extinguishers are on site. The guest brochure includes language prohibiting trespassing, firearms, and smoking as well as information on property boundaries, campfire use, and no-burn seasons.

During 2021, they served nearly 100 guests. This is an unique alternative to hotels and motels without adding to the impact that short-term rental homes have on the community. Guests have given positive review.

They are working with Central District Health to fulfill requirements and the Corps of Engineers to determine if a wetland designation is required prior to constructing permanent structures. The property borders are clearly marked, and guests are informed to stay off the surrounding property. She does not believe the use will negatively impact the adjacent Bureau of Reclamation land. The weed control agreement has been signed and submitted. They will work with Idaho Fish and Game to determine any mitigation for the nearby Bald Eagle nest.

Similar to camping there is not a gray-water system for dishwater. Dishes are decomposable and eco-friendly. The tea kettle is taken off-site to clean between guests. Guests are supplied with hand sanitizer. There is a maximum night stay that negates the need for handwashing; this has not been a problem for their previous guests. They have spoken with the Building Department regarding required permits; they were initially told that the wooden decks would not need building permits if less than 36-in high and less than 200-sqft in size. They will be submitting the building permit application soon.

Guests are advised to store food and trash in their vehicles to avoid issues with animals. Bear-resistant trash cans will be added to the property. They are working with the Donnelly Fire Department to obtain a letter showing they are in compliance. The fire rings are 12-in in diameter within a 10-ft diameter area with no combustible materials and are spaced 25-ft from structures. They are in contact with the Idaho Department of Lands and have implemented recommendations from the Idaho Firewise website. They plan to become recognized as an "Idaho Firewise Community". Guests are provided with information documenting what is and what is not ok to burn.

They are working with Idaho Transportation Department for approval of an approach permit. An improved site plan with setbacks will be submitted.

Ms. Hansen read comments from the property owners, Chris and Karen Klein, in favor of the project. The glamping site will allow families not raised around the outdoors to experience the outdoors without having all the gear for camping and outdoor recreation. They have partnered with the applicants to bring both the applicants' and property owners' vision to life. There are no set-ups, take-downs, no large trucks or trailers to maneuver, reducing the stress and equipment costs of the campers. Guest have primarily been Individual females, couples, and mothers-daughter groups. This is not a large commercial venture. There is a business agreement in place between the property owners and the applicants.

Commissioner Childs stated that the applicant's presentation has answered most of her questions. Ms. Hansen replied to questions about management of the site. Guests are screened. Someone has been hired for on-site management and maintenance. They applicants are onsite approximately four times per week. The neighbors have the caretakers' phone number to contact if issues arise. They are not aware of any past issues with guests. There was an issue at one point with a neighbor's dog that was regularly visiting the property. Burn season restrictions were discussed, May through October, and primarily apply to fires outside of recreational campfires. Commissioner Roberts stated significant fire danger exists in the area due to downed timber and wind. He recommends no campfires during the closed burn season.

Commissioner Caldwell asked about the existing structure and if a building permit was obtained. Ms. Hansen has been in contact with the Annette Derrick, Building Official, and application will be submitted.

Acting Chairman Caldwell asked for proponents. There were none.  
Acting Chairman Caldwell asked for undecided. There were none.  
Acting Chairman Caldwell asked for opponents.

Tessa Mahoney, 12823 Highway 55, lives directly to the north; her mother owns the property. The existing port-a-potty is placed at the shared property line. She believes that the proposed number of glampers is too dense for three acres. Gray water will exist. There is no running water at the site. Fire danger is a concern. The driveway needs to be better marked and easier accessed. Large cement trucks and gravel haulers from Knife River are using Plant Lane. Highway 55 is congested and difficult to see traffic from the north. The driveway is steep and short. There was an incident of the glampers shooting guns. Someone should be onsite to manage property and guests.

Acting Chairman Caldwell asked for rebuttal from the applicant.

Ms. Hansen wants to collaborate with the neighbors and agencies. Her Honda Accord can access the property easily. The guests are recommended to not do a left hand turn when northbound on Highway 55 but to circle around on Davis Creek Lane and Plant Lane to enter the property. They are planning a 60-ft wide approach to be completed by Granite Construction. Phase 2 of the project would require a flatter grade for driveway approach during the winter. She was not aware of previous shooting occurring at the site. Director Herrick stated that she was told gunshots were coming from the area along Old State Highway.

ASAP Portables manages the port-a-potty. It was previously serviced bi-monthly; however, two units are now serviced weekly. She believes the port-a-potty more centrally located; at least 75-ft from the northern property line

Acting Chairman Caldwell closed the public hearing.

The Commission deliberated. The site map was reviewed. Childs is concerned with some safety concerns. Compatibility concerns and no on-site management. Fire marshal letter was discussed. The compatibility matrix was discussed. The matrix was discussed (+2 for single-family residential). Across the street is area businesses and industrial uses. There is quite a bit of agricultural land in the general area. There are many trees on the 3-acre property plus the adjacent properties to screen the site. Traffic will increase. Some wood smoke and noise but it is adjacent to Highway 55. Neither Donnelly Fire Department nor Central District Health had concerns, just requirements to be met.

Commission Roberts obtained a +3 after the first three questions. The compatibility matrix was discussed. "...matrix shall be utilized, wherever practical, to determine response values for questions one through three. ...These numbers should not be changed from proposal to proposal, except where distinctive uses arise which may present unique compatibility considerations." The Commissioners have flexibility to make changes but not staff.

An improved site plan will be submitted. An Idaho Transportation Department permit will be required for commercial use of the driveway access. Commission Roberts suggested tabling a decision to the next meeting or use additional conditions of approval with an annual review.



Commissioner Childs moved to approve C.U.P. 22-16 with the conditions stated in the staff report and:

**COA:** Guest must restrain animals.

**COA:** Must remove string lights.

**COA:** Shall give neighbors a phone number to contact someone 24 hours per day if there are issues.

**COA:** Shall recognize "no burn" declarations.

**COA:** No shooting of firearms on-site.

**COA:** Annual review required in January to assess impacts.

**COA:** Should relocate port-a-potties away from north property line.

**COA:** Driveway should be clearly marked or signed.

Commissioner Roberts seconded the motion. Commission Caldwell stated that some commissioners will also be absent from the next meeting and agrees with Commissioner Childs that a decision be made now to be fair to applicant. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley Code 9-5H-12.

Short recess

7:30 p.m.

4. **C.U.P. 22-17 Tamarack Mountain Kennels:** Courtney Forrest is requesting approval of a conditional use permit for an animal boarding facility. An individual well and septic system would be used. Access would be from Gold Fork Road, a public road. The 6.4-acre site is parcel RP16N03E241805, located in the SENE Sec. 24, T.16N R.3E, Boise Meridian, Valley County, Idaho. Action Item

Acting Chairman Roberts introduced the item and opened the public hearing. Acting Chairman Roberts asked if there was any *ex parte* contact or conflict of interest. There was none.

Acting Chairman Roberts asked for the Staff Report. Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Comments in favor of the proposal received after staff report was compiled.
- **Exhibit 2** – Applicant submittal with narrative, photographs, and noise information.

The property is part of recently split agricultural land by the Loomis'. Nearby conditional use permits are Brown Towing and Post Well Drilling. Staff confirmed that the property is not within an irrigation district and does not have water rights

Acting Chairman Roberts asked for the applicant's presentation.

Michael Forrest and his wife reside in McCall and own the property. Mr. Forrest is representing the applicant due to work conflicts. He was in the extractive industry businesses and understands the issues regarding land use. Their daughter will own the business and live on the property. She has a history of caring for animals and a strong work ethic. They will be financial partners. There is not a dedicated animal boarding facility at this time in Valley County. This is a desired business in Valley County. They want to be a responsible business and respectful to neighbors. Potential impacts can be