

## Valley County Planning and Zoning

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<b>STAFF REPORT:</b>	C.U.P. 22-17 Tamarack Mountain Kennels
<b>HEARING DATE:</b>	June 9, 2022
<b>TO:</b>	Planning and Zoning Commission
<b>STAFF:</b>	Cynda Herrick, AICP, CFM Planning and Zoning Director
<b>APPLICANT:</b>	Courtney Forrest P.O. Box 1261 McCall, ID 83638
<b>OWNER:</b>	Michael & Sheila Forrest P.O. Box 1251 McCall, ID 83638
<b>LOCATION:</b>	369 Gold Fork Road RP16N03E241805 SENE Sec. 246, T.16N R.3E, Boise Meridian, Valley County, Idaho
<b>SIZE:</b>	3.54 Acres
<b>REQUEST:</b>	Animal Boarding - Kennels
<b>EXISTING LAND USE:</b>	Single-family Residential Parcels – Bare Land

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Courtney Forrest is requesting approval of a conditional use permit for an animal boarding facility. There would be a 175-ft by 150-ft fenced outside play area and a 50-ft by 100-ft facility for indoor boarding. Animals would be allowed outdoors from 10:00 a.m. until 6 p.m. to minimize impacts to neighborhood.

An approximately 1800-sqft residence would be constructed on the property, west of the kennel facility.

An individual well and septic system would be used.

Soil will be removed for construction and placed along the south and east perimeter of the property to construct earthen berms. Trees and native grasses will be planted.

Access would be from Gold Fork Road, a graveled public road. A shared driveway for the kennel facility and residence is requested. The applicant anticipates no more than 10 animal drop-offs and 10 pick-ups per day. Six business parking spots are proposed.

The facility would only be on a portion of the 6.4-acre parcel, east of the Roseberry Ditch.

## FINDINGS:

1. The application was submitted on April 22, 2022.
2. Legal notice was posted in the *Star News* on May 19, 2022, and May 26, 2022. Potentially affected agencies were notified on May 10, 2022. Property owners within 300 feet of the property line were notified by fact sheet sent May 17, 2022. The site was posted on May 26, 2022. The notice was posted online at [www.co.valley.id.us](http://www.co.valley.id.us) on May 10, 2022.

3. Agency comment received:

Central District Health stated a septic application for the residence and kennel facility will be required. Additional information on staff numbers, numbers of indoor kennels, and washdown of kennels need to be provided for septic system sizing. All feces should be bagged and deposited into the garbage. (May 11, 2022)

Jess Ellis, Donnelly Fire Department Fire Marshal, replied with requirements for addressing, security gates, and driveways. All commercial building plans shall be submitted to the Donnelly Rural Fire Protection District for review prior to construction. (May 17, 2022)

Jeff McFadden, Valley County Road Superintendent, recommends that a road stabilizer / dust suppressant be applied on Gold Fork Road immediately adjacent to the property. This recommendation should be memorialized in a voluntary road agreement negotiated between the Valley County Board of County Commissioners, Valley County Road Department, and the applicant. (May 26, 2022)

4. Public comment received:

George and Angie Post are opposed. An industrial area would be a better location. Concerns include continuous noise; traffic, dust, and road condition of Barker Lane; effects on wildlife migration and feeding of elk; and containment of dogs when snow accumulation is high. (May 31, 2022)

Larry Brown is opposed. His property is about 900 yards from the proposed location. He does a lot of target shooting on his property. (June 1, 2022)

Scott Hannah, 345 Gold Fork Road, is opposed. (June 1, 2022)

5. Physical characteristics of the site: Relatively flat; East Fork Roseberry Ditch bisects the property

6. The surrounding land use and zoning includes:

North: Rural Parcel

South: Single Family Residential Rural Parcel

East: Agricultural (Dry Grazing)

West: Single Family Residential Rural Parcel and Agricultural

7. Valley County Code (Title 9): In Table 9-3-1, this proposal is categorized under:
  - 5. Commercial Uses (d) Area business (12) **Commercial Agricultural Use**

Review of Title 9, Chapter 5 Conditional Uses should be done.

**TABLE 5-A STANDARDS FOR CONDITIONAL USES**

Use Description	Building Setbacks (feet)				Minimum Lot Area	Max. % Lot Cover	Minimum Street Frontage	Max. Building Height	Minimum Parking Spaces
	Front	Side	Side Street	Rear					
Commercial Use Area Business	30	10	30	30		40	75	35	1 + 1/250 sqft

**9-5-3: STANDARDS:****B. Setbacks:**

1. Structures Exceeding Three Feet In Height: The setbacks for all structures exceeding three feet (3') in height are specified herein under the site and development standards for the specific use.
3. High Water Line: All residential buildings shall be set back at least thirty feet (30') from high water lines. All other buildings shall be set back at least one hundred feet (100') from high water lines.
5. Measurement: All building setbacks shall be measured horizontally, on a perpendicular to the property line, to the nearest corner or face of the building including eaves, projections, or overhangs

**9-5A-2: ROADS AND DRIVEWAYS:**

- B. Access Roads Or Driveways: Residential developments, civic or community service uses, and commercial uses shall have at least two (2) access roads or driveways to a public street wherever practicable.

**9-5A-3: PARKING AND OFF STREET LOADING FACILITIES:**

- A. Site Plan: The site plan for a conditional use permit shall include a detailed scale drawing showing the parking area plan including driveways, parking spaces, setbacks, landscaping, buildings, vehicle maneuver areas including firetrucks and refuse collection trucks, snow storage, and drainage.
- B. Accessory Parking And Loading Facilities Required: Accessory parking and loading facilities shall be provided as required herein for every building and structure erected, and every land use established after the effective date hereof; unless the commission or the board determines that the proposed parking is adequate.
- D. (h). Prohibited In Setback Zone: No part of a parking area shall be located within a required setback zone such as a side, front, or rear yard.

**9-5A-4: LANDSCAPING:****B. Landscaping; Standards Of Design:**

1. Minimum Requirements: Each site to be developed under a conditional use permit shall be required to provide landscape areas equal to or exceeding the following minimum amounts:
  - b. Service/Commercial Use: Each site for proposed service/commercial use shall have a minimum of fifteen percent (15%) of the net site/lot area in landscaping.
  - d. Additional Landscaping: In addition to the minimum on site landscaping, there shall be landscaping in the entire area of the right of way, between street property line and back of street curb, road, back slope, or fill slope, except for approved driveways, walkways, bike paths, and snow storage areas.
5. Commercial, Office Or Industrial Use Adjacent To Residence: Where a commercial, office or industrial user of over fifty thousand (50,000) square feet building area is located adjacent to a residence, the landscape buffer described in subsection B3 of this section shall be increased to fifteen feet (15') (adjacent to that user), with two (2) rows of trees along the interior side of the property line. Each row is to contain minimum fifteen (15) gallon trees spaced fifteen feet (15') on center, staggered for maximum effect in buffering the two (2) uses.
6. Criteria For Trees Along Street Frontage: Trees shall be required along all street frontages according to the following criteria:
  - a. A minimum of one tree shall be planted for every twenty five feet (25') of linear street frontage. The trees may be grouped or planted in groves;

- b. Fifty percent (50%) shall be twenty four inch (24") box size or larger with the balance being minimum fifteen (15) gallon size;
- c. The trees selected shall be compatible with the overall site and landscape plan as well as adjacent sites.
- 7. Standard Tree Planting Detail: All trees shall be planted and staked in accordance with the "Standard Tree Planting Detail" diagram in section 9-5-4 of this chapter. Plant sizes to be in accordance with Nurseryman Association standards.
- 9. Mounding And Berming: All mounding and berming shall have slopes no steeper than three to one (3:1).
- 10. Ground Cover: A minimum of fifty percent (50%) of the landscaped areas is to be planted with vegetative ground cover. Minimum size and spacing to be one gallon size plants at a maximum three feet (3') on center.

#### **9-5A-5: FENCING:**

- A. Substituted For Planting Screens: Fencing may be substituted for planting screens subject to the approval of the staff and the commission.
- B. Separation Or Screening: Fencing shall be installed to provide separation or screening as specified in the site or development standards for the specific use. A sight obscuring fence required by the commission for any conditional use shall be stained or painted a single solid color, shall not be used for advertising, and shall be maintained in good repair.
- C. Livestock In Residential Development: If livestock are allowed in a residential development, then fencing shall be installed to keep livestock out of public street rights of way. Cattle guards shall not be installed in public roads within residential developments.
- D. Random Entry: Fencing shall be installed to secure against random entry into hazardous areas or operations.
- E. Construction And Materials: Fence construction and materials shall be in accordance with commonly accepted good practices to produce a neat appearing durable fence. The location, height, and materials used for constructing a fence shall be approved by the commission and specified in the conditional use permit. Fences required for any conditional use shall be maintained in good repair.
- F. Conditional Use Adjoins Agricultural Uses: Where a conditional use adjoins an agricultural use where animal grazing is known to occur for more than thirty (30) consecutive days per year, the permittee shall cause a fence to be constructed so as to prevent the animals from entering the use area. The permittee shall provide for the maintenance of said fence through covenants, association documents, agreement(s) with the adjoining owner(s), or other form acceptable to the commission prior to approval of the permit so that there is reasonable assurance that the fence will be maintained in functional condition so long as the conflicting uses continue.
- G. Obstruction Of Vision: Sight obscuring fences, hedges, walls, latticework, or screens shall not be constructed in such a manner that vision necessary for safe operation of motor vehicles or bicycles on or entering public roadways is obstructed. (Ord. 10-06, 8-23-2010)

#### **9-5B-1: NOISE:**

- A. Commercial Or Industrial Activity: The noise emanating from any commercial or industrial activity shall be muffled so as not to become objectionable due to intermittent beat, frequency or shrillness, and shall not exceed forty (40) decibels between the hours of seven o'clock (7:00) P.M. and seven o'clock (7:00) A.M., and sixty (60) decibels at other hours at the property line if adjacent uses are not the same.

#### **9-5B-6: OPEN STORAGE:**

All storage shall be located within an area not closer than twenty feet (20') from the street right of way line and shall be enclosed with a heavy wire or board fence not less than six feet (6') high, or by plantings the same height. Lumber, coal, or other combustible material will be fully accessible to firetrucks at all times. Open storage of toxic or hazardous materials shall not be allowed.

#### **9-5F-1: COMMERCIAL USES; SITE OR DEVELOPMENT STANDARDS**

- B. Minimum Setbacks:
  - 1. The minimum setbacks for neighborhood businesses shall be thirty feet (30') from front, rear, and side street property lines and ten feet (10') from all side property lines.
  - 2. The minimum setbacks for service and recreation businesses shall be fifty feet (50') from rear, front, and side street property lines and thirty feet (30') from side property lines.

3. The minimum setbacks for area businesses shall be the same as those for neighborhood businesses. Salvage yards, auto wrecking yards, or commercial agricultural businesses shall be located not less than one thousand feet (1,000') from any residential development, civic or community service use, or other noncompatible commercial use, unless the impacts are adequately mitigated by implementation of standards as approved by the commission. The setbacks will be determined in relation to impact mitigation.
- C. Maximum Building Height And Floor Area:
1. Building heights shall not exceed thirty-five feet (35') above the lower of the existing or finished grade.
  2. The building size or floor area shall not exceed the limitations of subsections 9-5-3A and C of this chapter and title 6, chapter 1 of this code.
  3. No building or combination of buildings may cover more than forty percent (40%) of the lot or parcel, except recreation business buildings may not cover more than one percent (1%) of the lot and agricultural business buildings may not cover more than twenty percent (20%) of the lot or parcel.
- D. Site Improvements:
2. Parking spaces for neighborhood and area businesses shall be provided at the rate of one, plus one per each two hundred fifty (250) square feet of floor area.
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## **SUMMARY:**

Compatibility Rating: Staff's compatibility rating is a +2.

The Planning and Zoning Commission should do their own compatibility rating prior to the meeting (form with directions attached). Should consider determining first 3 matrix questions as more of an agricultural use since it is a Commercial Agricultural Business.

## **STAFF COMMENTS AND QUESTIONS:**

1. This site is within the Donnelly Fire District.
2. This site is not within an irrigation district; however, a large irrigation ditch crosses the property.
3. This site is within a herd district.
4. Valley County Code states that commercial uses shall have at least two access roads or driveways to a public street wherever practicable. Staff does not believe this requirement is practical for this use at this location.
5. How tall will the fence be and what will it look like?
6. Describe outdoor lighting fixtures.
7. Will there be additional landscaping for screening beyond natural grasses?
8. What are the plans for getting rid of waste?
9. What are hours and days of pickup and delivery?
10. Will there be organized activities and playtime? Individual dog runs?

## **ATTACHMENTS:**

- Conditions of Approval
- Blank Compatibility Evaluation
- Staff's Compatibility Evaluation
- Vicinity Map
- Aerial View
- Map of Nearby Conditional Use Permits
- Assessor's Plat T.16N R.3E Section 26
- Record of Survey 14-076
- Site Plan
- Pictures – May 26, 2022
- Responses

## **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 within one year, 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. All lights shall be fully shielded so that there is not upward or horizontal projection of lights.
6. All setback requirements must be met, including from the high-water line of Roseberry Ditch.
7. The minimum building setbacks shall be thirty feet (30') from front and rear property lines and ten feet (10) from side property lines
8. Must submit approval letter from Central District Health.
9. Must comply with requirements of the Donnelly Fire District. A letter of approval is required.
10. Quiet hours are 10:00 p.m. to 7:00 a.m.
11. All mounding and berms shall have slopes no steeper than three to one (3:1).
12. All noxious weeds on the property must be controlled.
13. The irrigation ditch and associated maintenance right-of-way must be accessible to the irrigation ditch company.



14. Animal feces must be bagged and deposited in the garbage or hauled to the Valley County Transfer Station. This does not include manure from livestock that may be on the property.
15. Prior to construction of any on-site improvements, the applicant shall meet with the Valley County Road Director and/or Board of County Commissioners to discuss off-site road improvements. If an agreement cannot be reached the application shall be set for another public hearing with the Valley County Planning and Zoning Commission to determine if the application can be approved without improvements and still meet their mandates concerning public health, safety, and welfare matters. The discussion will be concerning current road conditions and potential mitigation for impacts caused by the development.
16. Road stabilizer / dust suppressant shall be applied to Gold Fork Road immediately adjacent to said property on an annual basis. The property owner shall coordinate with the Valley County Road Department.
17. Shall obtain a sign permit prior to installation of a sign.

**END OF STAFF REPORT**

## 9-11-1: APPENDIX A, COMPATIBILITY EVALUATION:

A. General: One of the primary functions of traditional zoning is to classify land uses so that those which are not fully compatible or congruous can be geographically separated from each other. The county has opted to substitute traditional zoning with a multiple use concept in which there is no separation of land uses. Proposed incompatible uses may adversely affect existing uses, people, or lands in numerous ways: noise, odors, creation of hazards, view, water contamination, loss of needed or desired resources, property values, or infringe on a desired lifestyle. To ensure that the county can continue to grow and develop without causing such land use problems and conflicts, a mechanism designed to identify and discourage land use proposals which will be incompatible at particular locations has been devised. The compatibility evaluation of all conditional uses also provides for evaluations in a manner which is both systematic and consistent.

### B. Purpose; Use:

1. The compatibility rating is to be used as a tool to assist in the determination of compatibility. The compatibility rating is not the sole deciding factor in the approval or denial of any application.
2. Staff prepares a preliminary compatibility rating for conditional use permits, except for conditional use permits for PUDs. The commission reviews the compatibility rating and may change any value.

### C. General Evaluation: Completing the compatibility questions and evaluation (form):

1. All evaluations shall be made as objectively as possible by assignment of points for each of a series of questions. Points shall be assigned as follows:

Plus 2 - assigned for full compatibility (adjacency encouraged).

Plus 1 - assigned for partial compatibility (adjacency not necessarily encouraged).

0 - assigned if not applicable or neutral.

Minus 1 - assigned for minimal compatibility (adjacency not discouraged).

Minus 2 - assigned for no compatibility (adjacency not acceptable).

2. Each response value shall be multiplied by some number, which indicates how important that particular response is relative to all the others. Multipliers shall be any of the following:

x4 - indicates major relative importance.

x3 - indicates above average relative importance.

x2 - indicates below average relative importance.

x1 - indicates minor relative importance.

D. Matrix - Questions 1 Through 3: The following matrix shall be utilized, wherever practical, to determine response values for questions one through three (3). Uses classified and listed in the left hand column and across the top of the matrix represent possible proposed, adjacent, or vicinity land uses. Each box indicates the extent of compatibility between any two (2) intersecting uses. These numbers should not be changed from proposal to proposal, except where distinctive uses arise which may present unique compatibility considerations. The commission shall determine whether or not there is a unique consideration.

### E. Terms:

**DOMINANT ADJACENT LAND USE:** Any use which is within three hundred feet (300') of the use boundary being proposed; and

1. Comprises at least one-half ( $\frac{1}{2}$ ) of the adjacent uses and one-fourth ( $\frac{1}{4}$ ) of the total adjacent area; or
2. Where two (2) or more uses compete equally in number and are more frequent than all the other uses, the one with the greatest amount of acreage is the dominant land use; or
3. In all other situations, no dominant land use exists. When this occurs, the response value shall be zero.

**LOCAL VICINITY:** Land uses within a one to three (3) mile radius. The various uses therein should be identified and averaged to determine the overall use of the land.

### F. Questions 4 Through 9:

1. In determining the response values for questions 4 through 9, the evaluators shall consider the information contained in the application, the goals and objectives of the comprehensive plan, the provisions of this title and related ordinances, information gained from an actual inspection of the site, and information gathered by the staff.
2. The evaluator or commission shall also consider proposed mitigation of the determined impacts. Adequacy of the mitigation will be a factor.



# Compatibility Questions and Evaluation

Matrix Line # / Use: \_\_\_\_\_

Prepared by: \_\_\_\_\_

YES/NO      X      Response  
Value

Use Matrix Values:

(+2/-2)      X      4      \_\_\_\_\_

1. Is the proposed use compatible with the dominant adjacent land use?

(+2/-2)      X      2      \_\_\_\_\_

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

(+2/-2)      X      1      \_\_\_\_\_

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

## Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2)      X      3      \_\_\_\_\_

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

(+2/-2)      X      1      \_\_\_\_\_

5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?

(+2/-2)      X      2      \_\_\_\_\_

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

(+2/-2)      X      2      \_\_\_\_\_

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

(+2/-2)      X      2      \_\_\_\_\_

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

(+2/-2)      X      2      \_\_\_\_\_

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

Sub-Total      (+)      \_\_\_\_\_

Sub-Total      (-)      \_\_\_\_\_

Total Score      \_\_\_\_\_

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

# APPENDIX A

## MATRIX FOR RATING QUESTIONS 1, 2, and 3

MATRIX FOR RATING QUESTIONS 1, 2, and 3																							
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
1. AGRICULTURAL		+2	-1	-2	-2	-2	-2	+1	+1	+1	+1	+2	+1	+1	-1	-1	-1	+2	-1	-2	+1	+2	+2
2. RESIDENCE, S.F.	+2		+2	+1	+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
3. SUBDIVISION, S.F.	-1	+2		+1	+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+2	+1	-1	+2	+1	-2	-2
4. M.H. or R.V. PARK	-2	+1	+1		+1	+1	+1	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
5. RESIDENCE, M.F.	-2	+1	+1	+1		+2	+2	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
6. SUBDIVISION, M.F.	-2	+1	+1	+1	+2		+2	+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
7. P.U.D., RES.	-2	+1	+1	+1	+2	+2		+1	+1	-1	+2	+1	-2	+1	-1	+1	+1	+1	-1	+1	+1	-2	-2
8. REL., EDUC & REHAB	+1	+2	+1	+1	+1	+1	+1		+1	+1	-1	+2	-2	-1	-1	+2	+2	+1	+1	-1	+1	-2	-1
9. FRAT or GOVT	+1	+1	+1	+1	+1	+1	+1	+1		+1	-1	+2	-2	-1	-1	+1	+1	+1	+1	-1	+1	-2	-2
10. PUBLIC UTIL. (1A-3.1)	+1	-1	-1	-1	-1	-1	-1	+1	+1		+1	+1	-1	+1	+1	+1	-1	+1	+1	+1	+1	+2	+2
11. PUBLIC REC	+1	+2	+2	+2	+2	+2	+2	-1	-1	+1		+2	-1	+1	+1	+1	+1	+1	+1	+1	+2	+1	+1
12. CEMETERY	+2	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2		+1	+1	+1	+1	+1	+1	+1	+1	+2	+1	+1
13. LANDFILL or SWR. PLANT	+1	-2	-2	-2	-2	-2	-2	-2	-2	-1	-1	+1		-1	-1	-2	-2	-2	-2	-1	+2	+2	+2
14. PRIV. REC. (PER)	+1	+1	+1	+1	+1	+1	+1	-1	-1	+1	+1	+1	-1		+1	+1	+1	+2	+1	+2	+2	-1	+1
15. PRIV. REC. (CON)	-1	-1	-1	-1	-1	-1	-1	-1	-1	+1	+1	+1	-1	+1		-2	-2	-1	-2	-2	+2	-1	+1
16. NEIGHBORHOOD BUS.	-1	+1	+1	+1	+1	+1	+1	+2	+1	+1	+1	+1	-2	+1	+1		+1	+2	+2	+1	+2	-1	-1
17. RESIDENCE BUS.	+2	+2	+2	+1	+1	+1	+1	+2	+1	-1	+2	+1	-2	+1	-2	+1		+1	-1	+1	+1	-2	-2
18. SERV. BUS.	-1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2	+2	+2		+2	+2		+1	+1
19. AREA BUS.	-2	-1	-1	-1	-1	-1	-1	+1	+1	+1	+1	+1	-2	+1	-2	+2	+2	+2		+1	+2	-2	-2
20. REC. BUS.	-2	+2	+2	+1	+1	+1	+1	-1	-1	+1	+1	+1	-1	+2	-2	+1	+1	+2	+1		+2	-2	+1
21. LIGHT IND.	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2	+2	+2	+2	+2	+2	+2	+2		+1	+1
22. HEAVY IND.	+2	-2	-2	-2	-2	-2	-2	-2	-2	+2	-1	+1	+2	-1	-1	-1	-1	-2	-1	-2	+1		+2
23. EXTR. IND.	+2	-2	-2	-2	-2	-2	-2	-1	-2	+2	+1	+1	+2	+1	+1	-1	-1	-2	-1	-2	+1	+1	+2

THE SOLID SQUARES AS +2

# Compatibility Questions and Evaluation

Matrix Line # / Use: 19

Prepared by: CH

YES/NO X Response Value

Use Matrix Values:

(+2/-2) -2 X 4 -8

1. Is the proposed use compatible with the dominant adjacent land use?

Agricultural (Will be Residential)

(+2/-2) -1 X 2 -2

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

S.F. Residential

(+2/-2) -1 X 1 -1

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

See 1 & 2 w/ some Commercial on Barker

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) +1 X 3 +3

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

Large, but no trees. Use will mostly be in insulated building.

(+2/-2) +2 X 1 +2

5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?

Yes, Ag building and House

(+2/-2) +1 X 2 +2

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

Will be increase in traffic - 10 visits per day

(+2/-2) -1 X 2 -2

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

Noise will be emitted unless dogs are controlled.

(+2/-2) +2 X 2 +4

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

Yes

(+2/-2) +2 X 2 +4

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

A needed service.

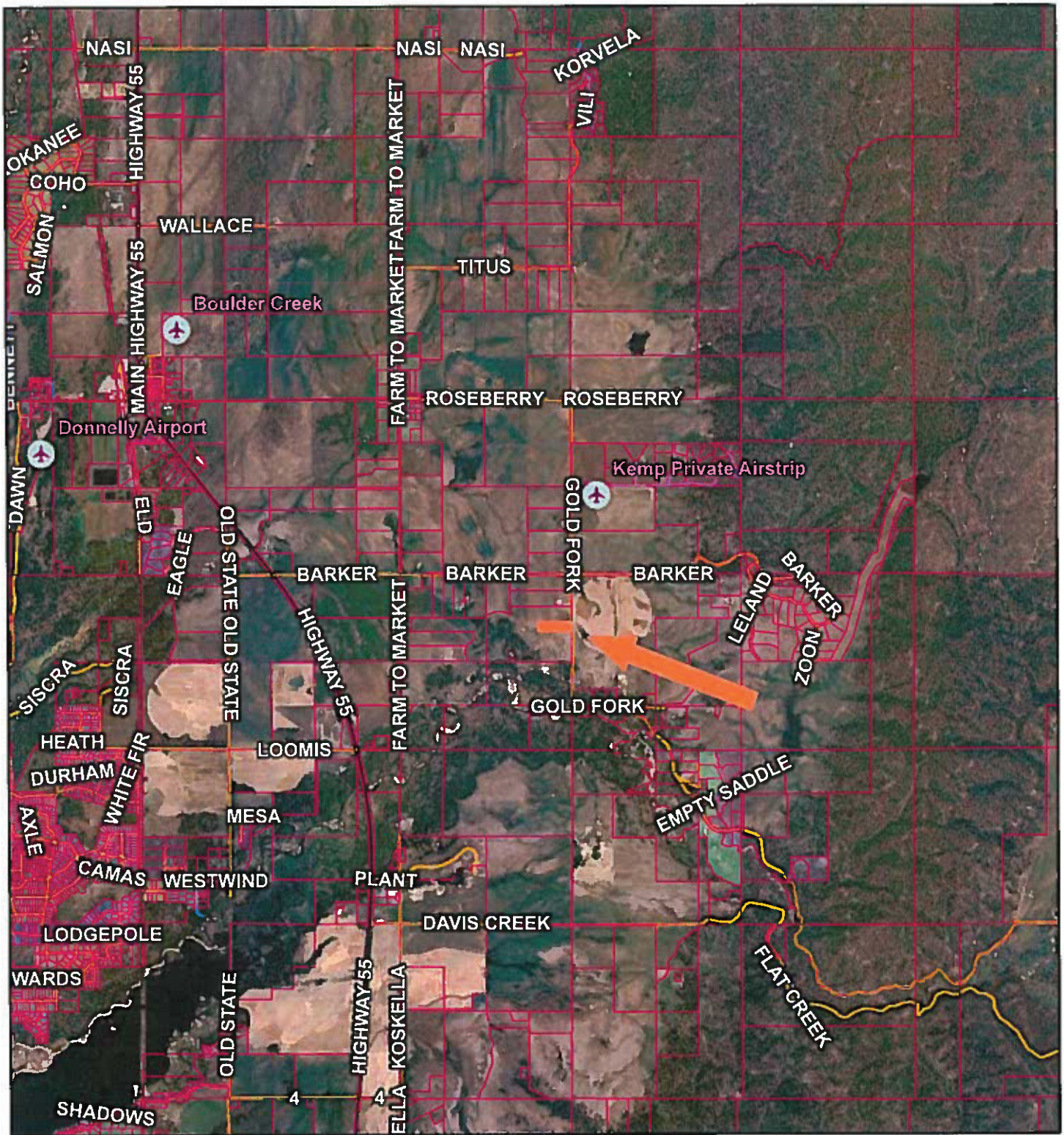
Sub-Total (+) 15

Sub-Total (-) 13

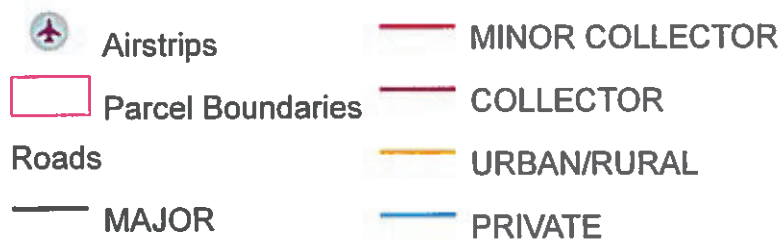
Total Score +2

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.





4/28/2022, 10:41:13 AM



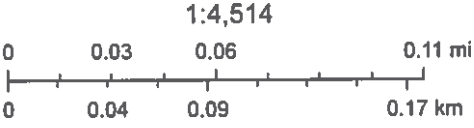
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





4/28/2022, 10:07:01 AM

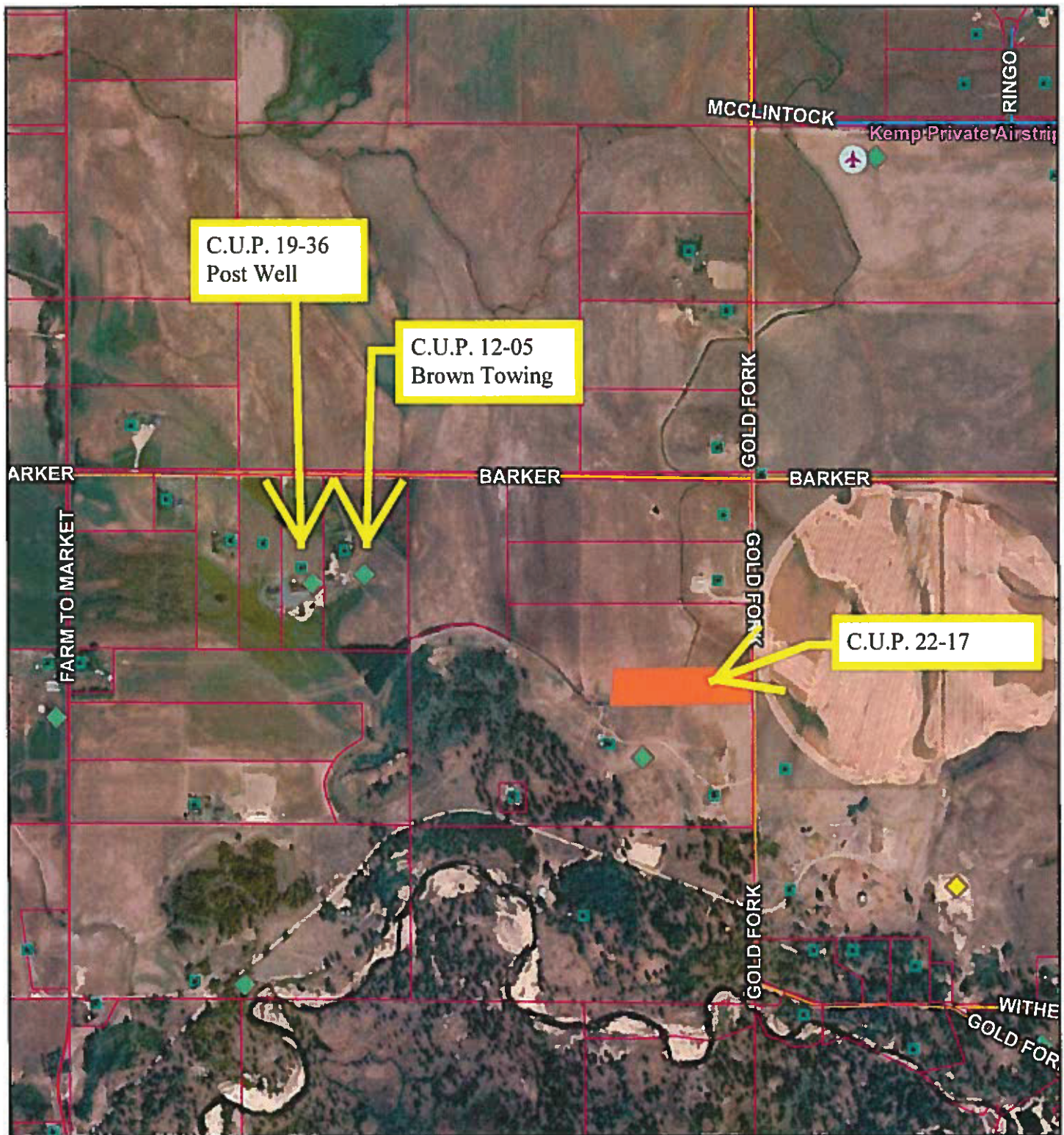
- Addresses
- Parcel Boundaries
- Roads
- URBAN/RURAL



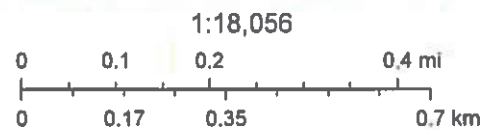
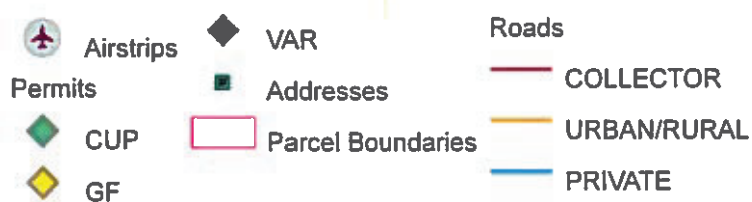
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



# C.U.P. 22-17 Nearby Conditional Use Permits



6/1/2022, 4:56:52 PM



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community







285'

# 2

2.86  
acres

393'

494'

Total Acreage =  
6.4 acres

E Roseberry  
Ditch

Residence

Garage

Fence

3.54  
acres

592'

Outside  
Play Area  
& Septic  
System

150'

175'

491'

Animal  
Boarding  
Facility

50'

100'

Parking  
6-spaces

100'

125'  
Setback

Potable Water  
Well

30'

N

Gold Fork Road

Plot Plan

Scale: Each square = 25' x 25'











Valley County Transmittal  
Division of Community and Environmental Health

Return to:

- ☐ Cascade  
☐ Donnelly  
☐ McCall  
☐ McCall Impact  
☒ Valley County

Rezone # \_\_\_\_\_

Conditional Use # CUP 22-17

Preliminary / Final / Short Plat Tamarack Mt. Kennels

Sec 24

- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☒ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☒ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☒ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
- |  |   |
|--|---|
| <input checked="" type="checkbox"/> high seasonal ground water | <input type="checkbox"/> waste flow characteristics |
| <input type="checkbox"/> bedrock from original grade           | <input type="checkbox"/> other _____                |
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
- |  |  |   |
|--|--|---|
| <input type="checkbox"/> central sewage    | <input type="checkbox"/> community sewage system | <input type="checkbox"/> community water well |
| <input type="checkbox"/> interim sewage    | <input type="checkbox"/> central water           |   |
| <input type="checkbox"/> individual sewage | <input type="checkbox"/> individual water        |   |
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> central sewage   | <input type="checkbox"/> community sewage system | <input type="checkbox"/> community water |
| <input type="checkbox"/> sewage dry lines | <input type="checkbox"/> central water           |  |
- ☐ 10. Run-off is not to create a mosquito breeding problem
- ☐ 11. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 12. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 13. We will require plans be submitted for a plan review for any:
- |   |   |  |
|---|---|--|
| <input type="checkbox"/> food establishment     | <input type="checkbox"/> swimming pools or spas | <input type="checkbox"/> child care center |
| <input type="checkbox"/> beverage establishment | <input type="checkbox"/> grocery store          |  |
- ☒ 14. Septic application for Residence & Kennel facility will be required. Additional information on STAFF numbers & # of indoor kennels and wash downs of kennels will need to be provided for septic system sizing. All feces should be bagged and deposited in garbage. Reviewed By: WHR 5/11/22





## Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

May 17, 2022

Valley County Planning & Zoning Commission  
P.O. Box 1350  
Cascade, Idaho 83611

RE: C.U.P. Tamarack Mountain Kennels

After review, the Donnelly Rural Fire Protection District will require the following.

- **Section 503.7.5 IFC 2015** all buildings shall have a permanently posted address, that shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and maintained thereafter.
- **Section 503.7.7 IFC 2015** where security gates are installed, they shall have an approved means of emergency operation. The security gates and emergency operation shall be maintained operational at all times.
- **Section 503.7.8 IFC 2015** Driveways shall be designed and maintained to support the imposed loads of local responding fire apparatus and shall be surfaced as to provide all weather driving capabilities
- Driveways shall be inspected and approved by Donnelly Rural Fire Protection District personnel prior to certificate of occupancy being issued
- All commercial building plans shall be submitted to the Donnelly Rural Fire Protection District for review prior to construction

Please call 208-325-8619 with any questions.

Jess Ellis

A handwritten signature in black ink, appearing to read "Jess Ellis".

Fire Marshal  
Donnelly Fire Department



## Valley County Road & Bridge

PO Box 672\* Cascade, Idaho 83611

Jeff McFadden  
Superintendent

[jmcfadden@co.valley.id.us](mailto:jmcfadden@co.valley.id.us)  
Office \* (208)382-7195  
Fax \* (208)382-7198

C.U.P. 22-17

May 26, 2022

The Valley County Road Dept. was asked to review this CUP and provide comments related to the anticipated impact to the local roads that will be utilized for accessing the proposed kennels. CUP 22-17 is submitted by Courtney Forrest seeking approval of a 6.4 acre animal boarding facility. The application proposes an anticipated 20 vehicle trips per day.

County maintained roads that will see increased traffic by the addition of the proposed development if the plat is approved include Farm to Market Road, Barker Lane and Gold Fork Road. It is expected that transportation services including all season road maintenance, road resurfacing, road rebuilds provided by Valley County Road Dept. will be impacted by the increased traffic.

- Recommendation (1): Apply road stabilizer/dust control on Gold Fork Road immediately adjacent to said property

Any or all of the above recommendations that are agreeable to the developer should be memorialized in a future voluntary road agreement negotiated between the Valley County Board of County Commissioners, Valley County Road Dept. and developer identifying the value of road improvement costs contributed.

Valley County Road Superintendent

Jeff McFadden

**From:** [REDACTED]  
**Sent:** Tuesday, May 31, 2022 8:37 PM  
**To:** Cynda Herrick <cherrick@co.valley.id.us>  
**Subject:** C.U.P. 22-17 Tamarack Mountain Kennels

Hello Cinda,

I'm writing in to share our concerns about C.U.P. 22-17 Tamarack Mountain Kennels, which is going up for review on June 9th, 2022.

I want to say that we truly believe in everyone's individual property rights and it's not our intention to hinder the Forrest's property rights. However, there comes a point where we have to consider all of the other property rights that surround a property. With that said, **we oppose** the Forrest's request to have a dog kennel at the requested location. We believe an Industrial area would be a much better suited location for their business. There were multiple issues that came to mind for us when we heard about the potential business being brought into our neighborhood. The issues are addressed below.

We have a big concern about the continuous noise. As you know we live in a valley and noise echos throughout. With that continuous noise, we also believe it will hinder the natural path of wildlife in our area. We are almost wondering if a study needs to be conducted on what wildlife migrates through that area to see what impact a dog kennel will have on the wildlife's natural migration. Is Idaho Fish and Game aware of this requested C.U.P.? I'm sure you are aware that the Points feed elk every winter at their property and it is located directly West of the Forrest property. Will this continuous noise hinder that yearly migration?

The traffic on Barker Lane will significantly increase. We don't feel Barker Lane can take additional traffic unless there is a plan to completely redo the road. Does the county or the Forrest's have a plan in place to pave Barker Lane? The road is severely eroded in the spring and winter, as it is a very low maintained dirt road. All of the traffic going to the kennel will be traveling by our property on a daily basis, and therefore, the dust issue is another concern. The dust is so bad in the summer and fall that the first four homes on Barker Lane pay yearly to have the road oiled. We are on a list to have it done again this year, but the company that does the work has no material and doesn't know when they will be getting more.

I'm sure they may have thought it would be a good fit because there are currently two other approved C.U.P.'s in the same neighborhood. However, both of those companies do not conduct their business at their properties. The business is conducted elsewhere, and the offices and shops are only located at the properties. I know this because one of the businesses is ours.

We are also curious on how they plan on keeping the dogs in a fenced area when we can receive more than 5 ft. of snow some years? I can tell you from experience fences don't work with snow up here.

Thank you for taking the time to read this and considering our concerns. We also thank you for considering the concerns we have with the wildlife in our area.

Sincerely,

George and Angie Post

**From:** Larry Brown [REDACTED]  
**Sent:** Wednesday, June 1, 2022 9:00 AM  
**To:** Cynda Herrick <cherrick@co.valley.id.us>  
**Subject:** Kennels

Good morning

I want to let it be known that we are not for approval of the kennels on gold fork road. However, if it is approved, the owner needs to know that i shoot here on my property, sometimes i shoot allot, other times not at all. They need to know that i will continue. I can see where the owners need to take the noise of the target shooting in consideration. My property is about 900 yards from the proposed location.

Thank you ,

Larry brown

Brown Towing

**From:** Scott Hannah [REDACTED]  
**Sent:** Wednesday, June 1, 2022 11:32 AM  
**To:** Cynda Herrick <cherrick@co.valley.id.us>  
**Subject:** Tamarack Mountain Kennels

Hello Cynda,

I'm emailing in regards to the Tamarack Mountain Kennels. Although I don't want to be that neighbor that shuts down anyone's dream, I am concerned with my follow neighbors about the negative affect of a 24/7 dog kennel just down the street. I understand that they are working with the county to work through those issues. Although I'm not in Idaho at the moment, my voice is in alignment with Jason Bergquist, Christy Papps, Brett and other neighbors, that if they believe a kennel is not best for the area than I'm in agreement.

Thanks,

Scott Hannah  
345 Gold Fork Road