## Valley County Planning and Zoning

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



Phone: 208-382-7115 Fax: 208-382-7119 Email: cherrick@co.valley.id.us

**STAFF REPORT:** 

C.U.P. 22-14 Hall's RV Site

**HEARING DATE:** 

June 9, 2022

TO:

Planning and Zoning Commission

STAFF:

Cynda Herrick, AICP, CFM Planning and Zoning Director

APPLICANT / OWNER:

Robert S Hall PO Box 117

Kuna ID 83634

**LOCATION:** 

8 Atkin Lane

RP12N04E043470

NWNW Sec. 4, T.12N R.4E, Boise Meridian, Valley County, Idaho

SIZE:

5.3-Acre Parcel

**REQUEST:** 

Recreational Vehicle Park for Six RVs

**EXISTING LAND USE:** 

Bare Land - Single-Family Residential Rural Parcel

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 will be no short-term nor long-term rentals of the site or of individual RVs parking areas.

There is an individual well, a septic system, and electrical power.

The applicant previously applied for Recreational Vehicle Campground (RVC) permit which allows a maximum of three RVs (RVC 2021-10).

The 5.3-acre site is addressed at 8 Atkin Lane.

## **FINDINGS:**

- 1. The application was submitted on April 8, 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 12, 2022. The site was posted on May 26, 2022. The notice was posted online at www.co.valley.id.us on May 10, 2022.

Staff Report C.U.P. 22-14 Page 1 of 5 3. Agency comment received:

Central District Health stated that the septic system for this proposal was inspected and approved on September 14, 2021. (May 11, 2022)

Jeff McFadden, Valley County Road Superintendent, recommends that a road stabilizer / dust suppressant be applied to Atkin Lane between Clear Creek Road and the driveway entrance. 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: None
- 5. Physical characteristics of the site: Relatively flat with trees and ponds.
- 6. The surrounding land use and zoning includes:

North: Single Family Residential Rural Parcel South: Single Family Residential Rural Parcel

East: Single Family Residential Subdivision - Newell's Subdivision

West: Clear Creek Inn, Restaurant, and RV Park

- 7. Valley County Code (Title 9) in Table 9-3-1. This proposal is categorized under:
  - 4. Private Recreation Uses (e) Campgrounds and facilities, including tent camps

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

8. The following is the code that specifically applies to Recreational Businesses and Private Recreation Uses:

## **ARTICLE E. PRIVATE RECREATION USES**

## 9-5E-1: SITE OR DEVELOPMENT STANDARDS:

Private recreation uses requiring a conditional use permit shall meet the following site or development standards:

A. Minimum Lot Area:

- 1. The minimum area for any use in this category shall be sufficient to accommodate the use, associated activities or uses, and to adequately contain adverse impacts.
- 2. Frontage along a public or private road shall not be required.
- B. Minimum Setbacks: The minimum <u>building</u> setbacks shall be fifty feet (50') from front, rear, and side street property lines, and thirty feet (30') from side property lines.
- C. Maximum Building Heights and Floor Areas:
  - 1. The maximum building height shall be thirty five feet (35').
  - 2. Maximum floor areas shall not exceed the limitations of subsections 9-5-3A and C of this chapter.
  - 3. No building or combination of buildings may cover more than one percent (1%) of the lot or parcel.
- D. Site Improvements: Parking spaces shall be provided at the rate of one per every four (4) persons of total occupancy or attendance. (Ord. 10-06, 8-23-2010)

## 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.
- 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)

## SUMMARY:

Compatibility Rating: Staff's compatibility rating is a +19.

The Planning and Zoning Commission should do their own compatibility rating prior to the meeting (form with directions attached).

## **STAFF COMMENTS AND QUESTIONS:**

- 1. This site is within the Cascade Fire District.
- 2. This site is not within an Irrigation District nor a herd district.
- 3. Staff requested a narrative and information on sewer, water, and power. The applicant's representative replied that the RV spots will be for family, not for rental. The time frame of construction will be completed by June 24, 2022. Each RV spot will have connections to sewer, water, and power. Staff clarified that the site has a septic system, not sewer hook-up.
- 4. A revised site plan showing the ponds, setback from the high-water line, and any fire pits should be submitted by applicant.
- 5. What is the height of the wooden privacy fence along Clear Creek Road and Aitken Lane?
- 6. Is the fence constructed on the property line? Is the line of sight at the intersection obscured by the fence?
- 7. When were the ponds constructed? Our aerials do not show ponds until January 2022. We did not issue a site grading permit. Do you have the approvals for the ponds from Idaho Dept. of Water Resources and the Army Corps of Engineers?

8. In 1971, an ordinance was adopted regulating the development of "Mobile Homes", including recreational vehicles (RV). Mobile Home parks and developments may be classified as residential uses, but in this situation, I believe the use is categorized as a commercial recreation use. These requirements consider the following: reasonable frontage; separation from traditional residential uses; not located near marshes; central water, sewer, and power; harmonious appearance; community facilities; circulation; facilities and amenities; open areas; site views; topography; size of sites; parking areas; lighting; walkways; hardened surfaces for the RV and driveways, etc.

RECREATIONAL VEHICLE CAMPGROUND: A parcel of land under one ownership which has been planned and improved for the placement of two (2) or three (3) transient recreational vehicles for dwelling purposes, including placement on parcels where single family residential uses have also been established. It is specifically for the recreational use of the parcel by friends and family of the property. An administrative permit in accordance with VCC Title 9-4-8 Recreational Vehicle Campground is required. This does not include multiple family groups that are camping on holiday type of weekends. (Valley County Code 9-1-10)

When the ordinance was amended in May of 2020, the matrix and private recreation use standards were not changed. The ordinance allows for Recreational Vehicle Campgrounds as permitted uses. It was never determined what standards would be for uses beyond the 3 RVs, which require the conditional use permit versus other recreation uses that require increased setbacks. Setbacks are measured for buildings; RV's are not buildings. The same thoughts should be applied to the matrix.

The Commission should determine if the mitigation of trees and placement of the RV's should allow for the setbacks to be the same as residential (Recreation Vehicle Campground) or as a Private Recreation Campground.

On August 13, 2020, for a similar type of application, the Commission determined the single-family residential setbacks were adequate.

| S   | Front | Rear | Side Street | Side |
|---|-------|------|-------------|------|
| Single Family Residential and Recreational Vehicle Campground | 20'   | 20'  | 20'         | 7 ½' |
| Private Recreation Campground                                 | 50'   | 50'  | 50'         | 30'  |

This site has roads along two of the four sides of the property.

### **ATTACHMENTS:**

- Conditions of Approval
- Blank Compatibility Evaluation
- Staff's Compatibility Evaluation
- Vicinity Map
- Aerial View
- Assessor's Plat T.12N R.4E Section 4
- Record of Survey 14-57
- Site Plan
- Pictures May 26, 2022
- Responses

#### 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:

- 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.
- 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).
  - 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 (1/2) of the adjacent uses and one-fourth (1/4) of the total adjacent area, or
- 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:

- 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.

APPENDIX A

| •                          |          |      |              |             |     |       |     | 10000 | ٠      |              |          |     | 120      |     |              |    |          | I   | Ì        | ŀ         |          |    | ſ  | 1  |
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| 5. RESIDENCE, M.F.         | 7        | -    |              | -           |     |       |     | +     | 4-     | -{           | +-       | -   | 1        | 7   | <del>!</del> |    | 7        | 17  | 1        | +         | 17       | 17 | S  | 3  |
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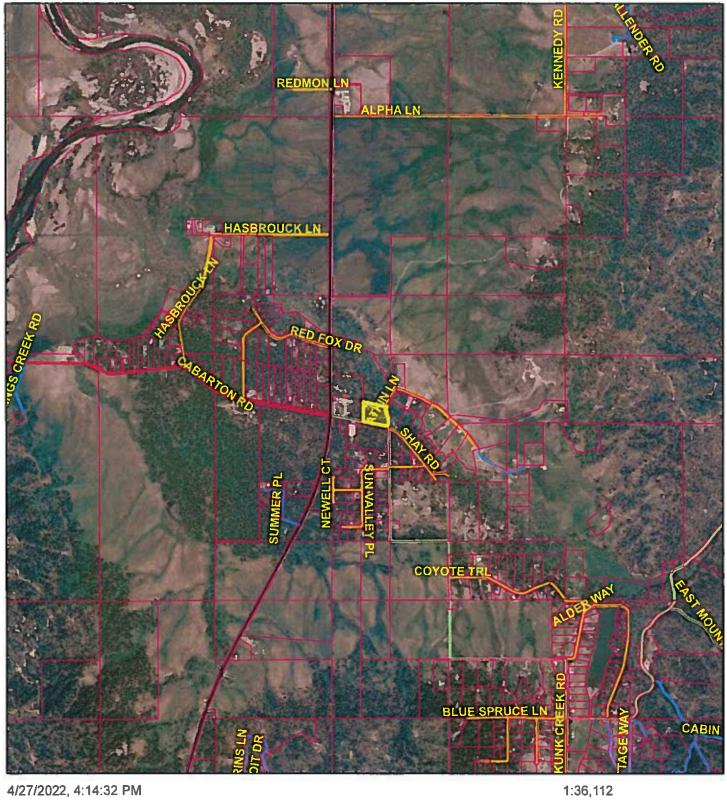
# **Compatibility Questions and Evaluation**

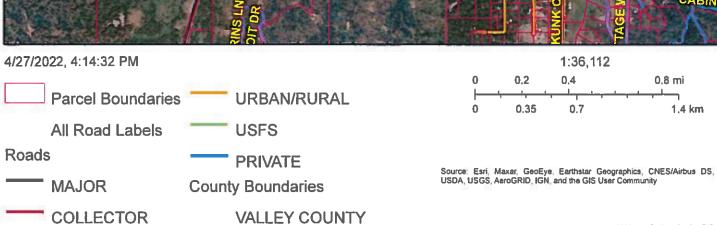
| Matrix Line # / Use:                    | Prepared by:  |
|---|---|
| YES/NO X Value                          | <u>Use Matrix Values:</u>   |
| (+2/-2) <u>-/</u> x 4 <u>-4</u>         | 1. Is the proposed use compatible with the dominant adjacent land use?  |
| (+2/-2) <u>{</u> X 2 <u></u> + <u>2</u> | 2. Is the proposed use compatible with the other adjacent land uses (total and average)?  Area Business: EV Park  |
| (+2/-2) -/ X 1 -/                       | 3. Is the proposed use generally compatible with the overall land use in the local vicinity?  Lee / + 2 with Aprica/furg  |
| (+21-2) + 1x 3 + 6                      | Site Specific Evaluation (Impacts and Proposed Mitigation)  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?  Yes the large enough and  |
| (+2/-2) +2×1+2                          | 5. There are a lot of trees  Is the size or scale of proposed lots and/or structures similar to adjacent ones?  |
| (+21-2) <u>† z x 2 + 4</u>              | 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, onsite roads, or access roads?  **The state of the proposed use similar to the uses on properties that will be affected by proximity to parking lots, onsite roads, or access roads? |
| (+21-2) <u>+1</u> x 2 <u>+2</u>         | 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?  **Wood Smoke - Noice**  |
| (+21-2) +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?  |
| (+21-2) +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?  |
| Sub-Total (+) 24                        | Very little Change  |
| Sub-Total () <u>5</u>                   |   |
| Total Score <u>+/9</u>                  |   |

The resulting values for each questions shall be totaled so that each land use and development proposal

receives a single final score.

# C.U.P. 22-14 at 8 Atkin Lane





# C.U.P. 22-14 at 8 Atkin Lane



4/27/2022, 4:11:03 PM

Parcel Boundaries

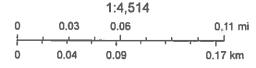
Addresses

All Road Labels

USFS

**County Boundaries** 

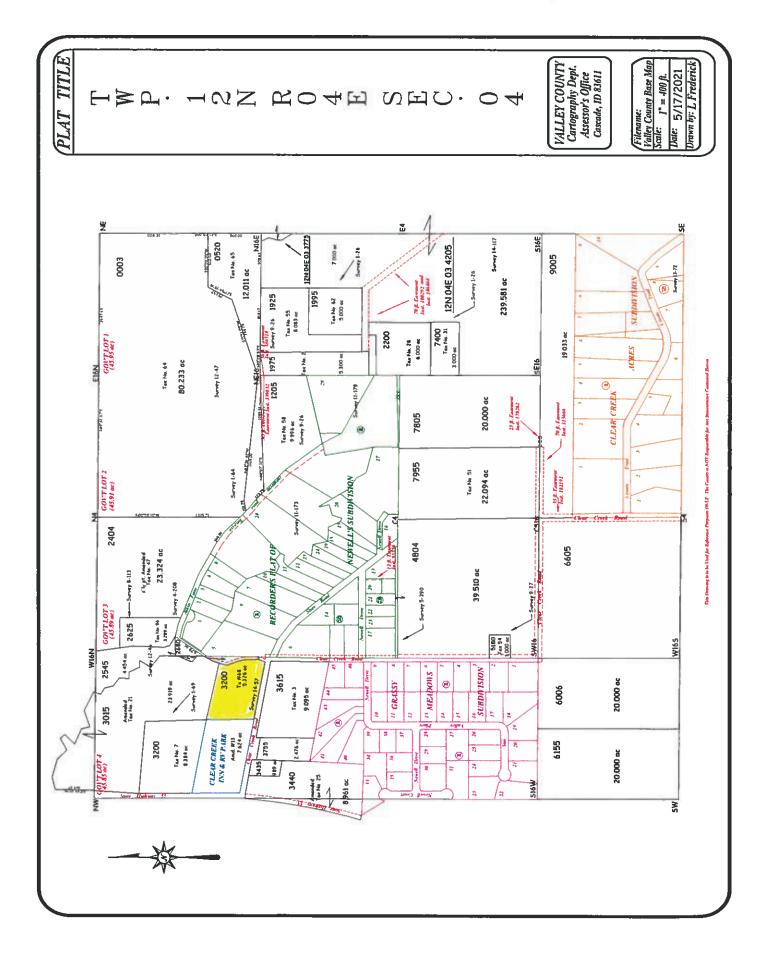
**VALLEY COUNTY** 

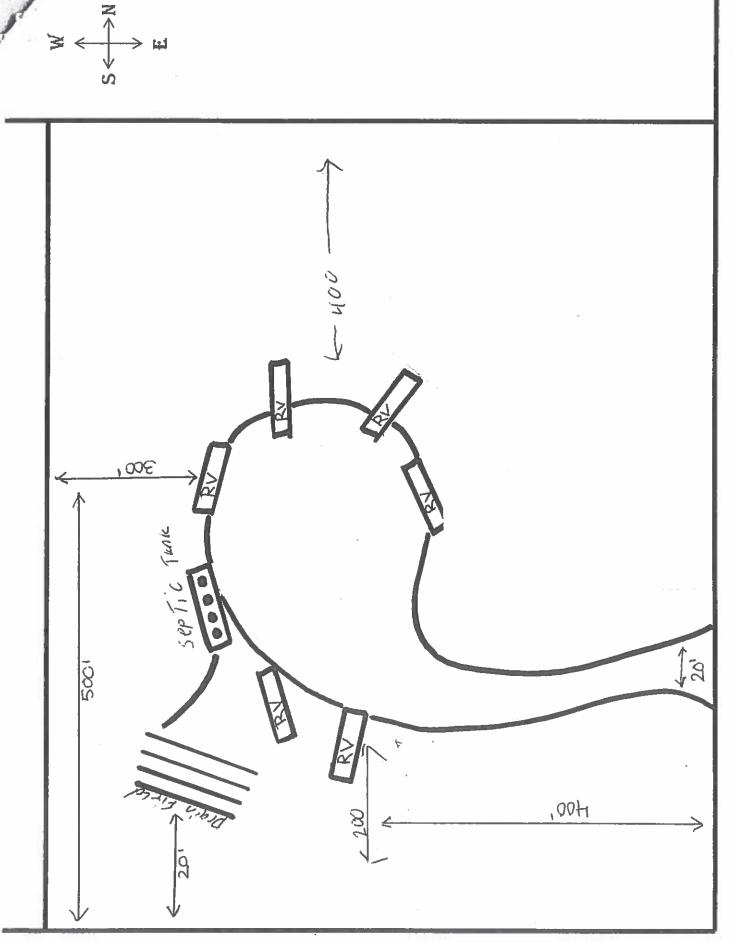


Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

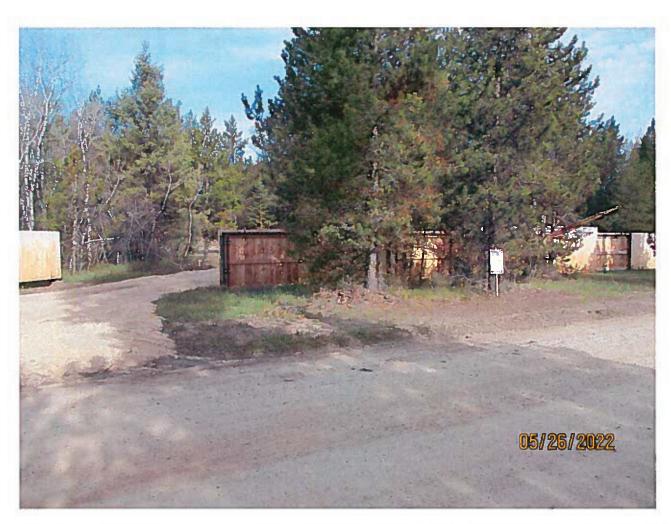








Clear Creek Rd

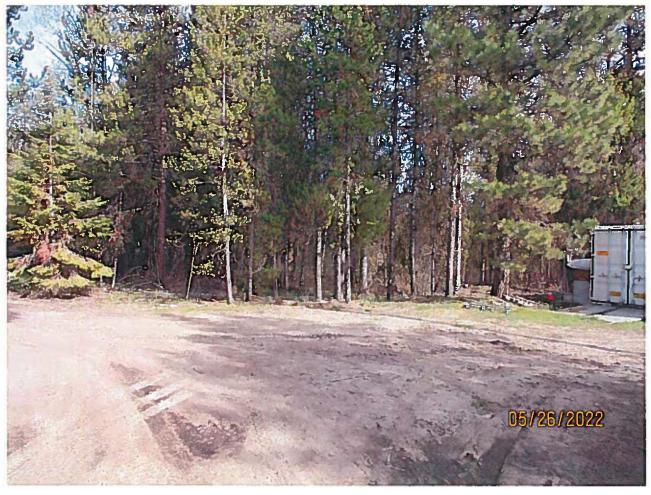












From: Jean Critcher

Sent: Tuesday, May 17, 2022 7:41 AM

To: Cynda Herrick

Subject: CUP 22-14 Hall's RV Site

Please find below the answers to the letter dated 5-10-22:

The purpose and use for the RV spots is for family, not for rentals. The timeframe of construction will be completed by the 24th of June 2022.

Each RV spot will have connections to sewer, water and power.

Jean Critcher H & B Crushing LLC

|              |      | CENTRAL Valley County Transmittal DISTRICT Division of Community and Environmental Health  | Return to:             |
|--------------|------|--|------------------------|
|              | Rez  | one #  | ☐ Donnelly<br>☐ McCall |
|              | Cor  | ditional Use #Cup 22-14  | ☐ McCall Impact        |
|              | Prel | iminary / Final / Short Plat Hall's RUS, Le  | Valley County          |
|              |      | Sec 4  |                        |
|              |      | 8 ATKIN Lone   |                        |
|              | 1.   | We have No Objections to this Proposal.  |                        |
|              | 2    | We recommend Denial of this Proposal.  |                        |
|              | 3.   | Specific knowledge as to the exect type of use must be provided before we can comment on this p  | )tonosal               |
|              | 4.   | We will require more data concerning soil conditions on this Proposal before we can comment.   |                        |
|              |      | Before we can comment concerning individual sewage disposal, we will require more data concern of:    high seasonal ground water   waste flow characteristics   bedrock from original grade   other  | ing the depth          |
|              | 6.   | This office may require a study to assess the impact of nutrients and pathogens to receiving groun waters.   | d waters and surface   |
|              | 7.   | This project shall be reviewed by the Idaho Department of Water Resources concerning well const availability.  | ruction and water      |
|              | 8.   | After written approvals from appropriate entities are submitted, we can approve this proposal for:   |                        |
|              |      | ☐ central sewage ☐ community sewage system ☐ community sewage ☐ community sewage system ☐ community sewage ☐ community sewage ☐ community sewage ☐ community sewage System ☐ |                        |
|              | 9.   | The following plan(s) must be submitted to and approved by the Idaho Department of Environme   | ntal O. W              |
| _            |      | central sewage community sewage system community sewage dry lines central water  |                        |
|              | 10.  | Run-off is not to create a mosquito breeding problem   |                        |
|              | 11.0 | This Department would recommend deferral until high seasonal ground water can be determined considerations indicate approval.  | if other               |
|              | 12   | If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho St Regulations.   | ete Sewage             |
|              | 13.  | We will require plans be submitted for a plan review for any:  food establishment swimming pools or spes child care beverage establishment grocery store   | Center                 |
| <b>/</b> **/ | 14.  | The sephe system for this proposed was   | inspected              |
|              |      | And approved on 9/14/21  | 4-10-                  |
|              |      | Reviewed By:   | ulm                    |
|              |      | D-   | .5/11/22               |



## Valley County Road & Bridge

PO Box 672\* Cascade, Idaho 83611

Jeff McFadden Superintendent

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C.U.P. 22-14

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 RV Park. CUP 22-14 submitted by Bob Hall seeking approval of a 5.3 acre RV park addressed at 8 Adkin Lane. The application proposes a maximum of 6 RV lots.

County maintained roads that will see increased traffic by the addition of the proposed development if the plat is approved include Clear Creek Road and Adkin Lane 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 a road stabilizer/dust suppressant to Adkin Lane between Clear Creek Road and RV entrance to minimize dust.

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