## 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. 22-28 Elk Ridge Retreat

**HEARING DATE:** 

August 11, 2022

TO:

Planning and Zoning Commission

STAFF:

Cynda Herrick, AICP, CFM

Planning and Zoning Director

APPLICANT / OWNER:

James Sabatasse

PO Box 550

Cascade ID 83611

REPRESENTATIVE:

Dave O'Brien

Cascade Lake Realty

P.O. Box 612

Cascade, ID 83611

LOCATION:

12206 Highway 55

RP15N03E25661 located in the S ½ SW ¼ Section 25,

T.15N, R.3E, Boise Meridian, Valley County, Idaho

SIZE:

20-Acres

REQUEST:

Short-Term Rental - Maximum of 20 guests

**EXISTING LAND USE:** 

Single-family Residential and Agriculture (Timber and Grazing)

James Sabatasse is requesting a conditional use permit for a short-term rental with a maximum of 20 guests. The home is approximately 6,048-sqft and uses an individual well and individual septic system. The home has five bedrooms.

The 20-acre parcel is addressed at 12206 Highway 55. The home is accessed from Highway 55 using a shared driveway easement. The applicant owns two adjacent parcels; approximately 72 acres in total.

The project description states that overnight camping in RV's will be limited to 1 RV on the site. There is adequate parking for large RVs, boats, snowmobile trailers, etc.

Short-term Rental or "vacation rental": means any individually or collectively owned single-family house or dwelling unit or any unit or group of units in a condominium, cooperative or timeshare, or owner-occupied residential home that is offered for a fee and for thirty (30) days or less.

Short-term rentals do not include a unit that is used for any retail, restaurant, banquet space, event center, hotel/motel type lodging, or another similar use.

Short-term rentals requesting greater than 12 guests per night require a conditional use permit.

Staff Report C.U.P. 22-28 Page 1 of 4

### **FINDINGS:**

- 1. The application was submitted on June 8, 2022.
- 2. Legal notice was posted in the *Star News* on July 21, 2022, and July 28, 2022. Potentially affected agencies were notified on July 12, 2022. Property owners within 300 feet of the property line were notified by fact sheet sent July 13, 2022. The site was posted on July 29, 2022. The notice was posted online at www.co.valley.id.us on July 12, 2022.
- 3. Agency comment received:

Central District Health stated that a septic system was installed and approved for an occupancy of 20 people on November 8, 2021. (July 29, 2022)

- 4. Public comment received: None
- 5. Physical characteristics of the site: Sloped topography; partially timbered.
- 6. The surrounding land use and zoning includes:

North: Agriculture (Timber and Grazing)

South: Agriculture (Timber and Grazing) and Single-Family Residential

East: Agriculture (Timber)

West: Agriculture (Timber and Grazing) and Single-Family Residential

- 7. Valley County Code (Title 9): In Table 9-3-1, this proposal is categorized under:
  - 5. Commercial Uses (c) Service Business (3) Motel, hotel, apartments, resort, bed and breakfast, or lodge.

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

## Valley County Code:

### 9-4-1:DEFINITIONS:

Short-term Rental or "vacation rental": means any individually or collectively owned single-family house or dwelling unit or any unit or group of units in a condominium, cooperative or timeshare, or owner-occupied residential home that is offered for a fee and for thirty (30) days or less. Short-term rentals do not include a unit that is used for any retail, restaurant, banquet space, event center, hotel/motel type lodging, or another similar use. This does not include multiple family groups that are camping on holiday type of weekends. (VCC Title 9-1-10)

#### 9-4-10: SHORT-TERM RENTALS:

One STR unit is allowed on a parcel with an administrative permit. More than one STR or more than one residential use on a parcel requires a conditional use permit in accordance with Valley County Code 9-5.

#### SUMMARY:

Compatibility Rating: Staff's compatibility rating is a +20.

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. Part of the parcel is within the Gold Fork Irrigation District. It is not within a herd district.
- 2. Who will be the management company? What contact phone number can we provide to neighbors?
- 3. The online booking/rental listings must be changed; only a maximum of 20 people are allowed per night.
- 4. The applicant has also submitted a sign permit application.

## **ATTACHMENTS:**

- Conditions of Approval
- Blank Compatibility Evaluation
- Staff's Compatibility Evaluation
- Vicinity Map
- Aerial View
- Site Plan
- Assessor's Plat T.15N R.3E Section 25
- Assessor's Parcel Report with Pictures of Buildings
- Pictures July 29, 2022
- Rental Information on Google.com
- 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. Any violation of any portion of the permit will be subject to enforcement and penalties in accordance with Title 9-2-5; and, may include revocation or suspension of the conditional use permit.
- 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 Cascade 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 any pathway lighting.
- 8. Quiet hours are 10:00 p.m. to 7:00 a.m.
- 9. All noxious weeds on the property must be controlled.
- 10. Shall obtain a sign permit prior to installation of a sign.
- 11. Shall mark property lines so guests do not enter other private lands.
- 12. No events are allowed; this includes small weddings, etc. that would create noise impacts and increased traffic.
- 13. Smoke detectors and carbon monoxide detectors should be installed throughout the home.
- 14. There should be fire extinguishers on each level of the home and one near any outside LPG grills.
- 15. Must comply with payment of sales tax in accordance with Idaho State Code, Chapter 36.
- 16. Shall post rules and emergency contact information in the home.
- 17. There is a maximum occupancy of 20 guests in the STR; the maximum occupancy must be reflected in all advertisements. The maximum number of guests includes day guests or visitors.
- 18. Bear-proof trash cans are recommended.
- 19. To accommodate the shared driveway, a shared driveway maintenance agreement must be recorded. The driveway must be built to fire code as required by Cascade Fire Department.

#### **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:

- 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

- Comprises at least one-half (1/2) of the adjacent uses and one-fourth (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:

- 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.

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APPENDIXA

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Compatibility	Questions	and	Evaluation	r
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Matrix Line # / Use:	Service Business / Prepared by:
_	lodge
YES/NO X Value	Use Matrix Values:
(+2/-2) - X 4 - 9	1. Is the proposed use compatible with the dominant adjacent land use?
(+2/-2) <u>+/</u> x 2 <u>+2</u>	2. Is the proposed use compatible with the other adjacent land uses (total and average)?  Sugli Family Residential
(+2/-2) O X 1	3. Is the proposed use generally compatible with the overall land use in the local vicinity?
(+2/-2) +2x3 +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?  Site of Lodge is Surrounded by
(+2/-2) <u>+2</u> X 1 <u>+2</u>	Is the size or scale of proposed lots and/or structures similar to adjacent ones?
(+2/-2) <u>+/</u> X 2 <u>+2</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?  **Note: The properties of the proposed use similar to the uses on properties that will be affected by proximity to parking lots, onsite roads, or access roads?  **Note: The proposed use similar to the uses of properties that will be affected by proximity to parking lots, onsite roads, or access roads?
(+21-2) +2x 2 +4	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?  \[ \left\{ \text{ls} - \text{lo} \text{outday} \text{fixe}}\]
(+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?  **Tocal Formula
(+2/-2) +2× 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	1 Taxe
Sub-Total ()	
Total Score +20	

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

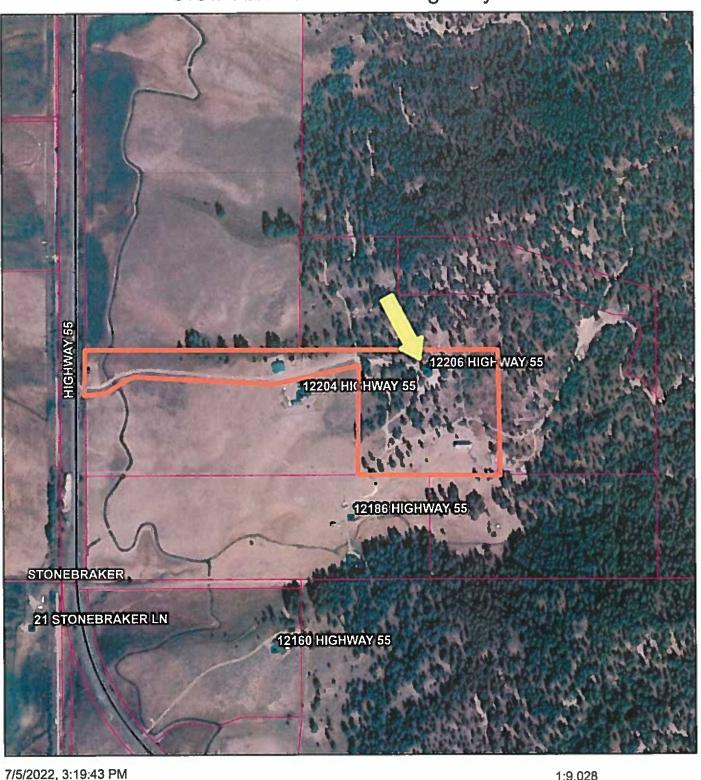
# C.U.P. 22-28 at 12206 Highway 55

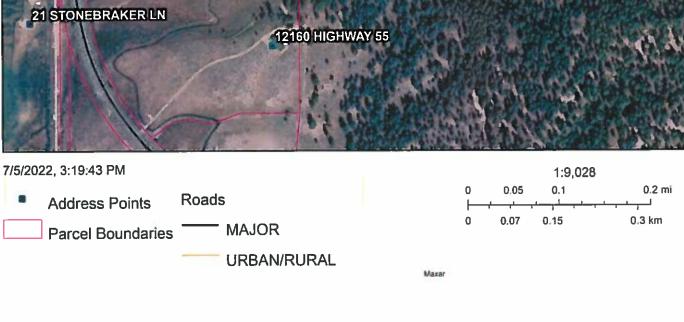




Earthstar Geographics

C.U.P. 22-28 at 12206 Highway 55







Filename: Valley County Base Map Scale: I\* = 400 ft. Date: 2-21-17 Drawn by: L. Frederick VALLEY COUNTY
Cartography Dept.
Assessor's Office
Cascade, 1D 83611 PLAT TITLE TML HORE KORD. 25. NIGE SE 7 9000 1807 Amd Tax No. 8 264,855 ac NET6 8705 32,323 00 begann OVER The Carrow in MOT East Ter Ne. 2 18.182 oc 229.011 ac 10.100 ac Survey 5-526 And Tex No. 6 19.997 ac 6611 Tar No. 7 4930 Read Comment) Incl. 301201 De Dromen no le l'adjeri 9069 6075 SW16 NW16 CW16 6765 27,578 ac Tex No. 4 20.000 ac 3765 Ter No. 1 6.963 oc AS.

## **VALLEY COUNTY ASSESSOR'S OFFICE**

Parcel Summary and Improvement Report

PO Box 1350 - 219 N Main St, Cascade, ID 83611



Phone (208) 382 - 7126 | assessor@co.valley.id.us

## GENERAL PROPERTY SUMMARY

PARCEL ID	RP15N03E256611
OWNER(S)	SABATASSE JAMES
SITUS ADDRESS	12206 HIGHWAY 55
SITUS CITY, STATE, ZIP	CASCADE, ID 83611
MAILING ATTENTION	
MAILING ADDRESS	PO BOX 550
MAILING CITY, STATE, ZIP	CASCADE ID 83611
MAILING COUNTRY	USA



## PROPERTY DESCRIPTION & LAND DATA

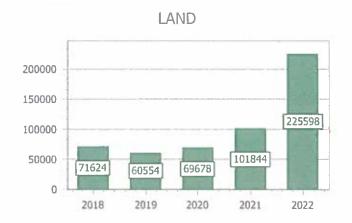
ACREAGE - SQ FT - FRONTAGE	ACRES: 19.997	SQUARE FEET: 871069	FRONTAGE: 0	
LAND DESCRIPTION	Irrigated Pasture - Cat 2	Dr	y Grazing - Cat 5	
	Productivity Forest - Cat 6	5 G0	ood	
LEGAL DESCRIPTIONS	TAX NO. 5 IN S/2 SW4 S2	5 T15N R3E		
NEIGHBORHOOD	314300 Cascade Residen	tial outofcity		
PLAT LINKS	15N 3E S25.pdf			
CURRENT LAND USES	USE: Productivity Fore	nt 5	ACRES:	10.011 4.879
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	Good Market Value			1 0.107

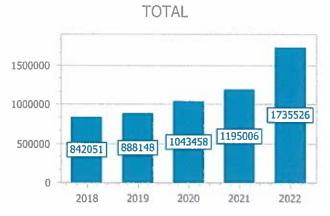
## SALES HISTORY

SALE DATE	GRANTOR	DEED REFERENCE

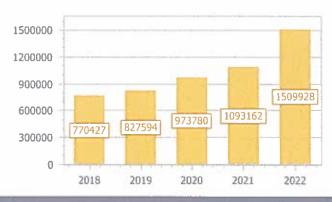
SSESSMENT HIS	TORY				
ASSESS DATE CHANGE REASON	1/1/2022 01- Revaluat	<u>01/01/2021</u> 01- Revaluat	01/01/2020 03- Assessor	<u>01/01/2020</u> 01- Revaluat	<u>1/1/2019</u> 01- Revaluat
LAND	225598	101844	69678	85271	60554
IMPROVEMENTS	2052834	1093162	973780	1084128	827594
TOTAL	2278432	1195006	1043458	1169399	888148

## **ASSESSMENT TRENDS**





## **IMPROVEMENTS**



## TAX CODE AREAS & DISTRICTS

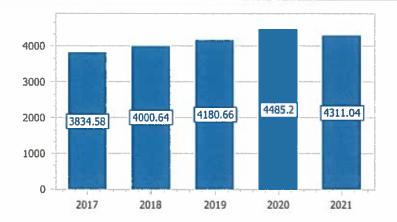
TAX CODE AREA (TAG): 019-0000

CEMETERY	VALLEY CENTER CEMETERY
FIRE	CASCADE RURAL FIRE
HOSPITAL	CASCADE MEDICAL CENTER
SCHOOL	CASCADE SCHOOL #422

VOTER PRECINCT	007 - WEST MOUNTAIN
COMMISSIONER DISTRICT	CASCADE

## TOTAL TAX CHARGES

YEAR	TOTAL CHARGE
2021	4311.04
2020	4485.2
2019	4180.66
2018	4000.64
2017	3834.58



## **HOMEOWNER'S EXEMPTION?**

<b>✓</b> YE	:5
-------------	----

□ NO

TYPE: OTHER

USE:

### **SKETCH BUILDING DESCRIPTION** YEAR BUILT STORIES **FOUNDATION** STRUCTURE PoleBldg **EXTERIOR 1** (512) **EXTERIOR 2 ROOF STYLE** ROOF COVER Det Gar (2880) **BEDROOMS** "down in the hale" **FULL BATHS** Det Gar **1/2 BATHS** Capy (Uppel) Cray (Maser) (1250) **® 3 HEATING TYPE** CENTRAL AIR ATTIC TYPE **FIREPLACES** 8ato-1 (Upper 6. (1922) UESHO (<u>138</u>) **BUILDING DIMENSIONS (SQ FT)** PoleBldg (768) (P) **TOTAL SIZE** Utd Shed 040 ATTIC FIN (476) BASEMENT **BASEMENT FIN** LOWER LOWER FIN ATTACHED GARAGE **DETACHED GARAGE OUT BUILDING & YARD ITEMS** ATTACHED CARPORT BSMNT/LL GARAGE General Purpose Bldg Wood Pole Frame **ENCLOSED PORCH** Residential Detached Garage **OPEN PORCH** General Purpose Bldg Wood Pole Frame WOOD DECK Residential Detached Garage **IMPROVEMENTS** RECORD: R02 TYPE: DWELLING USE: Single family - Owner

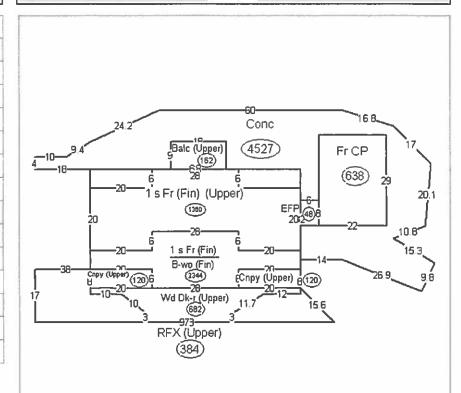
## **BUILDING DESCRIPTION**

YEAR BUILT	2001
STORIES	1
FOUNDATION	Full Bsmt
STRUCTURE	Wood frame w/sheathing
EXTERIOR 1	Log solid
EXTERIOR 2	Wood siding
ROOF STYLE	Gable
ROOF COVER	Comp sh heavy
BEDROOMS	3
FULL BATHS	3
1/2 BATHS	1
HEATING TYPE	Forced hot air-elec
CENTRAL AIR	Υ
ATTIC TYPE	None
FIREPLACES	Υ

## **BUILDING DIMENSIONS (SQ FT)**

TOTAL SIZE	6048
ATTIC FIN	0
BASEMENT	2344
BASEMENT FIN	2344
LOWER	0
LOWER FIN	0
ATTACHED GARAGE	
DETACHED GARAGE	
ATTACHED CARPORT	
BSMNT/LL GARAGE	
ENCLOSED PORCH	48
OPEN PORCH	0
WOOD DECK	682

## **SKETCH**



## 12206 Hwy 55

## **OUT BUILDING & YARD ITEMS**









































## IMAGES









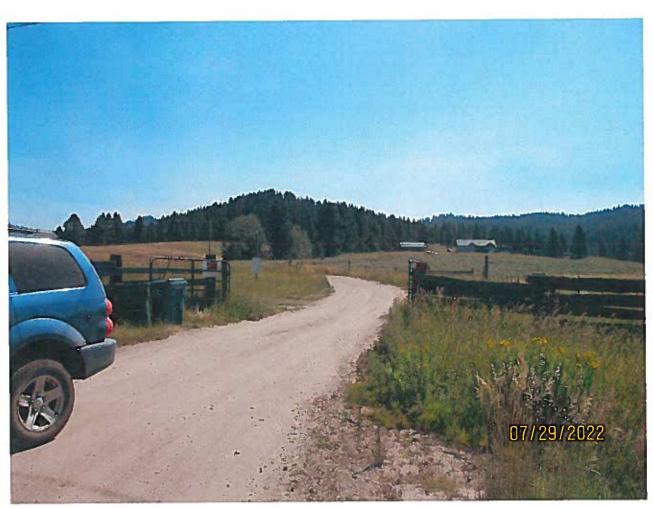


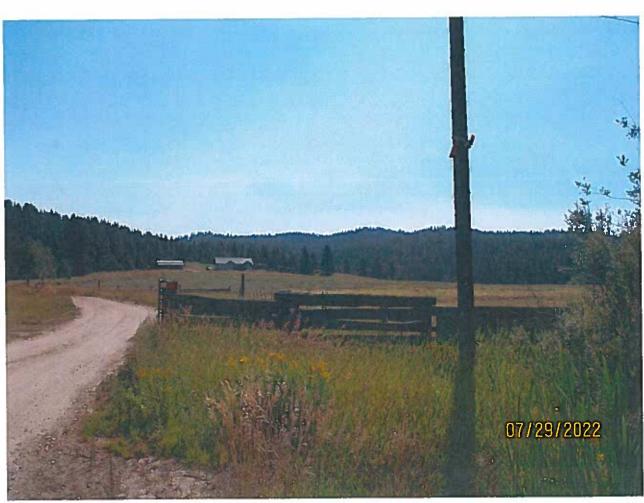


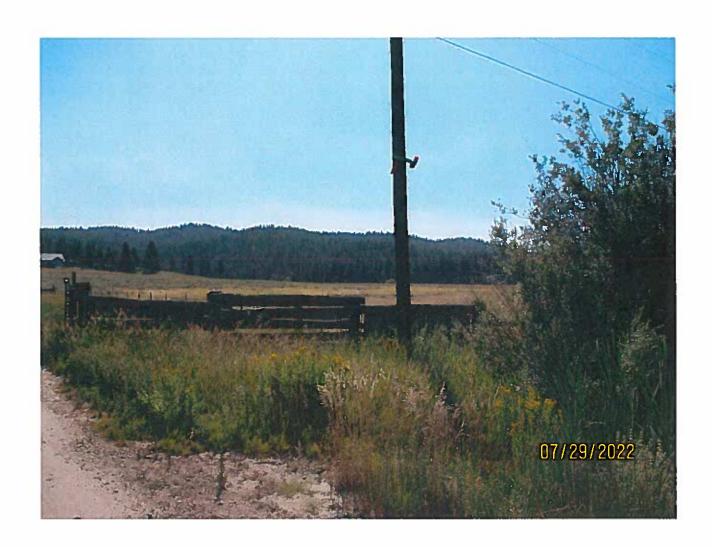
IMAGES	
	2
4	















Google

Back to results

idaho > Valley County > Luxury Log Cabin Near Cascade Lake, 80 Acres, RVs Welcome!

Overview

Prices

Reviews

Location

About

Photos

#### Details

This beautiful 6,000+ square foot log cabin has amazing take views and is surrounded by pine trees in the middle of a private 80 acre ranch. It overlooks Lake Cascade's Sugarloaf Island and is located between Cascade and McCall off of State Highway 55. The property has miles of trails that are excellent for mountain biking and hiking There is a beautiful spot at the top of the mountain where you can see Brundage Ski Resort, Tamarack and nearly all of the 47 square miles of Cascade Lake

This cabin is set up with nearly unlimited parking spots- plenty of room for trailers and toys.

Bedroom Configuration

Top Floor Master & Nooks

#1 KING + TWIN "Top Floor Master Bedroom Fireplace", "Top Floor Master Room" and "Twin Bed Off Master" #2 TWIN + BUNK BED (FULL + TWIN) "Top Floor Guest (2 Twins, 1 Full)"

Main Level

#1 QUEEN BED: "Main Level Bedroom w/ Queen Bed"

Lower Level

#1 KING BED: "Downstairs King Bed"

#2 KING, TWIN + BUNK BED (FULL + TWIN). "Lower-Level Bedroom (sleeps 6)", "Lower-Level King Bed" & "Lower-Level Room with 2 Twin, 1 Full & 1 King Bed\*

#3 KING + BUNK BED (FULL + TWIN). "Lake Themed Lower Level"

Luxury Log Cabin Near Cascade Lake, 8... from M FindHotel.net

those wishing to experience the area's natural beauty can explore Payette River and Lake Cascade State Park. Be sure to check out the area's animals with activities such as game walks and birdwatching

Essential info

Entire cabin **ಟ** 5 bathrooms ₽x Sleeps 22

III 6 bedrooms

**Policies** 

Check-in time 4 00 PM Check-out time: 10.00 AM

Amenities

Air conditioning S Fitness center

Beach access

Fireplace

Cable TV

**H** Kitchen

Pet friendly

No elevator

Pald Wi-Fi No hot tub No airport shuttle

Not wheelchair accessible

No microwave

Not smoke-free

<sup>\*\*</sup>Absolutely no riding of ATVs, UTVs motorcycles or snowmobiles on the property \*\*

	G	CENTRAL Valley County Transmittal  Division of Community and Environmental Health	Return to:
ľ		HEALIH	Donnelly
1		ne #	☐ McCall
		litional Use # CUP 22-28	☐ McCall Impact  ✓ Valley County
P	reli	ninary / Final / Short Plat Sec. 2.5	pag - mey country
-		12206 Historian Co	'
<u></u>		Takes think they are	
	١.	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 t	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 concern of:    high seasonal ground water   waste flow characteristics   other   other	ning the depth
	6.	This office may require a study to assess the impact of nutrients and pathogens to receiving grounwaters.	nd waters and surface
	7.	This project shall be reviewed by the Idaho Department of Water Resources concerning well consavailability.	truction and water
	8.	After written approvals from appropriate entities are submitted, we can approve this proposal for	**
		central sewage community sewage system communication commu	ty water well
	9.	The following plan(s) must be submitted to and approved by the Idaho Department of Environment	ental Quality
		central sewage community sewage system community sewage dry lines 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 considerations indicate approval.	l if other
	12.	If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho S Regulations.	itata Sawaga
	13.	We will require plans be submitted for a plan review for any:	
	,	☐ food establishment ☐ swimming pools or spas ☐ child call ☐ bleverage establishment ☐ grocery store ☐ child call ☐ child child ☐ child Child ☐ child Child ☐ c	re center
攻	14.	A Septic System was installed And App	roved
•		for an occupancy of 20 people on 11/8/	21
		Reviewed By:	alth
		· ·	17/29/22