

Valley County Planning and Zoning

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



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Email: cherrick@co.valley.id.us

STAFF REPORT: C.U.P. 22-39 Pound Glamping Site
HEARING DATE: October 20, 2022
TO: Planning and Zoning Commission
STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director
APPLICANT /
PROPERTY OWNER: Kecia A Mortenson-Pound
Kecia A Mortenson-Pound Trust & Kevin L Pound Trust
716 N Pit Lane
Nampa, ID 83687
LOCATION: 26 Bull Pine Place
Parcel RP12N04E098405 in the N ½ SWSE Section 9 T.12N R.4E,
Boise Meridian, Valley County, Idaho.
SIZE: 20 acres
REQUEST: Glamping Site for Short Term Rental
EXISTING LAND USE: Single-Family Residential Parcel

Kecia Mortenson-Pound is requesting approval of a conditional use permit for a tiny home that does not qualify as a residential dwelling. The building has a kitchenette, bathroom, and sleeping loft. The first floor is 192-sqft and the loft is 100-sqft.

Maximum occupancy per night is 12 people. This includes four people staying in the tiny home and additional RVs and tents.

An individual septic system and individual well services the building. There is a fire pit and horse corrals on the property.

The approximately 20-acre site is addressed at 26 Bull Pine Place.

Access is from Bull Pine Place (public) onto a shared-driveway easement that crosses Tamarack View Subdivision Lot 7 Block 3, aka 21 Bull Pine Place. Shared Driveway Variance V-4-19 was approved Oct. 29, 2019. The easement is shown in Record of Survey 14-003 included in the application packet.

At this time, the applicants must apply for a building permit as a shed was converted into living space.

FINDINGS:

1. The application was submitted on September 2, 2022.

2. Legal notice was posted in the *Star News* on September 29, 2022, and October 6, 2022. Potentially affected agencies were notified on September 20, 2022. Property owners within 300 feet of the property line were notified by fact sheet sent September 20, 2022. The site was posted on the property and at the shared-driveway entrance from Bull Pine Place on Sept. 28, 2022. The notice and application were posted online at www.co.valley.id.us on September 20, 2022.

3. Agency comment received:

Central District Health stated there is a septic system sized for a 4-bedroom home on the parcel. The applicant will need to submit an accessory use authorization to CDH prior to connection to this system. (Sept. 20, 2022)

Steven Hull, Cascade Rural Fire Protection District Fire Chief, states the property has sufficient access and a turnaround area. He included recommendations for a fire extinguisher, the fire pit, and smoke alarm. (Oct. 3, 2022)

4. Neighbor comment received:

Lisa Mohler, 47 Johnson Lane, recommends approval but has questions that she would like answered regarding the caretaker, sleeping areas, RV use, access by emergency vehicles, lighting, fire, winter use, and animals at the site. (Oct. 10, 2022)

5. Physical characteristics of the site: Sloped with trees.

6. The surrounding land use and zoning includes:

North: Single-Family Residential Lots - East Mountain Estates

South: Single-Family Residential Parcel

East: Single-Family Residential Lots - Tamarack View Subdivision

West: Agriculture (Timber)

7. Valley County Code (Title 9): In Table 9-3-1, this proposal is categorized under:

- 5. Commercial Uses (c) Service Business and/or Recreation Business

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

9-5B-7: FIRE PROTECTION:

Provisions must be made to implement prefire activities that may help improve the survivability of people and homes in areas prone to wildfire. Activities may include vegetation management around the home, use of fire resistant building materials, appropriate subdivision design, removal of fuel, providing a water source, and other measures. Recommendations of the applicable fire district will be considered.

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

A. Minimum Lot Area:

1. The minimum lot area shall be unlimited herein except for the provisions of subsection 9-5-3A2 of this chapter, and except the minimum area for a ski area shall be forty (40) acres.
2. Frontage on a public or private road shall not be less than seventy five feet (75') for each lot or parcel.
3. No frontage is required for recreation business.

B. Minimum Setbacks:

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.

- 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:
3. Parking spaces for service businesses shall be provided as follows:
Motel, hotel, etc.: 1 per sleeping room, plus 1 for each 2 employees
 4. Parking spaces for recreation businesses shall be provided at the rate of one per each four (4) occupants or as determined by the commission. (Ord. 10-06, 8-23-2010)

SUMMARY:

Compatibility Rating: Staff's compatibility rating is a +25.

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

STAFF COMMENTS / QUESTIONS:

1. This site is within the Cascade Fire District. It is not within an irrigation district nor a herd district.
2. Will the driveway be plowed during the winter? No parking of vehicles will be allowed in the public road right-of-way along Bull Pine Place.

ATTACHMENTS:

- Conditions of Approval
- Blank Compatibility Evaluation and Instructions
- Compatibility Evaluation by Staff
- Vicinity Map
- Aerial Map
- Assessor Plat– T.12N R.2E Section 9
- Site Plan – 2 sheets
- Pictures Taken Sept. 28, 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. 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 within one year of the date of approval, 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. Campfires shall be maintained in an established fire ring. Water, shovel, and/or fire extinguisher must be in close proximity.
7. A fire extinguisher shall be mounted in the building to Cascade Fire District standards. It shall be annually certified.
8. A battery-operated smoke alarm shall be installed inside the building.
9. All noxious weeds on the property must be controlled.
10. The site must be kept in a neat and orderly manner.
11. Shall clearly post the physical address at the driveway entrance.
12. Noise shall be kept to a minimum between 10:00 p.m. and 7:00 a.m.
13. No parking allowed in the public road right-of-way, access easement, or in setback areas.
14. Guests must restrain animals to keep them from trespassing onto neighboring properties.
15. Shall obtain approval from Central District Health.
16. Shall obtain building permit for the structure.
17. Cannot hold events, such as weddings, large family reunions, dances, etc.
18. Must comply with payment of sales tax in accordance with Idaho State Code, Chapter 36.
19. 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.

END OF STAFF REPORT

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.

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 ($1/2$) 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 8:

1. In determining the response values for questions 4 through 8, 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.

MATRIX FOR RATING

CONTENTS 1.2 and 3

4. ACCEPTANCE

1

3 SUBDIVISION, SU

4. Mr. J. C. McLean6. SUBDIVISION, M

1

3. REL., EDUC. & R.10 PUBLIC UTIL. (1)11. PUBLIC REG.

13. LANDFILL or SW

11 100TV VAC (PER)

15. PRIV. REC. (CO)16. NEIGHBORHOOD

17. JOURNAL OF THE

19. AREA BUS.

1

21. LIGHT IND.

3

THE GOVT CHARTER

Compatibility Questions and Evaluation

Matrix Line # / Use: #20

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?

S.F. Residential

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

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

Agricultural

(+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

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) +2 X 3 +6

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?

Very large property with trees

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

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

Large

(+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?

Recreation

(+2/-2) +2 X 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?

No Impact

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

↑ Fire

(+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?

Change - will be ↑ taxes

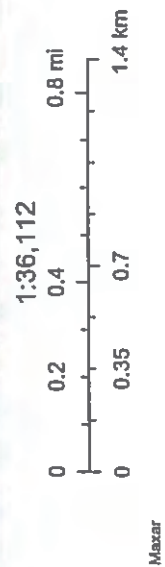
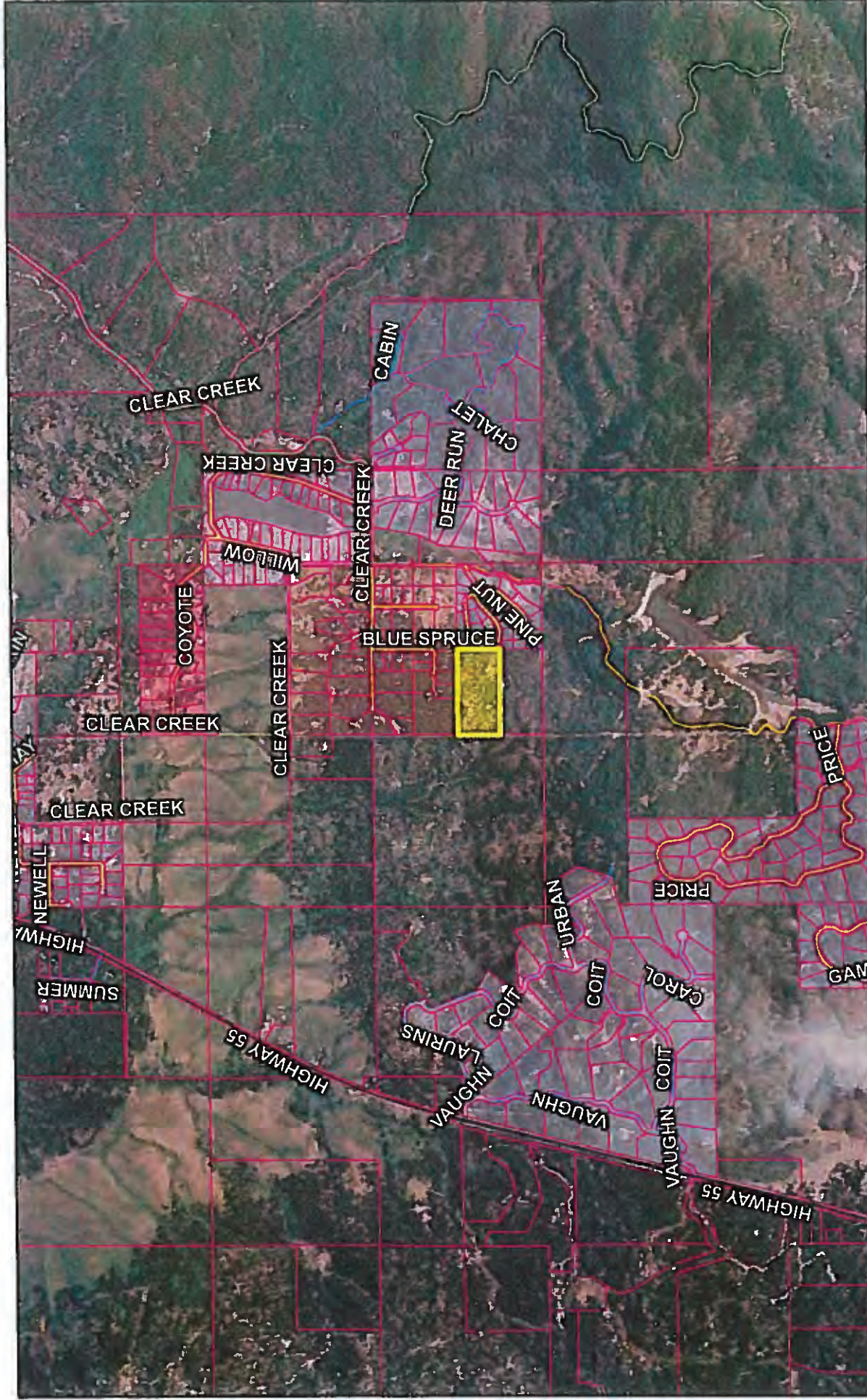
Sub-Total (+) 29

Sub-Total (-) 4

Total Score +25

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

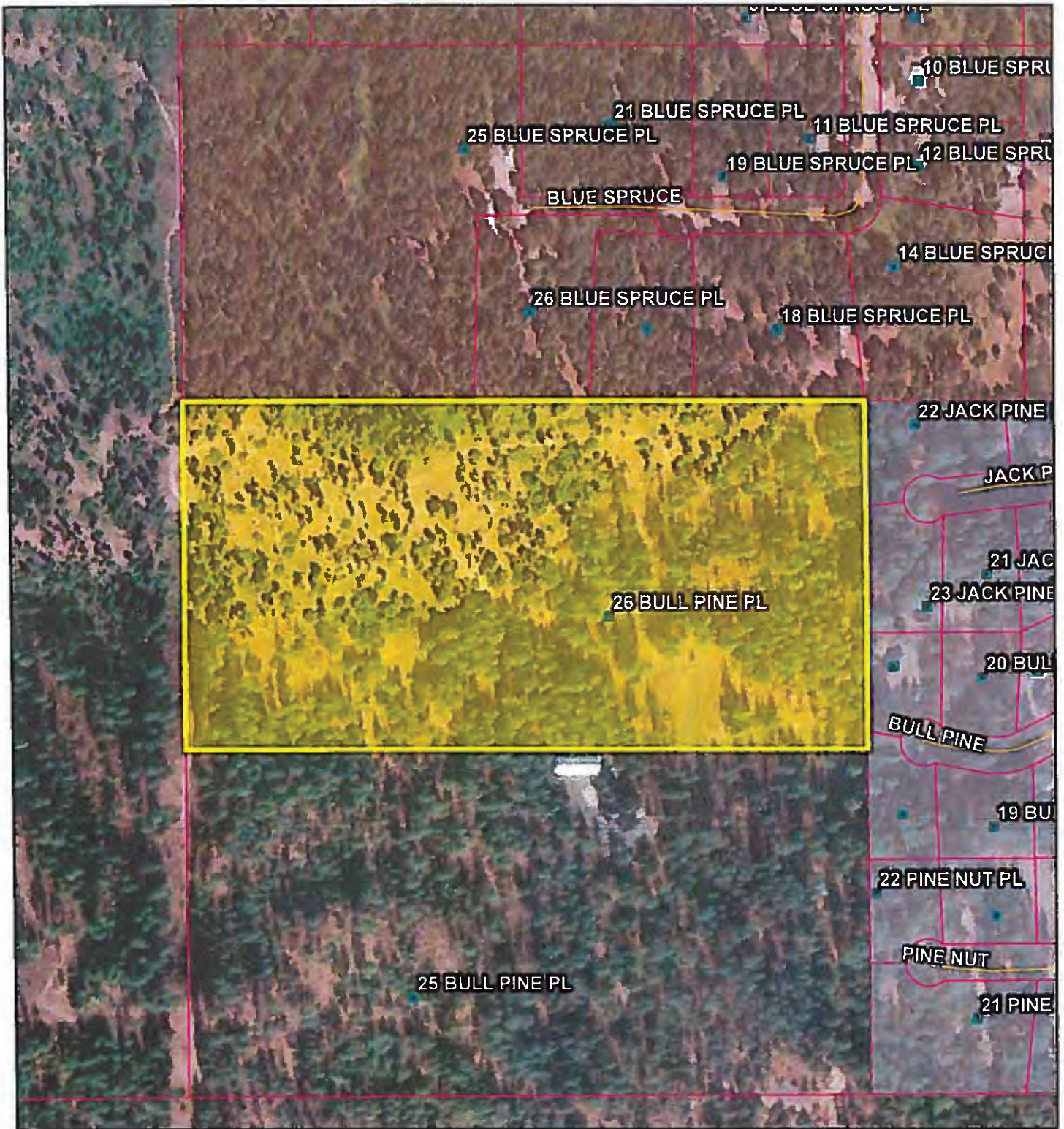
C.U.P. 22-39 Vicinity Map



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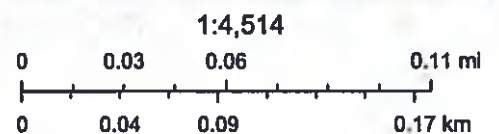
- Parcel Boundaries
- URBAN/RURAL
- PRIVATE
- Roads
- USFS
- MAJOR

C.U.P. 22-39 Aerial



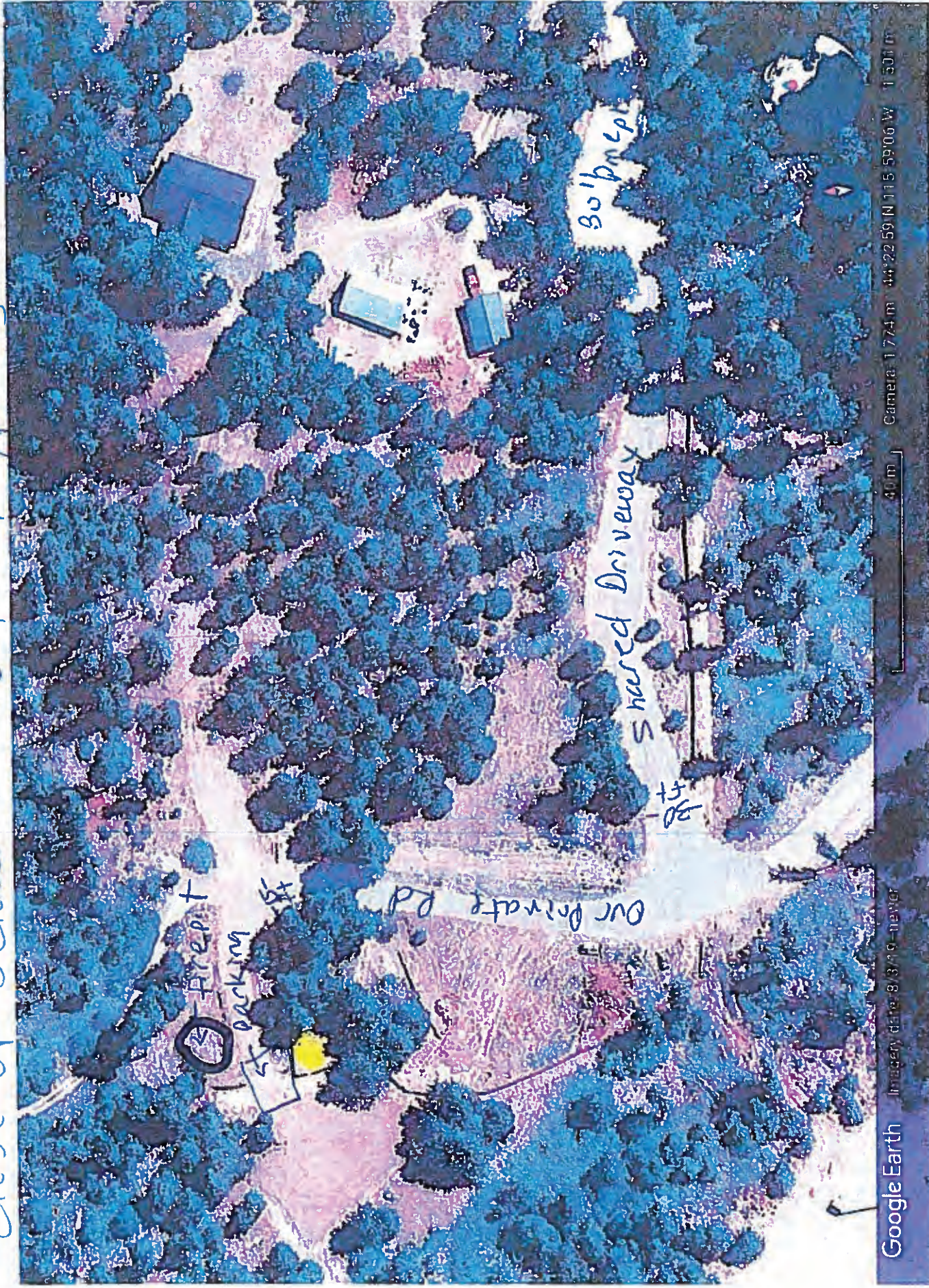
9/9/2022, 3:25:11 PM

- Address Points
- Parcel Boundaries
- Roads
- URBAN/RURAL



Maxar

Close up Detail for Rds, firepit, parking, bunkhouse



Google Earth Imagery date: 8/3/19, never Camera 1774 m 44°22'59"N 115°59'06"W 1501 m

- Bunkhouse 12x16 ft 10x10 ft
- firepit-graveled Close up Showing Rd. 20x50 area

EXPLANATION



- location of Building
- Well location lines underground & water lines
- ~~Power~~ Power lines & drain field
- ~~San~~ septic & drain field





09/28/2022



09/28/2022





CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

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

Rezone # _____

Conditional Use # CUP 22-39

Preliminary / Final / Short Plat Pound Glamping Site

26 Bull Pine Place

Sec 9

- ☐ 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:
☐ high seasonal ground water ☐ waste flow characteristics
☐ bedrock from original grade ☐ other _____
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and/or surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
☐ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☐ central water
☐ individual sewage ☐ individual water
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
☐ central sewage ☐ community sewage system ☐ community water
☐ 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 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:
☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store

- ☒ 14. There is a septic system sized for a 4 bedroom home on the parcel.
The applicant will need to submit an Reviewed By: _____
Accessory Use Authorization to CDH prior to connection Date: ____/____/____
to this system.

Review Sheet



Cascade Rural Fire Protection District

P. O. Box 825

109 East Pine Street

Cascade, Idaho 83611-0825

208.382.3200 – Phone

208.382.4222 – Fax

October 3, 2022

To: Cynda Herrick
Planning and Zoning Director

RE: C.U.P. 22-39 Pound Glamping Site
26 Bull Pine Place

I have reviewed C.U.P. 22-39 for a glamping site located at 26 Bull Pine Place. This property has sufficient access and a turnaround area for the fire department. I would recommend approval with the following recommendations from CRFPD.

- Applicant installs a 5 lb ABC extinguisher inside the building. The extinguisher shall not be mounted more than 60" off the floor.
- Applicant provides a garden hose and a shovel when the fire pit is in use.
- Applicant installs a battery operated smoke alarm inside the building.

Please contact me if you have any questions.

Steven Hull

Fire Chief

Cascade Rural Fire Protection District

steve@cascaderuralfire.com

C.U.P. 22-23 Pound Glamping

From: Lisa Mohler [REDACTED]
Sent: Monday, October 10, 2022 11:16 AM
To: Cynda Herrick [REDACTED]
Subject: C.U.P. 22-23 Pound Glamping

Lisa Mohler
47 Johnson Lane
McCall ID 83638

Oct. 9, 2022

C.U.P. 22-39
Pound Glamping Site
26 Bull Pine Place

To C. Herrick P & Z Director
Planning & Zoning Commissioners:
Katlin Caldwell Ken Roberts
Sasha Childs Scott Freeman

Please give Approval of this Application after these questions have been answer.

1. Who is the caretaker that watches over Renters?
2. How many bedrooms in the Bunkhouse?
3. How many people does the loft sleep?
4. Will you allow RV's and Short-term renters on the property at the same time? Like a family reunion?
5. There is only one road in and out. Is it wide enough for Firetrucks, EMT Truck?
6. Where is your lighting plan. Do you know about the Dark Sky code?
7. If the trees catch fire will your well put it out and do you have hoses?
8. Will you allow pets?
9. Will you be renting Site out in the winter?
10. How many horses will fit in the corral?

Thank you for your time,

Lisa Mohler