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. 22-41 Griffiths Multiple Residences

HEARING DATE:

November 10, 2022

TO:

Planning and Zoning Commission

STAFF:

Cynda Herrick, AICP, CFM Planning and Zoning Director

APPLICANT /

Michael Griffiths and Doris Arlene Griffiths

PROPERTY OWNER:

P.O. Box 1174

Donnelly, ID 83615

LOCATION:

12960 Farm to Market RD

Parcel RP16N03E244806 in the SW 1/4 Sec. 24, T.16N R.3E,

Boise Meridian, Valley County, Idaho.

SIZE:

80.18 acres

REQUEST:

Multiple Residence

EXISTING LAND USE:

Parcel with Two Home Sites and Agricultural Uses

Michael Griffiths is requesting a conditional use permit for three residential homes on one parcel.

Two existing homes were permitted by C.U.P. 08-13:

- Original ranch house constructed in 1956
- Cabin constructed in 2008

The proposed home would be 4200-sqft in size.

Overall residential density would be 0.037 dwelling units per acre. There are additional ranch buildings on the property. All homes are used for family and ranch employees.

Individual wells and septic systems are proposed.

Access for this home site would be from Farm to Market Road, a public road. A shared driveway accesses the existing residences.

The 80.18-acre site is addressed at 12960 Farm to Market Road.

FINDINGS:

The application was submitted on September 20, 2022.

Staff Report C.U.P. 22-41 Page 1 of 4

- Legal notice was posted in the Star News on October 20, 2022, and October 27, 2022.
 Potentially affected agencies were notified on October 11, 2022. Property owners within 300 feet of the property line were notified by fact sheet sent October 13, 2022. The site was posted on the property on October 21, 2022. The notice and application were posted online at www.co.valley.id.us on October 4, 2022.
- 3. Agency comment received:

Central District Health stated a septic application, test holes, and ground water monitoring in spring from February through May is required before approval could be granted. (Oct. 14, 2022)

Jess Ellis, Donnelly Fire Marshal, listed requirements for driveways and address postings. (Oct. 31, 2022)

- 4. Neighbor comment received: none
- 5. Physical characteristics of the site: Sloped with trees, wetlands, and river bottom. The proposed homesite and existing houses are not located in the mapped floodplain or wetland areas.
- 6. The surrounding land use and zoning includes:

North: Single-Family Residences and Agriculture South: Single-Family Residences and Agriculture East: Single-Family Residences and Agriculture West: Single-Family Residences and Agriculture

- 7. Valley County Comprehensive Plan: This proposal is consistent with the goals and objectives of the Valley County Comprehensive Plan.
- 8. Valley County Code (Title 9): In Table 9-3-1, this proposal is categorized under:
 - 2. Residential Uses (j) Multiple Residences on One Parcel

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.

9-5C-4: MAXIMUM BUILDING HEIGHT AND FLOOR AREA:

- A. Maximum Height: Building heights, except as may be modified by a PUD, shall not exceed thirty five feet (35') above the lower of existing or finished grade.
- B. Building Size Or Floor Area: The building size or floor area, except as may be modified by a PUD, shall not exceed the limitations of subsections 9-5-3A and C of this chapter.
- C. Lot Coverage: No structure or combination of structures, except as may be modified by a PUD, may cover more than forty percent (40%) of the lot or parcel. (Ord. 11-5, 6-6-2011)

9-5C-5: SITE IMPROVEMENT:

- A. Off Street Parking Spaces: Two (2) off street parking spaces shall be provided for each dwelling unit. These spaces may be included in driveways, carports, or garages.
- B. Utility Lines: All utility lines, including service lines, that are to be located within the limits of the improved roadway in new residential developments must be installed prior to placing the leveling coarse material. (Ord. 11-5, 6-6-2011)

Staff Report C.U.P. 22-41 Page 2 of 4

9-5C-6: DENSITY:

- A. The density of any residential development or use requiring a conditional use permit shall not exceed two and one-half (2.5) dwelling units per acre, except for planned unit developments or long-term rentals. Long-term rental density can be determined by the Planning and Zoning Commission in regards to compatibility with surrounding land uses and will require a deed restriction.
- B. Density shall be computed by dividing the total number of dwelling units proposed by the total acreage of land within the boundaries of the development. The area of existing road rights of way on the perimeter of the development and public lands may not be included in the density computation. (Ord. 11-5, 6-6-2011; amd. Ord. 20-12, 7-6-2020)

SUMMARY:

Compatibility Rating: Staff's compatibility rating is a +17.

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 Donnelly Fire District and a herd district. It is not within an irrigation district.
- 2. Maximum allowed density is 2.5 dwelling units per acre; proposed density is 0.037 dwelling units per acre.

ATTACHMENTS:

- Conditions of Approval
- Blank Compatibility Evaluation and Instructions
- Compatibility Evaluation by Staff
- Vicinity Map
- Aerial Map
- Wetland Map
- Assessor Plat
 T.16N R.3E Section 24
- Site Plan
- Pictures Taken October 21, 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 by December 31, 2024, 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 comply with requirements of Central District Health Department.
- 6. Driveways shall be constructed to meet current Donnelly Fire Codes.
- 7. Shall clearly post the addresses at the driveway entrance and all three residences. Different addresses for each residence shall be assigned.
- 8. All lighting must comply with the Valley County Lighting Ordinance. All lights shall be fully shielded so that there is not upward or horizontal projection of lights.
- 9. No residences can be used as a short-term rental unless a new conditional use permit is approved. Residences can be used as a long-term rental(s).
- 10. All noxious weeds on the property must be controlled.
- 11. Shall obtain building permit for the additional residences.

END OF STAFF REPORT

Compatibility Questions and Evaluation

Matrix Line # / Use:	Prepared by:
Response YES/NO X 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?
(+2/-2) X 3	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?
(+2/-2) X 1	5. Is the size or scale of proposed <u>lots and/or</u> structures similar to adjacent ones?
(+2/-2) X 2	6. Is the traffic volume and character to be generated by the proposed use simila 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 <i>l</i> -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 firstyle. To ensure that the country 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.
- 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 since 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 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.

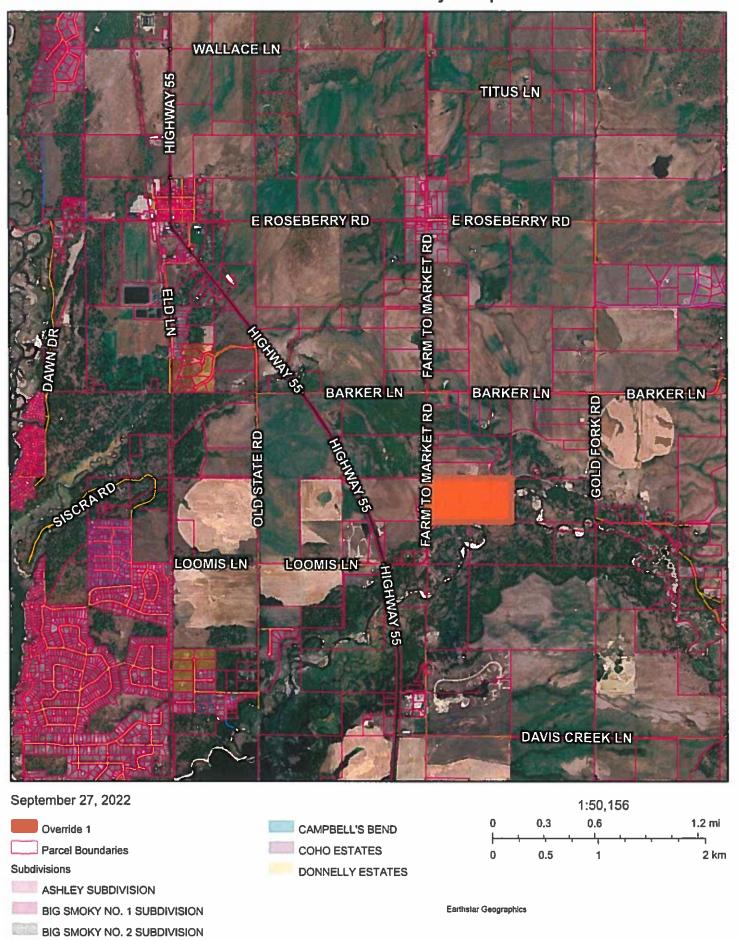
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Compatibility Questions and Evaluation

Matrix Line # / Use:	Prepared by:
Response YES/NO X Value	Use Matrix Values:
(+2/-2) -2 x 4 -8	1. Is the proposed use compatible with the dominant adjacent land use? Agricul fural
 (+21-2) <u>+/</u> x 2 <u>+2</u>	2 Is the proposed use compatible with the other adjacent land uses (total and
(+2/-2) <u>-/</u> X 1/	3. Is the proposed use generally compatible with the overall land use in the local vicinity?
(+21-2) <u>+2x 3</u> +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? The property is large >80 eccs.
(+2/-2) +2-x 1 +2	5. Is the size or scale of proposed <u>lots and/or</u> structures similar to adjacent ones?
(+21-2) +2 X 2 +4	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? Yes - S. F. Yes identities
(+21-2) +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?
(+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) 12 x 2 14	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 (+) 26	Will of taxes; provide temporary
Sub-Total () <u>9</u>	
Total Spare +17	

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 22-41 Vicinity Map



BOULDER CREEK MEADOWS SUBDIVISION

C.U.P. 22-41 Aerial Map



VALLEY COUNTY County Boundaries **URBAN/RURAL** COLLECTOR Parcel Boundaries - MAJOR Roads Address Points Override 1 Override 1

0.2 mi

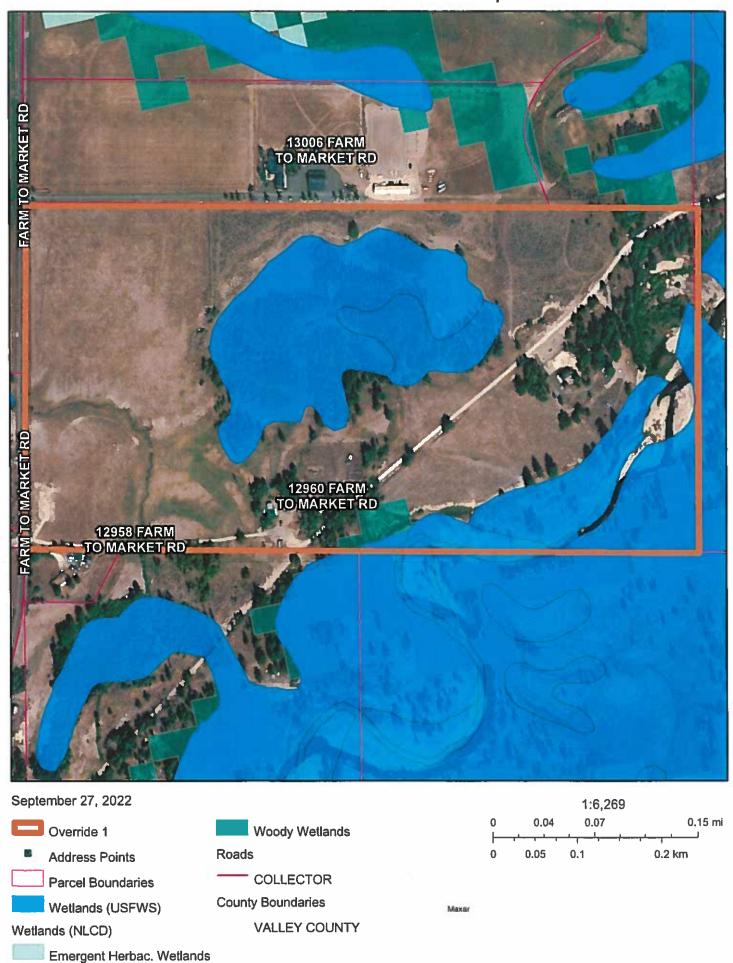
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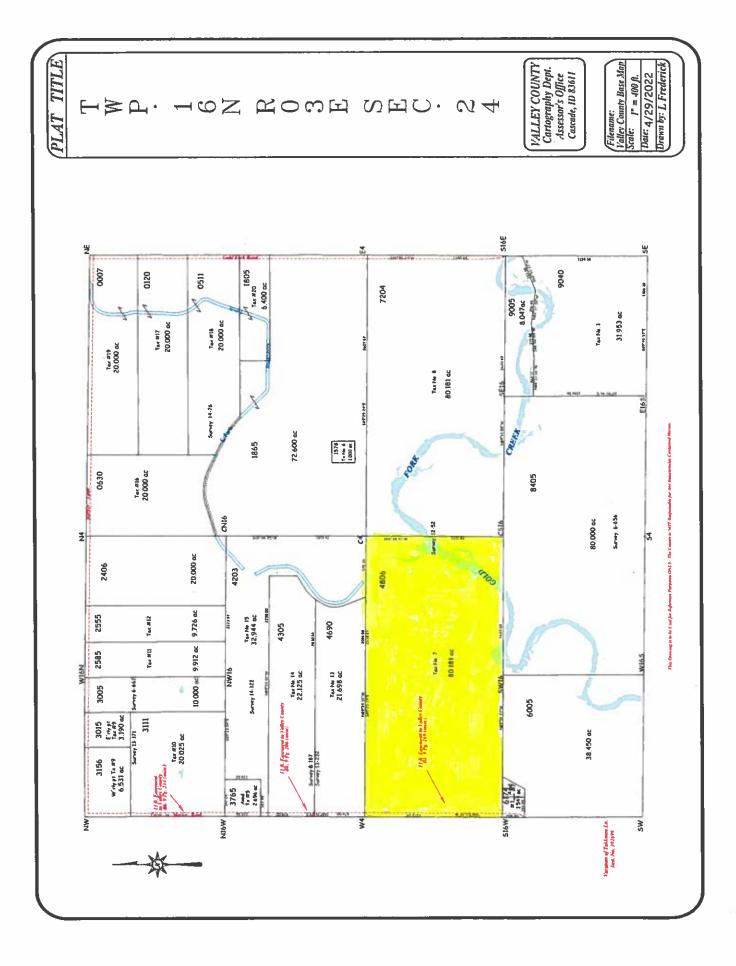
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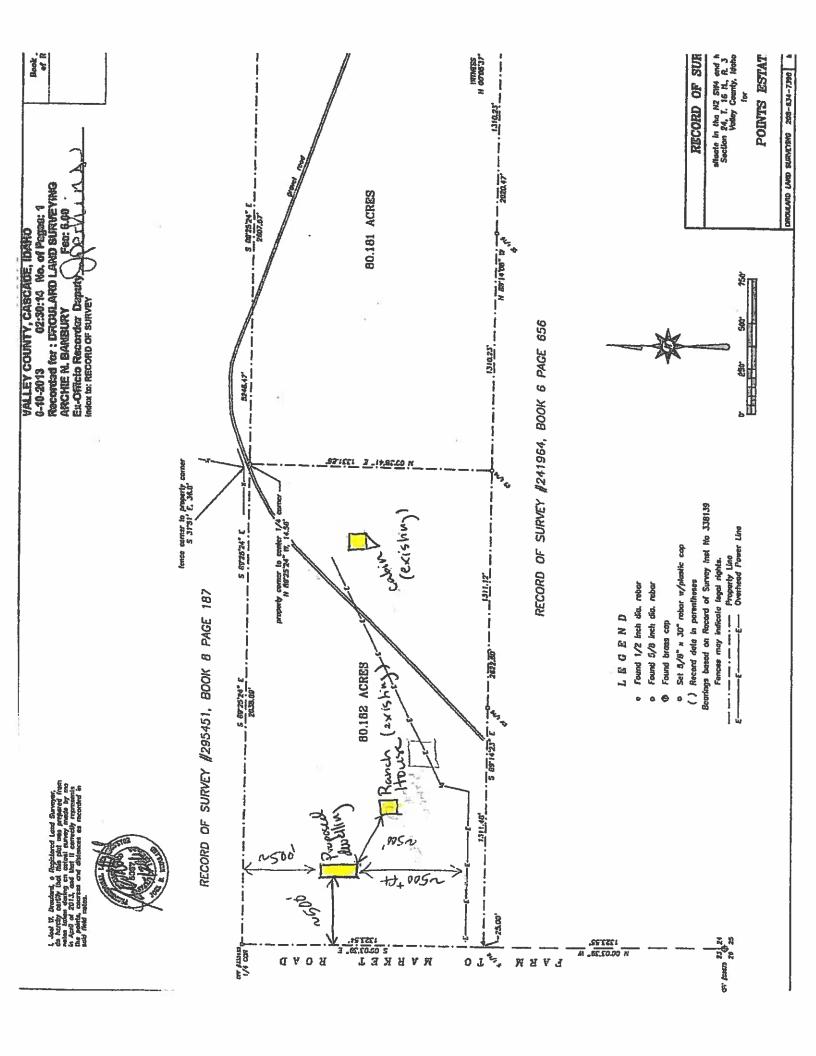
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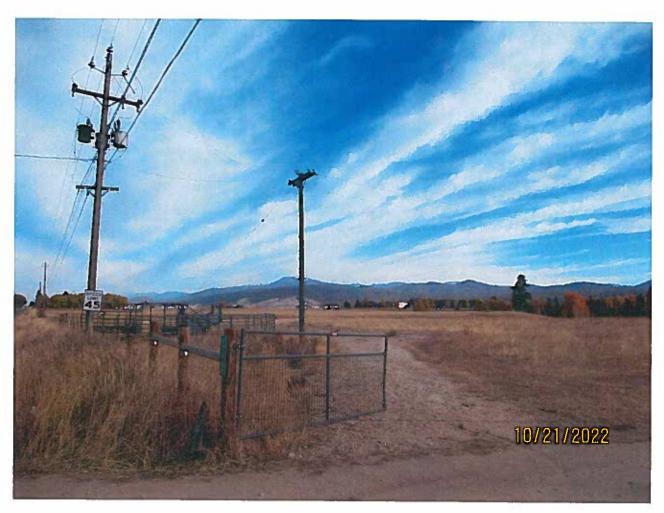
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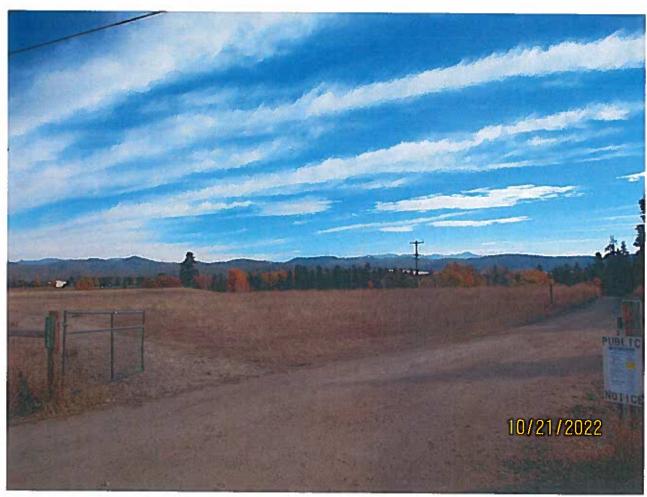
C.U.P 22-41 Wetland Map

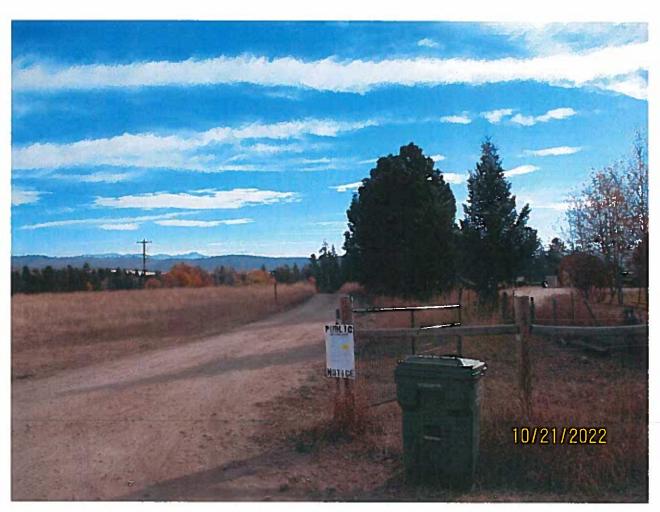














Г								
	(CENTRAL Valley County Transmittal District Division of Community and Environmental Health	Return to:					
	Rez	zone #	Donnelly					
	Conditional Use # CUP 2Z - 41							
		liminary / Final / Short Plat Gr. ffith Mutiple Residences	Valley County					
		Sec 24	,,					
		12960 Form To Market Rd.						
	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 Pa						
拉	4.	We will require more data concerning soil conditions on this Proposal before we can comment.	roposal.					
X	5.	Before we can comment concerning inclividual sewage disposal, we will require more data concerning inclividual sewage disposal, we will require more data concerning inclividual sewage disposal, we will require more data concerning inclividual sewage disposal, we will require more data concerning inclividual sewage disposal, we will require more data concerning inclividual sewage disposal, we will require more data concerning inclividual sewage disposal, we will require more data concerning inclividual sewage disposal, we will require more data concerning inclividual sewage disposal, we will require more data concerning inclividual sewage disposal, we will require more data concerning inclividual sewage disposal, we will require more data concerning inclividual sewage disposal, we will require more data concerning inclividual sewage disposal inclividual sewag						
	6.	This office may require a study to assess the Impact of nutrients and pathogens to receiving ground waters.	waters and surface					
	7.	This project shall be reviewed by the Idaho Department of Water Resources concerning well constravallability.	uction and water					
	8.	After written approvals from appropriate entities are submitted, we can approve this proposal for: central sewage	' water well					
	9.	The following plan(s) must be submitted to and approved by the Idaho Department of Environmen central sewage	tal Quality: Vater					
	19,	Run-off is not to create a mosquito breeding problem						
	II.	This Department would recommend deferral until high seasonal ground water can be determined in considerations indicate approval.	other					
	12.	If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho Star Regulations.	te Sewage					
	13.	We will require plans be submitted for a plan review for any: food establishment swimming pools or spas child care of beverage establishment grocery store	senter					
内	14.	Septic Application, text holes and ground water me	intoring is					
		Spring from February through May is Roguredbelove	Ausory/					
		Could be granted, Paviaged By	1/11					

D--- 10/14/22



Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615 208-325-8619 Fax 208-325-5081

October 31, 2022

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

RE: C.U.P. 22-41 Griffiths Multiple Residences

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

- Section 503.7 IFC 2018 Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 150 feet from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of 12 feet and a minimum unobstructed height of 13 feet 6 inches. Driveways in excess of 150 feet in length shall be provided with turnarounds. Driveways in excess of 200 feet in length and 20 feet in width may require turnouts in addition to turnarounds.
- Section 503.7.5 IFC 2018 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 503.7.8 IFC 2018 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
- In accordance with Section 503.7.6 IFC 2018 the gradient for driveways cannot exceed 10 percent unless approved by the fire code official
- Driveways shall be inspected and approved by Donnelly Rural Fire Protection District personnel prior to certificate of occupancy being issued

Please call 208-325-8619 with any questions.

Jess Ellis

Fire Marshal

Donnelly Fire Department