

Valley County Planning and Zoning

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STAFF REPORT: C.U.P. 23-03 Xperience Glamping Site
HEARING DATE: March 16, 2023
TO: Planning and Zoning Commission
STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director
APPLICANT: Jennifer Anderson
5918 S Ashcroft Way, Meridian, ID 83642
PROPERTY OWNER: Bruce and Jayci Adams
16825 Blue Jay Loop, Nampa, ID 83687
LOCATION: 1734 Deer Trail
2.4 acres of CR-5 Subdivision Lot 36
SESE Section 18, T.15N, R.3E,
Boise Meridian, Valley County, Idaho.
SIZE: 2.4 acres
REQUEST: Glamping Site for Short-Term Rentals
EXISTING LAND USE: Single-Family Residential Lot

Jennifer Anderson is requesting approval of a conditional use permit for rental of five geodomes. Four domes would accommodate two people each; the other dome would accommodate up to five people. The domes would be available to rent throughout the year. At full occupancy, there would be a maximum of five vehicles and 13 people on the property.

The 2-person domes would have a center height of 11.6 feet. The 5-person dome would have a center height of 15.5 feet. Each dome would be set on a 3-ft high platform. Each dome would be constructed with a multi-layer soundproofing, insulative, and fire-retardant cover. Exteriors would be white. Each dome would include a bathroom and use one individual septic system sized appropriately and an individual well. There is an existing garage and shed on the property.

Outdoor lighting would consist of dark-sky compliant solar-powered trail lights and low impact parking lighting.

Access is from West Mountain Road (a public road) and then approximately 40-ft along Deer Trail (a public road) before entering the property. A shared driveway crosses this property to access 1736 Deer Trail.

FINDINGS:

1. The application was submitted on January 31, 2023.

2. Legal notice was posted in the *Star News* on February 23, 2023, and March 2, 2023. Potentially affected agencies were notified on February 6, 2023. Property owners within 300 feet of the property line were notified by fact sheet sent on February 16, 2023. The notice and application were posted online at www.co.valley.id.us on February 6, 2023. The site was posted on March 5, 2023.

3. Agency comment received:

Central District Health stated the applicant will need to submit a septic application and conduct test holes groundwater monitoring before the CDH can comment. (Feb. 14, 2023)

Jess Ellis, Donnelly Fire Marshal, listed requirements for the following: driveways, posting of addresses, and smoke detectors. (Feb. 9, 2023)

4. Neighbor comment received:

Richard Johnson, 1736 Grouse Trail, owner of property directly across Deer Trail from the proposed site, is opposed. Five structures mean one to five families per night, up to 14 additional people per site. This would mean 184 to 1288 people traveling to the site in June, July, and August. This is a significant impact on the dirt roads in the entire subdivision. An unsupervised commercial campground would negatively impact the neighborhood. Fire is also a concern. (Feb. 26, 2023)

Clay Cummins, 3 Deer Trail, owns property just southeast of the proposed site. A campground does not fit the current or historic use of the area. The general area is composed of mostly single-family residences or lots with personal family camper use. Increased traffic is a concern. The dust on West Mountain Road is horrible. The proposal does not include a campground host on site for monitoring. Other concerns include trash attracting wildlife, off-site parking, and potential break-ins from campers. (Feb. 26, 2023)

Chris Hansen, 1655 West Mountain Road, is opposed as the proposal is inconsistent with the traditional use of the area. He is concerned that similar proposals would be made for other vacant properties in the area. The domes do not appear to meet any of the Building Codes required by Valley County (VCC 6-1-4 and 9-4-3-4). The structure could become energized, and the snow load is inadequate. The well report from 1982 is not current and the well was abandoned. The plan does not appear to intend to comply with the Americans with Disability Act (ADA). The proposed parking is less than required by Code and is inadequate as the renters may have boat trailers, ATV trailers, or snowmobile trailers. The proposal appears to circumvent the Code requirements for RV camps, mobile home parks, or any other type of residential buildings. The proposal does not address garbage or snow removal. This proposal undermines the County's efforts in regard to short-term rentals and would set a very bad precedent. (Mar. 6, 2023)

The Wilson Family, 6 Wren Trail, is opposed. The multi-unit domes are outside the aesthetic of the surrounding areas. There is no way to limit the number of occupants nor the use of additional RVs or tents at the site. There would be camp host on the property. Using cameras and sound detectors to alert the owners is not adequate due to the spotty internet service. With no onsite supervision, concerns include trespassing, damage control, littering, parking, and fire pit use. Septic systems for the site is a concern. (Mar. 7, 2023)

Michael Manderscheid, 1745 West Mountain RD, is opposed. This use would likely put an additional 1,993 people in the area, as well as additional vehicles, UTVs, snowmobiles, etc.

Dust abatement should occur. Well and septic systems are a concern. There should be a perimeter fence. The fire pit is problematic in this wooded area; a communal fire pit will encourage loud parties and consumption of adult beverages. This proposal would not be in the best interest of all who live in the area who enjoy the peace and quiet.

5. Physical characteristics of the site: Slightly sloped and partially covered in conifer trees.
6. The surrounding land use and zoning includes:
 - North: Single-Family Residential (CR-5 Subdivision)
 - South: Single-Family Residential (CR-5 Subdivision)
 - East: Single-Family Residential (CR-5 Subdivision), U.S. Bureau of Rec
 - West: Single-Family Residential (CR-5 Subdivision)
7. Valley County Code (Title 9): In Table 9-3-1, this proposal is categorized under:
 - 5. Commercial Uses (e) 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:

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.

Definitions: RECREATION BUSINESS: Recreation or athletic activities or facilities open to the general public where fees are charged or dues are required for the use of the facility.

Dust abatement should occur. Well and septic systems are a concern. There should be a perimeter fence. The fire pit is problematic in this wooded area; a communal fire pit will encourage loud parties and consumption of adult beverages. This proposal would not be in the best interest of all who live in the area who enjoy the peace and quiet.

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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.

Definitions: **RECREATION BUSINESS:** Recreation or athletic activities or facilities open to the general public where fees are charged or dues are required for the use of the facility.

SUMMARY:

Compatibility Rating: Staff's compatibility rating is a +16.

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. The original site plan must be revised:
 - Parking cannot be within the setback area.
 - Parking area for guest trailers i.e., snowmobile, UTV, etc.
 - The site plan should also show the new dimensions of the property that exist after the 2022 lot line adjustment occurred as shown in the Record of Survey Book 14 page 280 (attached.)
3. The application states that no fencing is planned; however, staff recommends the sides and rear of the property be marked to limit trespass by renters onto neighboring lots.
4. Submit pictures of the fire pit and surrounding area as well as safety equipment available at the fire pit (e.g., water, shovel, fire extinguisher).
5. Will need approval from Road Department Superintendent to maintain Deer Trail, a public road.
6. The septic approval submitted in the Application is for a 4-bedroom home.
7. Who will be monitoring the renters?
8. What is the plan for trash and dirty dish water? Should bear-proof garbage cans be required?
9. Will there be a 24-hour phone number available to renters and to neighbors in case of issues?

ATTACHMENTS:

- Conditions of Approval
- Blank Compatibility Evaluation and Instructions
- Compatibility Evaluation by Staff
- Vicinity Map
- Aerial Map
- Assessor Plat – CR-5 Subdivision
- Assessor Plat – T.15N R.3E Section 18
- Record of Survey 14-280
- Site Plan
- Pictures Taken March 5, 2023
- 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. This includes the pathway lighting and lighting on the existing garage.
6. Shall obtain a building permit for the structures, including decks for the tents.
7. The minimum building setbacks shall be fifty feet (50') front and rear property lines and thirty feet (30') from side property lines.
8. Must have approval letter from Donnelly Fire Department.
9. Must obtain approval from Valley County Road Department Superintendent to maintain Deer Trail, a public road.
10. Must obtain approval from Central District Health.
11. Must clearly mark property lines.
12. Maximum occupancy of the site is limited to five (5) vehicles and 13 people.
13. Rules concerning fires, noise, loose pets, shooting, and limits on vehicles and people etc., must be posted on the site and also included in the rental contracts. A copy must be submitted to Planning and Zoning.
14. Guests must restrain animals to keep them from trespassing onto neighboring properties.
15. Shall give neighbors a phone number to contact someone 24 hours per day if there are issues.
16. No shooting of firearms on-site.
17. Campfires shall be maintained in an established fire ring. Water, shovel, and/or fire

extinguisher must be in close proximity.

18. All noxious weeds on the property must be controlled.
19. The site must be kept in a neat and orderly manner.
20. Food should be stored in a manner that does not attract wildlife.
21. Shall clearly post the physical address at the driveway entrance and on each structure.
22. Noise shall be kept to a minimum between 10:00 p.m. and 7:00 a.m.
23. No parking allowed in the public road right-of-way or in setback areas.
24. Cannot hold events, such as weddings, large family reunions, dances, concerts, etc.
25. Shall obtain a sign permit prior to installation of a sign.
26. Must comply with payment of sales tax in accordance with Idaho State Code, Chapter 36.
27. 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

Compatibility Questions and Evaluation

Matrix Line # / Use: _____

Prepared by: _____

YES/NO X Response
Value

Use Matrix Values:

(+2/-2) X 4 _____

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

(+2/-2) X 2 _____

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

(+2/-2) X 1 _____

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

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) X 3 _____

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

(+2/-2) X 1 _____

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

(+2/-2) X 2 _____

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

(+2/-2) X 2 _____

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

(+2/-2) X 2 _____

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

(+2/-2) X 2 _____

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

Sub-Total (+) _____

Sub-Total (--) _____

Total Score _____

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

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 9:

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

APPENDIX A

MATRIX FOR RATING

QUESTIONS 1, 2, and 3

QUESTIONS 1, 2, and 3																									
1. AGRICULTURAL																									
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23		
		+2	-1	-2	-2	-2	-2	+1	+1	+1	+1	+2	+1	+1	-1	-1	-1	+2	-1	-2	-1	+1	+2	+2	
RESIDENTIAL USES	2. RESIDENCE, S.F.	+2		+2	+1	+1	+1	+1	+1	-1	+2	+1	-2		+1	-1	+1	+1	-1	+1	+1	-2	-2	2	
	3. SUBDIVISION, S.F.	-1	+2		+1	+1	+1	+1	+1	-1	+2	+1	-2		+1	-1	+1	+2	-1	+2	+1	-2	-2	3	
	4. M.H. or R.V. PARK	-2	+1	+1		+1	+1	+1	+1	-1	+2	+1	-2		+1	-1	+1	+1	-1	+1	+1	-2	-2	4	
	5. RESIDENCE, M.F.	-2	+1	+1	+1				+1	+1	-1	+2	+1	-2		+1	-1	+1	+1	-1	+1	-2	-2	5	
	6. SUBDIVISION, M.F.	-2	+1	+1	+1	+2			+1	+1	-1	+2	+1	-2		+1	-1	+1	+1	-1	+1	-2	-2	6	
	7. P.U.D., RES.	-2	+1	+1	+1	+2	+2		+1	+1	-1	+2	+1	-2		+1	-1	+1	+1	-1	+1	-2	-2	7	
CIVIC or COMMUNITY SERVICE USES	8. REL, EDUC & REHAB	+1	+2	+1	+1	+1	+1		+1	+1	-1	+2	-2		-1	-1	+2	+2	+1	+1	-1	+1	-2	-1	8
	9. FRAT or GOV'T	+1	+1	+1	+1	+1	+1	+1		+1	-1	+2	-2		-1	-1	+1	+1	+1	-1	+1	-2	-2	9	
	10. PUBLIC UTIL. (1A-3.1)	+1	-1	-1	-1	-1	-1	+1	+1		+1	+	-1		+1	+1	+1	-1	+1	+1	+1	+2	+2	10	
	11. PUBLIC REC	+1	+2	+2	+2	+2	+2		-1	-1	+1	+2	-1		+1	+1	+1	+2	+1	+1	+1	-1	+1	11	
	12. CEMETERY	+2	+1	+1	+1	+1	+1	+1	+2	+2	+2		+1		+1	+1	+1	+1	+1	+1	+2	+1	+1	12	
	13. LANDFILL or SWR. PLANT	+1	-2	-2	-2	-2	-2	-2	-2	-2	-1	-1	+1		-1	-1	-2	-2	-2	-2	-1	+2	+2	+2	13
COMMERCIAL USES	14. PRIV. REC. (PER)	+1	+1	+1	+1	+1	+1	-1	-1	+1	+1	+1	-1		+1		+1	+1	+2	+1	+2	-1	+1	14	
	15. PRIV. REC. (CON)	-1	-1	-1	-1	-1	-1	-1	-1	+1	+1	+1	-1	+1		-2	-2	-1	-2	-2	+2	-1	+1	15	
	16. NEIGHBORHOOD BUS.	-1	+1	+1	+1	+1	+1	+2	+1	+1	+1	+1	-2		+1	-2		+1	+2	+2	+1	-1	-1	16	
	17. RESIDENCE BUS.	+2	+2	+2	+1	+1	+1	+2	+1	-1	+2	+1	-2		+1	-2	+1		+1	-1	+1	+1	-2	-2	17
	18. SERV. BUS.	-1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2		+2	+2	+2	+1		+2		+1	+1	21	
	19. AREA BUS.	-2	-1	-1	-1	-1	-1	+1	+1	+1	+1	+1	-2		+1	-2	+2	-1	+2		+1	-2	-2	19	
20. REC. BUS.	-2	+2	+2	+1	+1	+1	+1	-1	-1	+1	+1	-1	-1	+2	-2	+1	+1	+2	+1		+2	-2	+1	20	
INDUST. USES	21. LIGHT IND.	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+2	+2		+2	+2	+2	+1	+2	+2		+1	+1	21	
	22. HEAVY IND.	+2	-2	-2	-2	-2	-2	-2	-2	+2	-1	+1	+2		-1	-1	-1	-2	-1	-2		+1		+2	22
	23. EXTR. IND.	+2	-2	-2	-2	-2	-2	-1	-2	+2	+1	+1	+2		+1	+1	-1	-2	-1	-2	+1	+1	+2	23	

RATE THE SOLID SQUARES AS +2

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)?

S.F. Residential Subdivision Base Lot

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

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

See 1 & 2 w/ Tamarack & Forest + Box

Site Specific Evaluation (Impacts and Proposed Mitigation)

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

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

Some slope w/ trees for screening.

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

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

Similar lot size but smaller structures (x5)

(+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?

No - this will be a commercial rental; however, there are STR in area.

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

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

Yes - residential type noise, privacy

(+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?

May be more impact to sheriff - will be more traffic impact on dirt road

(+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?

Will increase revenues.

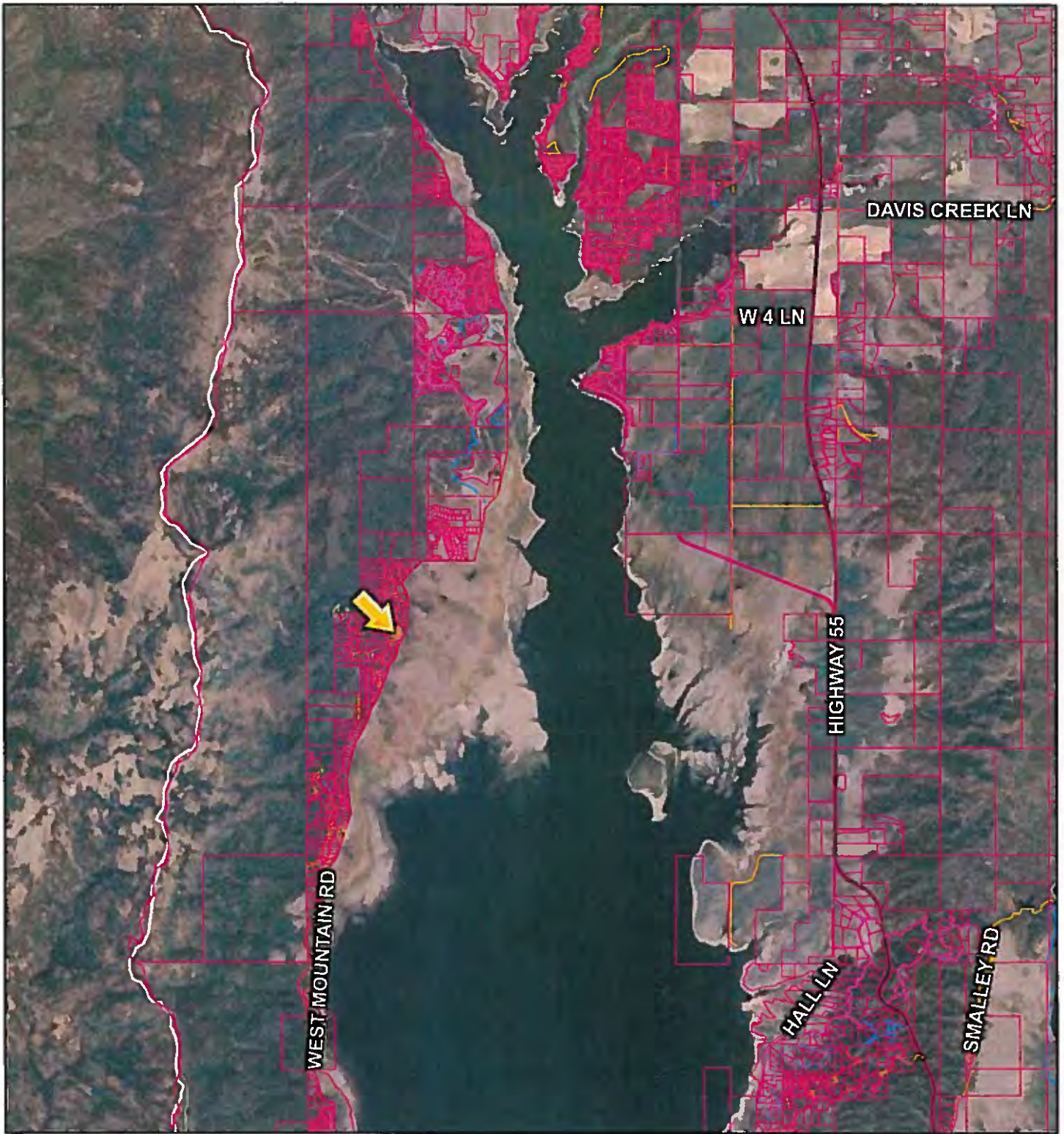
Sub-Total (+) 22

Sub-Total (-) -6

Total Score +16

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. 23-03 Vicinity Map



January 31, 2023

1:117,565



Override 1



Override 1



Parcel Boundaries

Roads

MAJOR

MINOR COLLECTOR

COLLECTOR

URBAN/RURAL

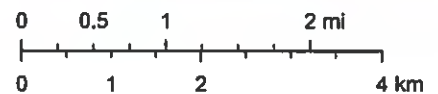
USFS

PRIVATE

County Boundaries

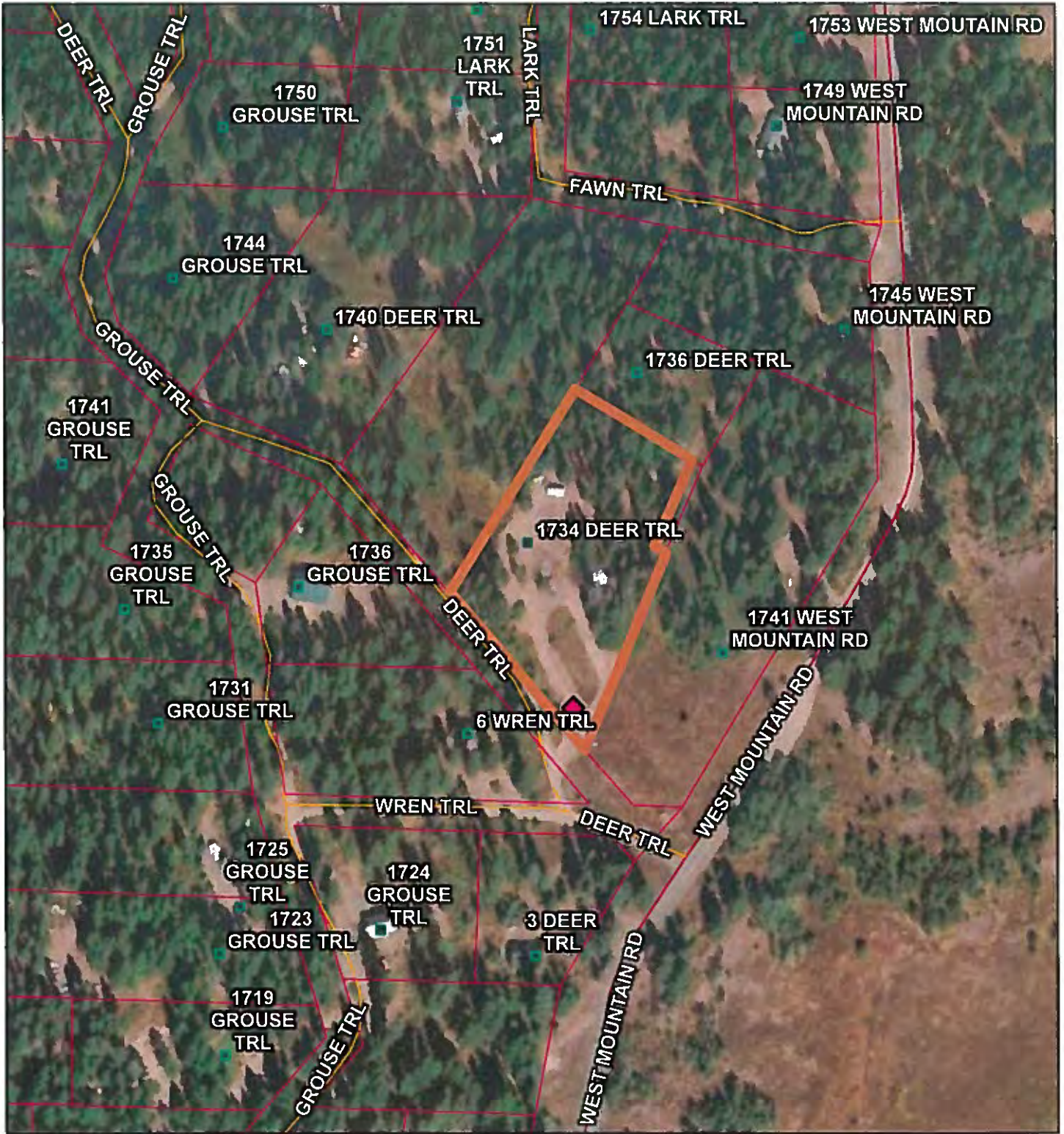
ADAMS COUNTY

VALLEY COUNTY



Earthstar Geographics

CUP 23-03 Aerial Map



January 31, 2023

Override 1

Permits

VAR

Address Points

Parcel Boundaries

Roads

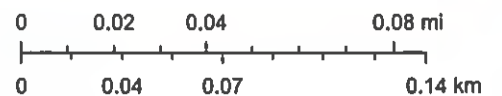
COLLECTOR

URBAN/RURAL

County Boundaries

VALLEY COUNTY

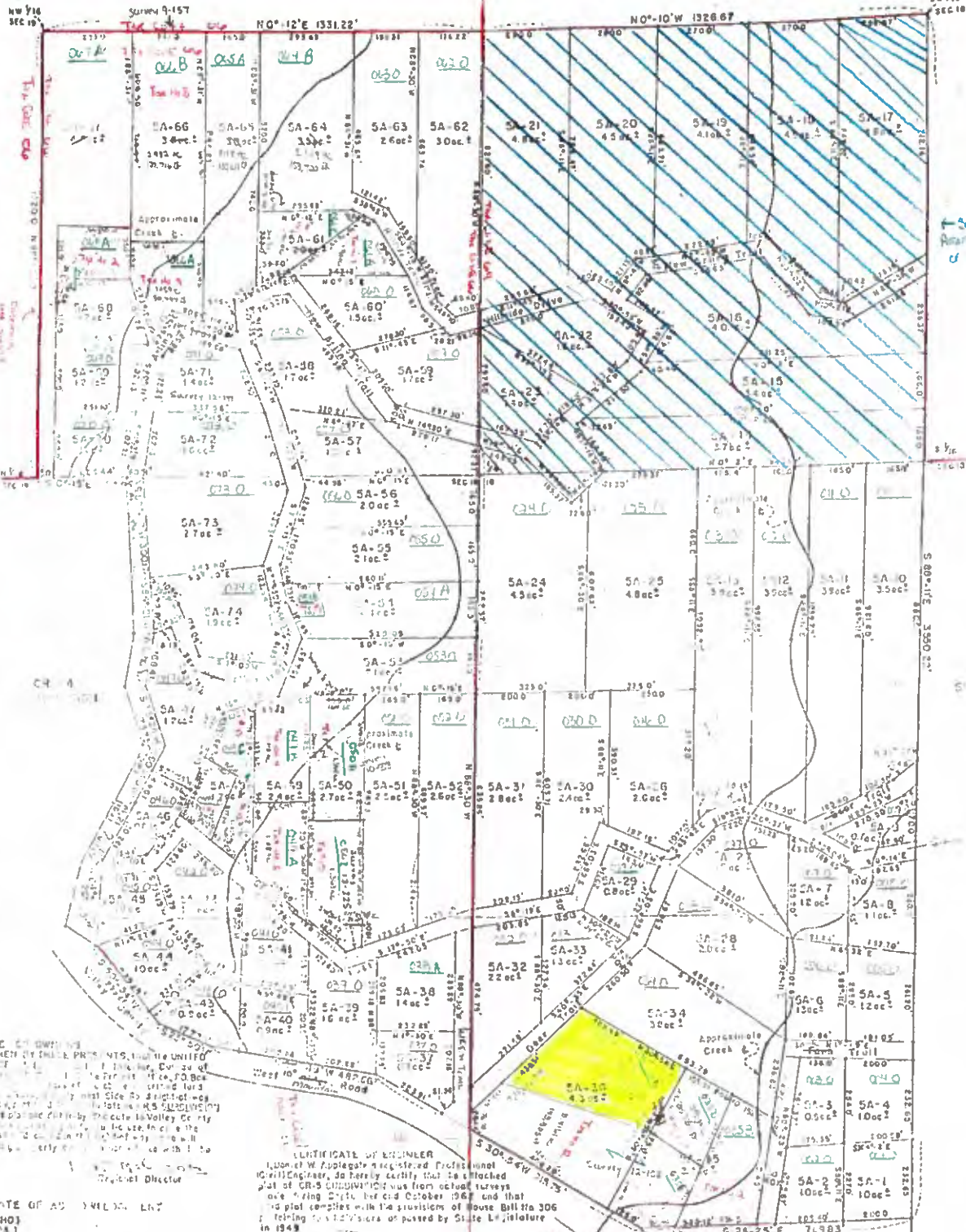
1:3,674



Maxar

Plat of
CR-5 SUBDIVISION CASCADE RESERVOIR

All of SE 1/4 SW 1/4 and SW 1/4 SE 1/4 and a portion of SE 1/4 SE 1/4 Sec. 18 all of NW 1/4 NE 1/4 and NE 1/4 NE 1/4 Sec. 19 T 15 N, R 3E, BM.



See that plat for
Amended Plat of CR-5

CERTIFICATE OF ENGINEER
I, the undersigned, a duly licensed Professional Engineer, do hereby certify that the attached plat of CR-5 Subdivision was from actual surveys made during the year 1963 and that the plat complies with the provisions of House Bill No. 306 relating to the survey of land passed by the State Legislature in 1949.

CERTIFICATE OF ADJUDICATOR
STATE OF ILLINOIS
I, the undersigned, a duly licensed Adjudicator, do hereby certify that the attached plat of CR-5 Subdivision was from actual surveys made during the year 1963 and that the plat complies with the provisions of House Bill No. 306 relating to the survey of land passed by the State Legislature in 1949.

CERTIFICATE OF ENGINEER
I, the undersigned, a duly licensed Professional Engineer, do hereby certify that the attached plat of CR-5 Subdivision was from actual surveys made during the year 1963 and that the plat complies with the provisions of House Bill No. 306 relating to the survey of land passed by the State Legislature in 1949.

APPROVED BY BOARD OF COUNTY COMMISSIONERS
I, the undersigned, a duly licensed Adjudicator, do hereby certify that the attached plat of CR-5 Subdivision was from actual surveys made during the year 1963 and that the plat complies with the provisions of House Bill No. 306 relating to the survey of land passed by the State Legislature in 1949.

By: Deputy
Fee \$
Scale 1" = 400'
Steel Pin

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Plat of CR-5 SUBDIVISION
RECORDED IN BOOK 100, PAGE 100
JAN 10 1964

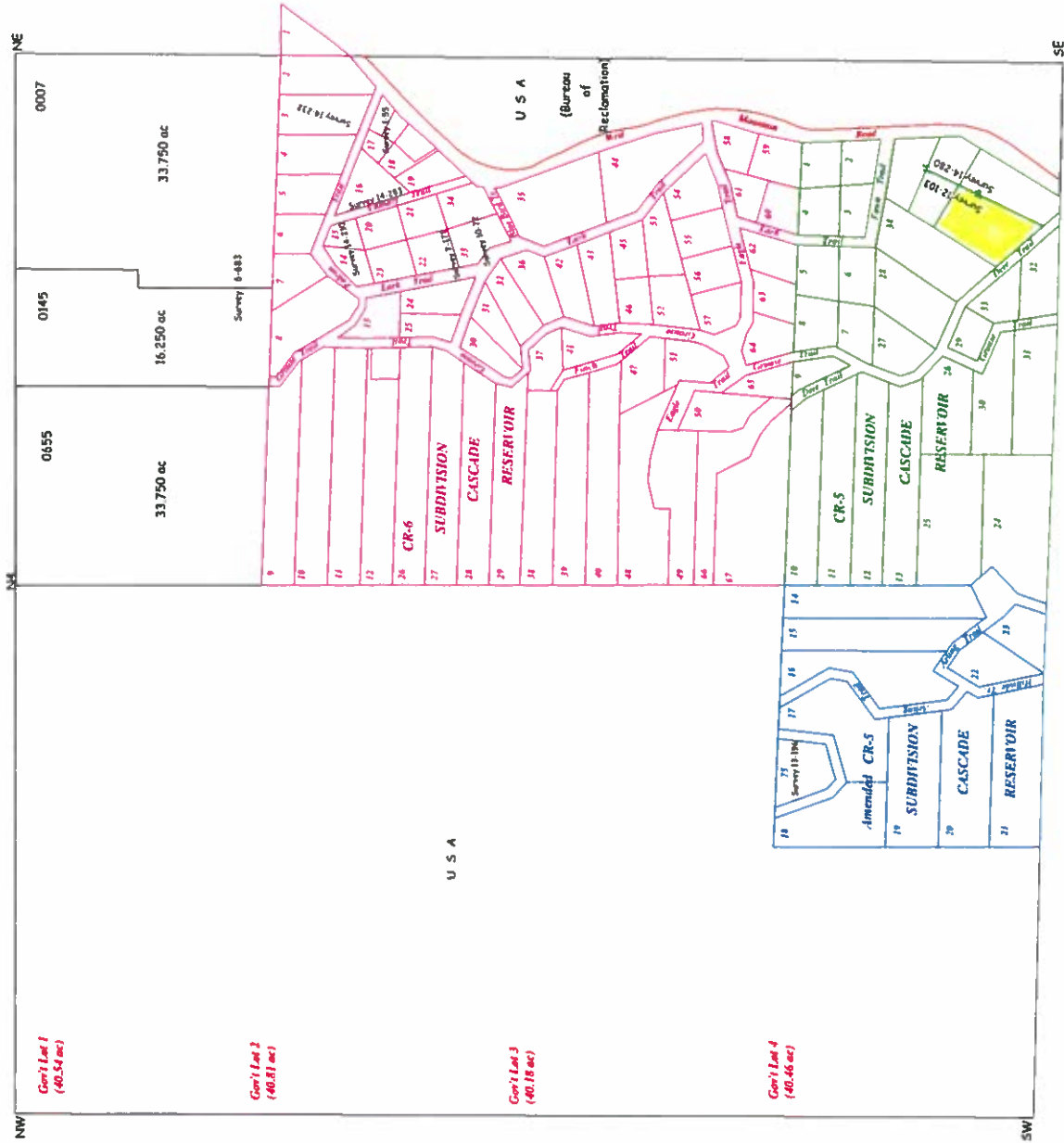
RP 00050
BX 219-52, 6-10-63
Roses from Sand are attached for file.
No reference to County.
Official County Road is maintained.
By Using Co.

PLAT TITLE

T W P . 1 5 N R O S E S E C . 1 8

VALLEY COUNTY
Cartography Dept.
Assessor's Office
Cascade, ID 83611

Filename:
Valley County Base Map
Scale: 1" = 400 ft.
Date: 10/6/2022
Drawn by: L. Frederick



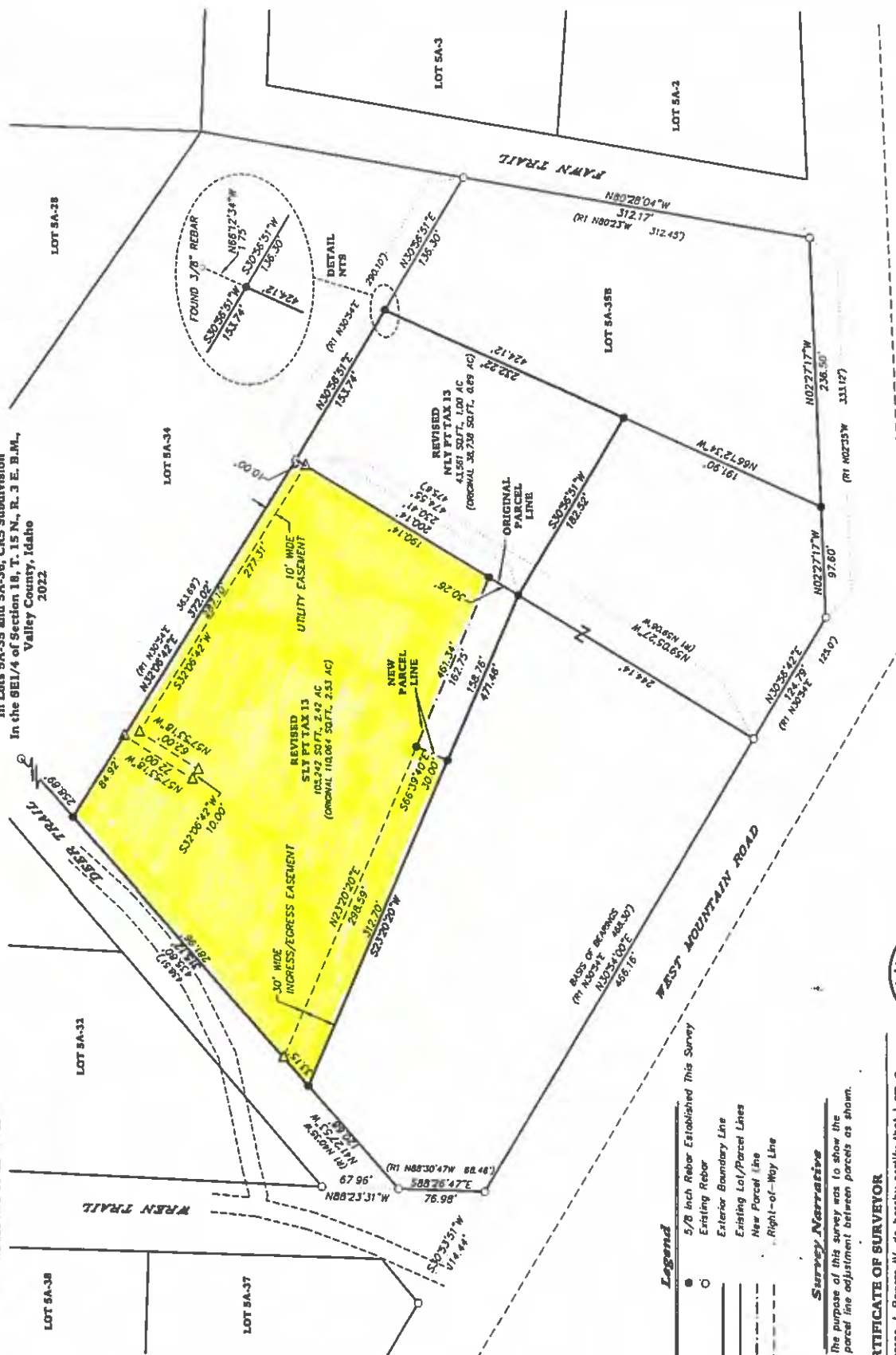
This Drawing is to be used for Reference Purposes ONLY. The County is NOT Responsible for Any Improvements Constructed Herein.

Instrument # 452990
VALLEY COUNTY CASCADE, IDAHO
S. J. BOWERS, Surveyor
DANIEL A. MILLER, Assistant
E. Office: Cascade, Idaho
Phone: 208-469-0457

RECORD OF SURVEY PARCEL LINE ADJUSTMENT

for
Adams

Located in Tax Number 13
In Lots 5A-35 and 5A-36, CR5 Subdivision
In the 8E1/4 of Section 18, T. 15 N., R. 3 E. B.M.,
Valley County, Idaho
2022



- Legend**
- 5/8 Inch Rebar Established This Survey
 - Existing Rebar
 - Exterior Boundary Line
 - Existing Lot/Parcel Lines
 - New Parcel Line
 - - - Right-of-Way Line

Survey Narrative

The purpose of this survey was to show the parcel line adjustment between parcels as shown.

CERTIFICATE OF SURVEYOR

I, George J. Bowers IV, do hereby certify that I am a registered Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an accurate survey of the ground by me or under my supervision, and that this map is in conformity with the current laws of said survey, and is in conformity with the current laws of the State of Idaho pertaining to plots and surveys, including Title 55, Chapter 16, Corner Perpetuation and Filing.

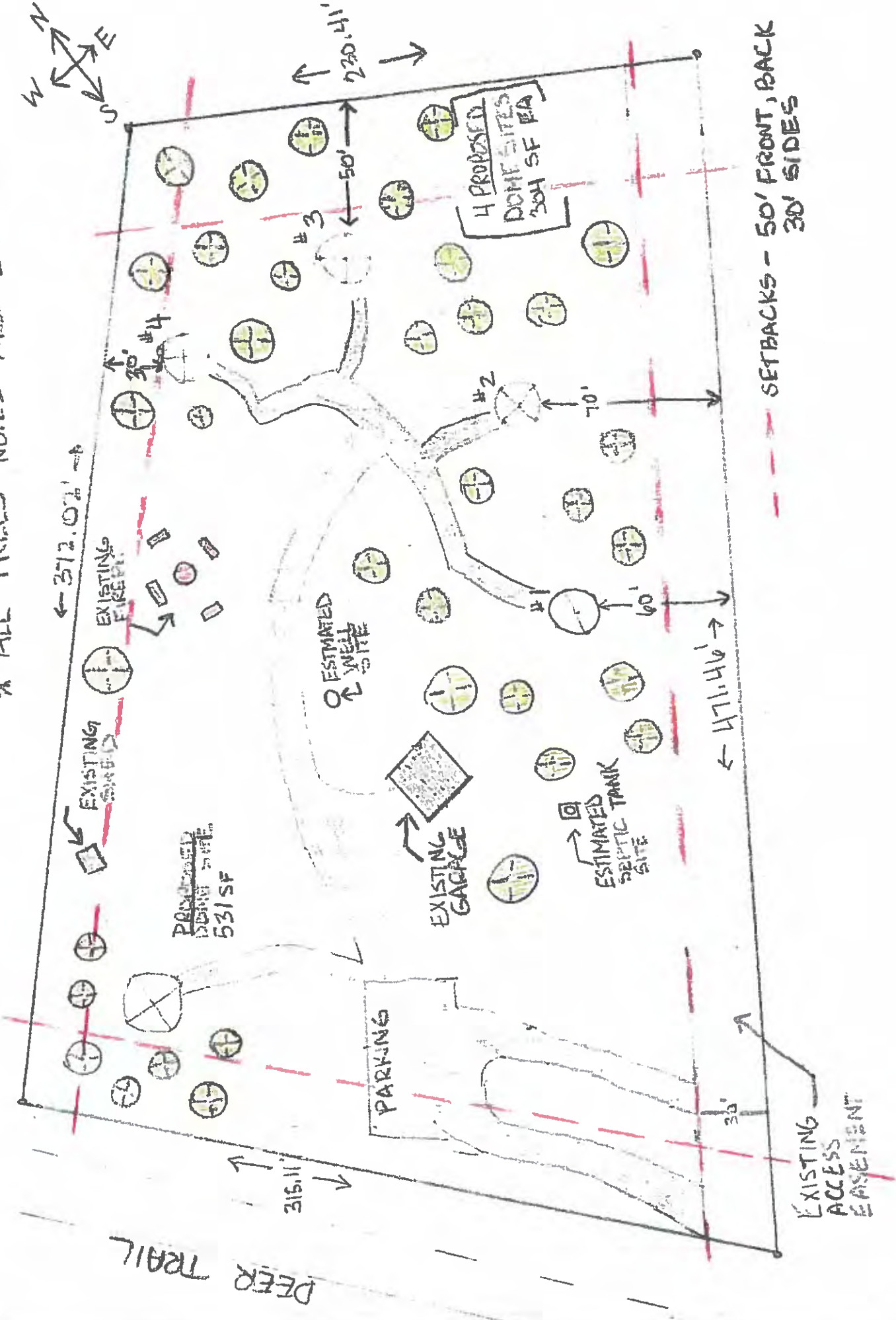


Notes

- Refer to Plat of CR5 Subdivision, B.C. 2, pg. 52, Inst. No. 59993
- Refer to Warranty Deed Inst. No. 2515998
- Refer to RDS Bk. 12, pg. 101, Inst. No. 385691

Bowers Land Surveys, Inc.
P.O. BOX 976 CASCADE, IDAHO 83411 PHONE: 208-469-0457

* ALL TREES NOTED ARE EXISTING MATURE









Valley County Transmittal
Division of Community and Environmental Health

Return to:

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

Rezone # _____

Conditional Use # CUP 23-03

Preliminary / Final / Short Plat X Perience Glamping Site

Lot 36 CR5 Sub
1734 DEER TRAIL

- ☐ 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 surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
☐ 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. Applicant will need to submit a septic application, conduct test holes & ground water monitoring before CDH can comment.

Reviewed By: En H R

Date: 2/14/23



Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

February 9, 2023

Valley County Planning & Zoning Commission

P.O. Box 1350

Cascade, Idaho 83611

RE: C.U.P 23-03 Xperience Glamping Site

After review, the Donnelly Rural Fire Protection 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. The address need be visible and legible from the road on which it is located. Address signs along one-way roads will be visible from both the intended direction of travel and the opposite direction. Where multiple address's are required at a single driveway, they need to be mounted on a single post, and additional signs will be posted at locations where driveways divide.
- **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.
- **Section 503.7.7 IFC 2018** Where security gates are installed, they need to have an approved means of emergency operation. The security gates and emergency operation will be maintained operational at all times.
- Driveways shall be inspected and approved by Donnelly Rural Fire Protection District personnel prior to certificate of occupancy being issued..
- Smoke detectors shall be installed and maintained in accordance with **Section 907.2.10.2 IFC 2018**

- Portable fire extinguishers shall be installed in accordance with **Section 906.1 IFC 2018**
- A complete set of building plans shall be submitted to the Donnelly Rural Fire Protection District for review prior to construction
- Domes shall comply with **Section 3104.1 IFC 2018**. See attached documentation (the testing standards presented in exhibit 3 do not comply)
- Any residence utilized as a short-term rental shall comply with Valley County Ordinance 19-09 Liquified Petroleum Gas if applicable

Please call 208-325-8619 with any questions.

Jess Ellis



Fire Marshal
Donnelly Fire Department

and the system shall be installed in accordance with NFPA 70. The emergency system provided shall have a minimum duration of 90 minutes when operated at full design demand.

3103.12.7 Means of egress illumination. *Means of egress* shall be illuminated with light having an intensity of not less than 1 foot-candle (11 lux) at floor level while the structure is occupied. Fixtures required for *means of egress* illumination shall be supplied from a separate circuit or source of power.

3103.12.8 Maintenance of means of egress. The required width of *exits, aisles* and passageways shall be maintained at all times to a *public way*. Guy wires, guy ropes and other support members shall not cross a *means of egress* at a height of less than 8 feet (2438 mm). The surface of *means of egress* shall be maintained in an *approved* manner.

SECTION 3104 TEMPORARY AND PERMANENT TENTS AND MEMBRANE STRUCTURES

3104.1 General. Tents and membrane structures, both temporary and permanent, shall be in accordance with this section and Sections 3106 and 3107. Permanent tents and membrane structures shall also comply with the *International Building Code*.

3104.2 Flame propagation performance treatment. Before a permit is granted, the *owner* or agent shall file with the *fire code official* a certificate executed by an *approved* testing laboratory. The certificate shall indicate that the floor coverings, tents, membrane structures and their appurtenances, which include sidewalls, drops and tarpaulins, are composed of materials meeting the flame propagation performance of Test Method 2 of NFPA 701. Additionally, it shall indicate that the bunting and combustible decorative materials and effects are composed of material meeting the flame propagation performance criteria of Test Method 1 or Test Method 2 of NFPA 701, as applicable. Alternatively, the materials shall be treated with a flame retardant in an *approved* manner and meet the flame propagation performance criteria of the applicable test method of NFPA 701. The flame propagation performance criteria shall be effective for the period specified by the permit.

3104.3 Label. Membrane structures or tents shall have a permanently affixed label bearing the identification of size and fabric or material type.

3104.4 Certification. An affidavit or affirmation shall be submitted to the *fire code official* and a copy retained on the premises on which the tent or air-supported structure is located. The affidavit shall attest to all of the following information relative to the flame propagation performance criteria of the fabric:

1. Names and address of the *owners* of the tent or air-supported structure.
2. Date the fabric was last treated with flame-retardant solution.

3. Trade name or kind of chemical used in treatment.
4. Name of person or firm treating the material.
5. Name of testing agency and test standard by which the fabric was tested.

SECTION 3105 TEMPORARY SPECIAL EVENT STRUCTURES

3105.1 General. Temporary special event structures shall comply with Section 3104. Sections 3105.2 through 3105.9 and ANSI E1.21.

3105.2 Approval. Temporary special event structures in excess of 400 square feet (37 m²) shall not be erected, operated or maintained for any purpose without first obtaining approval and a permit from the *fire code official* and the building official.

3105.3 Permits. Permits shall be required as set forth in Sections 105.6 and 105.7.

3105.4 Use period. Temporary special event structures erected in accordance with ANSI E1.21 shall not be erected for a period of more than six consecutive weeks.

3105.5 Required documents. The following documents shall be submitted to the *fire code official* and the building official for review before a permit is *approved*:

1. Construction documents: *Construction documents* shall be prepared by a *registered design professional* in accordance with the *International Building Code* and ANSI E1.21 where applicable. *Construction documents* shall include:
 - 1.1. A summary sheet showing the building code used, design criteria, loads and support reactions.
 - 1.2. Detailed construction and installation drawings.
 - 1.3. Design calculations.
 - 1.4. Operating limits of the structure explicitly outlined by the *registered design professional* including environmental conditions and physical forces.
 - 1.5. Effects of additive elements such as video walls, supported scenery, audio equipment, vertical and horizontal coverings.
 - 1.6. Means for adequate stability including specific requirements for guying and cross-bracing, ground anchors or ballast for different ground conditions.
2. Designation of responsible party: The *owner* of the temporary special event structure shall designate in writing a person to have responsibility for the temporary special event structure on the site. The designated person shall have sufficient knowledge of the construction documents, manufacturer's recommendations and operations plan to make judgments regarding the structure's safety and to coordinate with the *fire code official*.

C.U.P. 23-03 Xperience Glamping Site

From: Richard Johnson [REDACTED]

Sent: Sunday, February 26, 2023 9:10 AM

To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: C.U.P. 23-03 Xperience Glamping Site

My spouse and I own the property at 1735 Grouse Trail (shown as 1736 on the aerial map) which is directly across Deer Trail from the proposed site. We will be out of state on March 16 so cannot attend the public hearing. Please accept these comments to be included in the public record.

We are respectfully and vehemently opposed to allowance of a Glamping site as proposed for multiple reasons.

The proposed site would allow 4 structures with two beds and one structure with 6 beds. Five different structures mean 1 to 5 different families will occupy the site on any given night. The number of beds brings 2 to 14 additional people per site. This is assuming nobody sleeps in a personal tent or vehicle. In June, July and August there are 92 days. During this 3 month period an additional 184 to 1288 people will travel to the site. This number of people would have significant impact on the dirt roads in the entire subdivision due to large number of trucks, cars, trailers, ATVs, motorcycles, etc. CR-5 is a quiet subdivision where we enjoy the quiet and serenity of the woods. We do not need an unsupervised commercial campground affecting ours and neighbors' properties.

Fire has always been a major threat and concern to us and our neighbors. With camping there will be numerous campfires. Without regular supervision the fire exposure would be greatly increased. An uncontrolled fire would immediately travel uphill to our cabin and others. The number of additional people could also precipitate a safety issue as relates to potential theft, vandalism, forest damage, littering, etc.

In summary, given the lack of a clear plan to address formal and continuous supervision of the site, fire exposure and safety concerns, and the additional pressure on the fragile resources of the subdivision, please deny the Glamping site at this time. We would be happy to testify in person at any time if so requested. Thank you for your consideration.

Comments C.U.P. 23-03 Xperience Glamping Site

From: Clay Cummins [REDACTED]

Sent: Sunday, February 26, 2023 2:31 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: Comments C.U.P. 23-03 Xperience Glamping Site

Dear Cynda Herrick,

My name is Clay Cummins, 3 Deer Trail, Cascade, ID. My property is on the corner of West Mtn. Rd. and Deer Trail, on the south side of Deer Trail, just SE of the camping proposal and within sight.

My family purchased the property in 1972. The existing log cabin was built in the 1993-94 time frame. My wife (Sharon) and I have owned the property since 1997 and are part time residents with a primary residence in Nampa, Idaho. We are retired now and have used the cabin extensively since 2009.

Thank-you for the opportunity to make comments and express concerns as follows:

- I feel a campground does not fit the current or historic use of the area. The general area North and South of us is composed of mostly single family residences or lots with personal family camper use.
- Potential increased vehicle traffic (cars, utv's, snowmobiles) causing noise, and making Deer trail, Wren trail, Grouse trail and other single track roads in this area less safe for walkers, pets, bike riders, etc.

(As a side note: West Mtn. Road has become horrible for dust because of extensive construction and recreational traffic that continues to increase. The 350' of "oil" we had applied last year was effective for maybe 2 weeks. Our cabin has been negatively affected greatly from the dust). It's time the county did something for dust control: pave, regular oiling - summer, fall. I would support a property tax increase to fund road maintenance/ improvement.

- I do not see in the proposal a campground host on site to monitor late night partying noise, fires left unattended, trash disposal/containment, fireworks, guns being discharged, etc.
- Trash attracting nuisance wildlife: bears, skunks, raccoons.

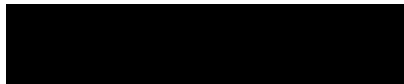
- Potential trespass of people /vehicles from the camping site onto my property (easy access).
- Parking on my property which has easy access off Deer Trail.
- Potential break-ins from those people.

Some other neighbors and I did meet with Jennifer Anderson and her husband on February 24 (informal invite from them) to hear about their proposal. We listened, expressed our concerns, and asked questions.

They also asked a lot of questions of those in attendance. It was kind of surprising to me that they have not even seen their lot or surrounding area without snow. We informed them how wet their area is in the spring and that this was a pretty typical winter (some worse, some better). They appear to me to be good, responsible folks that want to be good neighbors, but really don't know the historic or current use of the area. Or the environmental conditions they will be dealing with on this site.

Sincerely,

Clay and Sharon Cummins
3012 E Denali Pl
Nampa, Idaho 83686



Chris Hansen
1044 N. Grey Pebble Way,
Eagle Idaho, 83616
March 5, 2023



Re: Opposition to CUP 23-03

Dear Board Members,

This letter is to oppose the proposed Conditional Use Permit 23-03. My property is located at 1655 West Mountain Road, which is approximately one mile south of the parcel in question. However, the proposal is entirely inconsistent with the traditional use of the area, i.e. single cabins or a single homes per parcel. I am concerned that if the 23-03 is allowed, similar proposals will be made for a large number of the parcels which are currently empty or vacant, some of which are near my property. The proposal consists of five geodesic domes (hereinafter "domes"). A dome consists of a metal frame, with a PVC (plastic) cover. Page 16 of the application references Geodome Store 2022. The Geodome Store website reveals the domes are simply upgraded tents.

The domes do not appear to meet any of the Building Codes required by Valley County. (6-1-4 and 9-4-3-4) The Geodome Store website recognizes that the domes are built with a metal frame, so care must be taken to insure the structure is properly grounded; if not, the entire structure may become energized, which would create a significant safety issue. Page 17 of the application indicates that the snow-load is 64 lbs/sq. ft., far below Valley County's requirements of 120 -150 lbs/sq. ft. (6-1-8(9)(c)) The well report is not current. The report was from 1982 and indicates the well was abandoned. The well report may be inapplicable due the significant development in the last 40 years. Also, the plan does not appear to intend to comply with the ADA (Americans with Disability Act) despite being a short term rental.

It is unclear whether 23-03 is considered an RV campground, mobile home park, manufactured homes or residential dwellings under the County's ordinances. Regardless, the lot plan does not meet the County's requirements for any of the various categories. Like mobile homes, the domes, are different from traditional homes, so the mobile home park may be the most analogous. However, 23-03 fails to meet the requirements of a mobile home park. For instance, in a mobile home park, a minor street should be 18' wide, not 10' feet as proposed. (12-1-5). For mobile homes parks, parking is to be at least 1.25 spaces per unit. (12-1-5). The proposed parking is less than the Code requirement and is inadequate, particularly since the "tenants" may have boat trailers, ATV trailers or snowmobile trailers. Also, mobile home parks should not be located near marshes and one of the adjacent properties is traditionally swampy or marshy. (12-1-3(c) -location) The proposal also fails to meet the requirements of an RV campground. As written, 23-03 appears to circumvent the Code requirements for RV camps, mobile home parks, or any other type of residential buildings identified by the County Code. It also appears that the proposal fails to comply with the requirements of short term rentals (9-4-10), since it fails to address, garbage, snow removal and management.

Overall, the proposal is inadequate, inconsistent with County Code and contrary to the traditional use of the properties in the area. Valley County P & Z has been working diligently to control short terms rentals due to the issues that they cause and to limit the placement of numerous "living spaces" on a single parcel. This proposal undermines the County's efforts in that regard and would set a very bad precedent. Thus, the concept proposed by CUP 23-03 should be rejected and the application 23-03 should be denied. If you have any questions or concerns, please feel free to contact me.

Very Truly Yours,

Chris H. Hansen

March 7, 2023

Dear Cynda Herrick – Planning & Zoning Director,

We are writing to express our opposition to the C.U.P. 23-03 Xperience Glamping Site. We have a number of concerns which are outlined below.

Most of the adjacent properties to the proposed site have been passed down through generations. They are either vacant properties or contain family cabin structures. The proposed multi-unit domes are completely outside the aesthetic of the surrounding areas.

The proposal states there would be four, 2-person domes and one, 5-person dome. According to the owners, these would be rented out when they are not personally using them. There is no way to limit the number of occupants of the structures or the number of individuals who could be camping on the property beyond the assumed 13 people. There would be no way to prevent renters from bringing an RV or tents to use on the property. The owners have indicated they would have rules for renters. However, there is no permanent camp host on the property to enforce occupancy or address concerns surrounding property owners might have with individuals renting the units. So, who would enforce it?

Five different renters could rent the structures which possess significantly more potential to have disruptive behavior occur. The clientele that might rent less expensive glamping units are likely less concerned with upkeep than those that would occupy a cabin structure. We are concerned with more people comes more chances of someone who would wander onto our adjacent property and potentially cause damage, break in, or use our property since they may not want to use the same property as other renters. We are not confident that any damage would be covered by any sort of rental/commercial insurance the property owners should carry.

The owners expressed the use of cameras and sound detectors to alert them personally from miles away. Our experience with internet service in the area can be described as spotty at best. We don't feel that concerning behavior could be adequately monitored when not present on site. Since our cabin is not occupied 365 days a year, this draws some serious concerns about individuals renting the adjacent property and utilizing our property for their own enjoyment when we are not present.

Additionally, with no onsite supervision, we are concerned about damage control, littering and someone to make sure only the single fire pit is used and extinguished properly. Most State run camp sites in the area have a designated camp host that would monitor these issues. Without one staffed full time, the burden would rest on county law enforcement.

Knowing the surrounding terrain, we are also concerned about the impact of a septic unit sufficient to cover five different structures. Has sufficient testing been done? A neighboring cabin owner stated they were required to test for 16 consecutive weeks to ensure they have proper septic function. We are also concerned about where renters will park. What if they run out of parking spaces having multiple vehicles per dome? Who is to stop them from parking on private property of surrounding cabins?

We strongly disapprove of the project proposal for the reasons we have discussed above and think the zoning should remain consistent with the surrounding cabin properties. Please consider our concerns when making your decision.

Sincerely,

The Wilson Family

6 Wren Trl

Michael Manderscheid AKA Scheid
1745 West Mountain Road
Donnelly, ID 83615



C.U.P. 23-03 Xperience Glamping Site

Dear Ms Herrick,

I live year-round across Duck Creek from the proposed development. I'm opposed to approval of a conditional use permit for the short rental of five geodomes.

Owners

Who actually owns this development? The notice of public hearing say that Bruce and Janci Adams are the owners and Jennifer Anderson is the operator.

Occupancy

If the 5 geodomes have the same occupancy as other short term rentals in Valley County we will see a 42% occupancy. That would put an additional 1,993 people on west mountain and west mountain.

Water & Sewage

The notice of public hearing says there will a water well and septic tank for each of the five domes. The site diagram shows a central shared well and a central shared septic tank. Which is it, each have their own or shared? 5 separate water wells will adversely effect the aquafer that feeds all of us in the area. What is the results for the year round perk tests and when will that data be available?

West Mountain / Deer Trail

With the increase of people comes the increase in vehicles. All kinds of vehicles, ATVs, UTVs, SxS, and snowmobiles to mention a few. In May 2022, Valley County Commissioners revived a policy not used since 2010 to ask developers to enter into voluntary agreements to pay for road improvements when new developments are approved. In this case it would be dust abatement a certain distance north and on west mountain.

Security and Hazards

Looking over the site diagram I don't see any visual block, I think other that the trees there should be a perimeter fence.

The fire pit is problematic because most of the summer a fire is not allowed and when it is, in a wooded area like ours you should not have a fire anyway due to sparks and flying embers. A communal fire pit will encourage loud parties and the consumption of adult beverages.

In closing this development will not be in the best interest of all who live in the area whom enjoy the peace and quiet. What is left.

I have outlined just a few things that prevent me from wanting this development conditional use permit approved.

Thank you

Sincerely,
~Scheid

A solid black rectangular box used to redact the signature of the sender.